



# Housing (Scotland) Act 2014

## 2014 asp 14

### PART 3

#### PRIVATE RENTED HOUSING

##### *Repairing standard*

#### **22 Carbon monoxide alarms**

In section 13 of the 2006 Act—

- (a) the word “and” after paragraph (e) of subsection (1) is repealed,
- (b) after paragraph (f) of subsection (1) insert “, and
- (g) the house has satisfactory provision for giving warning if carbon monoxide is present in a concentration that is hazardous to health.”,
- (c) after subsection (5) insert—

“(6) In determining whether a house meets the standard of repair mentioned in subsection (1)(g), regard is to be had to any building regulations and any guidance issued by the Scottish Ministers on provision for giving warning if carbon monoxide is present in a concentration that is hazardous to health.”.

#### **23 Electrical safety inspections**

- (1) In section 13 of the 2006 Act (the repairing standard), after subsection (4) insert—

“(4A) In determining whether a house meets the standard of repair mentioned in subsection (1)(c) and (d) in relation to installations for the supply of electricity and electrical fixtures, fittings and appliances, regard is to be had to any guidance issued by the Scottish Ministers on electrical safety standards.”.

- (2) After section 19 of the 2006 Act insert—

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*Status: This is the original version (as it was originally enacted).*

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### **“19A Duty to ensure regular electrical safety inspections**

- (1) The landlord must ensure that regular inspections are carried out for the purpose of identifying any work which—
  - (a) relates to installations for the supply of electricity and electrical fixtures, fittings and appliances, and
  - (b) is necessary to ensure that the house meets the repairing standard.
- (2) The duty in subsection (1) is complied with if—
  - (a) an inspection has been carried out before the tenancy starts (but not earlier than 5 years before the start of the tenancy), and
  - (b) inspections are carried out during the tenancy at such intervals to ensure that there is a period of no more than 5 years between each inspection.
- (3) The landlord must—
  - (a) before the start of the tenancy, provide the tenant with a copy of the record of the most recent inspection carried out, and
  - (b) provide the tenant with a copy of the record of any inspection carried out during the tenancy.
- (4) For the purposes of sections 16(4), 17, 22 and 24 and schedule 2, references to a duty under section 14(1) include the duties under this section.

### **19B Electrical safety inspections**

- (1) An inspection carried out in pursuance of section 19A must be carried out by a competent person.
- (2) The person carrying out the inspection must prepare a record of the inspection including the following information—
  - (a) the date on which the inspection was carried out,
  - (b) the address of the house inspected,
  - (c) the name and address of the landlord or the landlord’s agent,
  - (d) the name, address and relevant qualifications of the person who carried out the inspection,
  - (e) a description, and the location, of each installation, fixture, fitting and appliance inspected,
  - (f) any defect identified,
  - (g) any action taken to remedy a defect.
- (3) A copy of the record must be—
  - (a) given to the landlord, and
  - (b) retained by the landlord for a period of 6 years.
- (4) The Scottish Ministers must publish guidance on the carrying out of inspections.
- (5) In determining who is competent to carry out an inspection, the landlord must have regard to the guidance.”.

## **24 Power to modify repairing standard etc.**

(1) After section 20 of the 2006 Act insert—

### **“20A Power to modify repairing standard etc.**

- (1) The Scottish Ministers may by regulations vary or extend the repairing standard and a landlord’s duty to ensure a house meets that standard.
- (2) Regulations under subsection (1) may, in particular, make provision about—
  - (a) the tenancies to which this Chapter applies,
  - (b) determining whether a house meets the repairing standard,
  - (c) carrying out inspections in relation to the repairing standard.
- (3) Regulations under subsection (1) may modify sections 12 to 14 and any other provision of this Chapter.”.

(2) In section 191(5) of the 2006 Act, after “section” insert “20A,”.