
STATUTORY INSTRUMENTS

1992 No. 1911 (S.194)

BUILDING AND BUILDINGS

The Building (Self-Certification of Structural Design) (Scotland) Regulations 1992

<i>Made</i>	- - - -	<i>28th July 1992</i>
<i>Laid before Parliament</i>		<i>12th August 1992</i>
<i>Coming into force</i>	- -	<i>1st November 1992</i>

The Secretary of State, in exercise of the powers conferred on him by sections 2(4), 6AA(2), 24(1) and 29(1) of, and paragraph 1 of Schedule 3 to, the Building (Scotland) Act 1959((1)) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Building (Self-Certification of Structural Design) (Scotland) Regulations 1992 and shall come into force on 1st November 1992.

(2) In these Regulations—

“the Act” means the Building (Scotland) Act 1959;

“building standards regulations” means the Building Standards (Scotland) Regulations 1990((2));

Part of building standards regulations in relation to which certificate may be submitted

2. Regulation 11 of the building standards regulations is hereby prescribed as the part of those regulations in relation to which a certificate under section 6AA of the Act may be submitted.

Persons entitled to issue certificate

3. A certificate under section 6AA of the Act may be issued by a person who—

(a) is a full member of the Institution of Civil Engineers, or a corporate member of the Institution of Structural Engineers or is authorised by the appropriate designated

(1) 1959 c. 24; section 2(4) was substituted by the Local Government (Scotland) Act 1973 (c. 65), Schedule 15, paragraph 3(b); section 6AA was added by the Housing (Scotland) Act 1986 (c. 65), section 19(4); paragraph 1 of Schedule 3 was amended by the Local Government (Scotland) Act 1973, Schedule 15, paragraph 1; section 29(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.

(2) S.I.1990/2179.

authority in accordance with the European Communities (Recognition of Professional Qualifications) Regulations 1991((3)) to practise the profession of chartered civil engineer or chartered structural engineer in the United Kingdom;

- (b) produces to the local authority adequate documentary evidence that he meets the criteria specified in paragraph (a) above; and
- (c) has himself prepared the necessary design calculations in respect of the building in question or is satisfied that such calculations have been properly prepared.

Amendment of Building (Procedure) (Scotland) Regulations 1981

4. At the end of regulation 9(1) of the Building (Procedure) (Scotland) Regulations 1981((4)) (making application for warrant) there shall be added the following proviso:—

“Provided further that where a certificate issued under section 6AA of the Act certifying compliance of the design of the building with regulation 11 of the building standards regulations is submitted along with the application for a warrant the plan section and elevation referred to in paragraph 1 of Section A of Schedule 1 need not show the details of calculation of loading and strength.”.

Amendment of the Building (Forms) (Scotland) Regulations 1991

5. The Schedule to the Building (Forms) (Scotland) Regulations 1991((5)) shall be amended as follows:—

- (a) for Form 4 (Application for Building/Demolition/Change of Use Warrant) there shall be substituted Form 4 set out in the Schedule to these Regulations; and
- (b) there shall be inserted as Forms 4A and 4B (Structural Design Certificates new and existing buildings) Forms 4A and 4B set out in that Schedule.

St Andrew's House,
Edinburgh
28th July 1992

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

(3) S.I. 1991/824.

(4) S.I. 1981/1499; relevant amending instrument is S.I. 1991/159.

(5) S.I. 1991/160.

SCHEDULE

Regulation 5

INDEX OF PRESCRIBED FORMS

Form No	Title
4	Application for Building/Demolition/Change of Use Warrant
4A	Structural Design Certificate for New Buildings
4B	Structural Design Certificate for Alterations and/or Extensions to existing buildings

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

FORM 4

**APPLICATION FOR BUILDING/DEMOLITION/CHANGE OF USE*
WARRANT**

Building (Scotland) Act 1959, section 6

**APPLICANTS FOR DEMOLITION WARRANTS NEED ONLY COMPLETE PARTS A, C
AND F**

The local authority will grant a building warrant if they are satisfied that the building will be constructed in accordance with the building operations regulations and the building standards regulations. A warrant for demolition will be granted if the requirements of the building operations regulations will be met.

Applications should be sent to the address shown at Part G of the form.

Part A (to be completed for all applications)

1. APPLICANT	2. AGENT (if any)
Name _____	Name _____
Address _____	Address _____
_____	_____
_____	_____
Post Code _____	Post Code _____
Tel No _____	Tel No _____
3. PURPOSE FOR WHICH WARRANT IS SOUGHT	
Please state the nature of the proposed operations eg erection, alteration, extension, change of use or demolition of house, shop or other building.	

4. ADDRESS OF BUILDING(S)	
(for which application is being made)	

5. LISTED BUILDINGS	
Does the application concern buildings listed as being of special architectural or historic interest or in a conservation area? (If in doubt, the planning authority can advise)	
Yes/No*	
6. If so, please state category _____	

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PART B (to be completed by applicants for warrant to erect, alter, or extend a building)

<p>7. USE(S) OF BUILDING(S) The building(s) will be used as _____ _____</p> <p>8. RELAXATION DIRECTIONS The building(s) is/are* the subject of a relaxation direction given by the Secretary of State/the local authority*, reference number _____ dated _____</p> <p>9. STAGES OF CONSTRUCTION If a staged warrant is required, please indicate which stage(s) are requested. _____ _____ _____</p> <p><i>Note</i> You can arrange at the local authority's discretion to be granted a warrant on condition that you provide them with further details before any of the following stages of construction are commenced:- foundations substructure underground drainage system superstructure, excluding the stages specified below external wall cladding or internal walls or their linings roof installation of a lift, escalator or electrical, ventilation, heating or plumbing system</p>
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PART C (to be completed by all applicants)

<p>10. COST OF OPERATIONS The cost of the operations is estimated at £ _____ Please note that the local authority may wish to verify this figure.</p>

PART D (to be completed where an existing building is to be used for a different purpose)

<p>11. EXISTING USE(S) OF BUILDING(S) The building(s) is/are* at present used as _____ _____</p> <p>12. PROPOSED USE(S) OF BUILDING(S) The building(s) will be used as _____</p>
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PART E (complete this part only if the building is intended to have a life of less than 5 years – less onerous requirements may apply to buildings in this category)

<p>13. LIMITED LIFE BUILDING(S) The life of building(s) will be _____ (not more than 5 years)</p>

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PART F (to be completed by all applicants)

<p>14. DECLARATION</p> <p>I/We* apply for a warrant in accordance with the details supplied above and with any necessary plans (including drawings, specifications, and other particulars) accompanying this application. I/We* have/have not* included a certificate showing that the design complies with the structural requirements of the building standards regulations (see notes 2 and 3).</p> <p>Signature of applicant/agent* _____</p> <p>Date _____</p>
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*Delete as appropriate

PART G

ADDRESS TO WHICH YOU SHOULD SEND YOUR APPLICATION	
	COUNCIL ENQUIRY POINT
_____ Council	Name _____
_____	Tel _____
_____	Ext _____
Post Code _____	

WARNING

A BUILDING WARRANT DOES NOT EXEMPT YOU FROM OBTAINING OTHER TYPES OF PERMISSION NECESSARY, EG PLANNING PERMISSION OR LISTED BUILDING CONSENT. CONSULT THE LOCAL AUTHORITY IF IN DOUBT

NOTES

1. If the local authority refuse to grant a warrant you may appeal to the sheriff within 21 days of the date of the decision.
2. The local authority can advise you on what plans, drawings, specifications and other particulars should accompany your application.
3. The Building (Self-Certification of Structural Design) (Scotland) Regulations 1992 enables an applicant for building warrant to submit with his application a certificate signed by a suitably qualified civil or structural engineer certifying that the design, including the specification of material to be used, complies with regulation 11 of the Building Standards (Scotland) Regulations 1990. Forms 4A and 4B refer.

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FORM 4A

STRUCTURAL DESIGN CERTIFICATE FOR NEW BUILDINGS

Building (Scotland) Act 1959, section 6AA

This certificate is submitted with reference to the application by

dated _____ for warrant to _____

at _____

*The design calculations for the entire completed structure, including all structural elements, having been prepared by me; or

*Being satisfied that the design calculations for the entire completed structure, including all structural elements, have been properly prepared,

I hereby certify that the design, including the specification of material to be used, complies with regulation 11 of the Building Standards (Scotland) Regulations 1990.

Signed _____ Date _____

Name and address of practice

Full Member of Institution of Civil Engineers/Corporate Member of Institution of Structural Engineers*

Date of becoming a full/corporate* member _____

OR

Authorised by Institution of Civil Engineers/Institution of Structural Engineers* to practise in the United Kingdom

Date of authorisation _____

*Delete as appropriate

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FORM 4B

STRUCTURAL DESIGN CERTIFICATE FOR ALTERATIONS AND/OR EXTENSIONS TO EXISTING BUILDINGS

Building (Scotland) Act 1959, section 6AA

This certificate is submitted with reference to the application by

dated _____ for warrant to _____

at _____

*The design calculations for the new structural elements, ie foundations, in-situ concrete, pre-cast concrete, steel, brick, masonry, aluminium, timber _____ [delete or add elements as necessary] having been prepared by me; or

*Being satisfied that the design calculations for the new structural elements, ie foundations, in-situ concrete, pre-cast concrete, steel, brick, masonry, aluminium, timber _____ [delete or add elements as necessary] have been properly prepared,

I hereby certify that the design, including the specification of material to be used, complies with regulation 11 of the Building Standards (Scotland) Regulations 1990.

Signed _____ Date _____

Name and address of practice

Full Member of Institution of Civil Engineers/Corporate Member of Institution of Structural Engineers*

Date of becoming a full/corporate* member _____

OR

Authorised by Institution of Civil Engineers/Institution of Structural Engineers* to practise in the United Kingdom

Date of authorisation _____

*Delete as appropriate

EXPLANATORY NOTE

(This note does not form part of the Regulations)

Section 6AA of the Building (Scotland) Act 1959 enables an applicant for building warrant under section 6 of the Act to submit with his application a certificate issued by a prescribed person certifying that the design of the building complies with prescribed provisions of the building standards regulations. Such a certificate must be accepted by the local authority as conclusive of the facts to which it relates.

These Regulations prescribe—

- (a) regulation 11 of the Building Standards (Scotland) Regulations 1990, dealing with structure, as a provision in relation to which a certificate may be submitted (regulation 2); and
- (b) as persons entitled to issue such certificates, suitably qualified civil and structural engineers who have themselves prepared the necessary design calculations or are satisfied that such calculations have been properly prepared (regulation 3).

Regulation 4 amends the Building (Procedure) (Scotland) Regulations 1981 in relation to the plans and specifications required to be lodged with an application for building warrant where a design certificate is also being submitted. Regulation 5 makes consequential amendment to the Building (Forms) (Scotland) Regulations 1991 by substituting Form 4 (application for warrant) and inserting new Forms 4A and 4B (structural design certificates).