

SCHEDULE

REMOVAL OR ALTERATION OF PHYSICAL FEATURES: DESIGN STANDARDS

Buildings in Scotland

3.—(1) For the purposes of paragraph 1(2), “Technical Standards” means the Technical Standards as defined by regulation 2(1) of the Building Standards (Scotland) Regulations 1990⁽¹⁾ in effect at the time when the physical feature was provided in or in connection with the building.

(2) For the purpose of sub-paragraph (1), and subject to sub-paragraph (3), a physical feature is deemed to be provided in or in connection with the building on—

- (a) the day upon which the works to install or construct the feature were commenced; or
- (b) in the case of a physical feature provided as part of a larger building project, the day upon which the works in relation to that project were commenced.

(3) In a case where the physical feature is provided as part of building works in relation to which an application for a warrant for the construction or change of use of the building has been made and granted, the works are deemed to have commenced on the day upon which the application for the warrant was made.

(4) Where in relation to the physical feature in question any provision of the Technical Standards refers to a standard or specification (in whole or in part), that standard or specification shall be construed as referring to any equivalent standard or specification recognised for use in any member state of the European Community or European Economic Area.

(1) S.I.1990/2179 as amended by S.I. 1993/1457 and the statutory instruments cited in footnote (a) on page 5.