
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 428

The Building (Procedure) (Scotland) Regulations 2004

PART VIII

PROCEDURE IN RELATION TO COMPLETION CERTIFICATES

Submission of Completion Certificates

41. A completion certificate shall be submitted under section 17(1), (4) and (7) of the Act by submitting to the verifier—

- (a) a completion certificate in the prescribed form which shall—
 - (i) certify the matters referred to in section 17(2) of the Act and;
 - (ii) contain—
 - (aa) a description sufficient to identify the building (which must accord with the address for that building in the building standards register);
 - (bb) a statement of any continuing requirements imposed under section 22(2) of the Act;
 - (cc) information in relation to any certificates of construction submitted with the completion certificate in accordance with section 19 of the Act including the text of the actual certificate;
 - (dd) details of any amendments to the building warrant in respect of which the completion certificate certifies in accordance with section 17(2) of the Act; and
 - (ee) in the case of a completion certificate submitted in respect of a new dwelling constructed or created by conversion an energy rating calculated in accordance with the Government Standard Assessment Procedure;
- (b) in the case of a completion certificate submitted in accordance with section 17(4) of the Act—
 - (i) the prescribed fee;
 - (ii) such plans as would have been required for an application for a building warrant in respect of the work or conversion in accordance with regulation 4(1)(b) of these regulations
 - (iii) information in relation to any certificates of construction and design submitted with the completion certificate including the text of the actual certificate; and
- (c) such other information as the verifier may require.

Completion certificates – multiple buildings

42.—(1) In relation to a completion certificate submitted under section 17(1) of the Act, where the work or conversion in respect of which the building warrant was granted relates to more than one building the relevant person may submit to the verifier—

- (a) a completion certificate for all of the buildings, other than dwellings, covered by the building warrant; or
- (b) a separate completion certificate for each dwelling or building covered by the building warrant,

but the verifier shall only issue an acceptance of such certificates if the verifier is satisfied as to the matters specified in regulation 45(3).

- (2) In this paragraph “relevant person” has the same meaning as in section 17(10) of the Act.

Acceptance and rejection of completion certificates

43. For the purposes of section 18(3) of the Act (which requires the verifier before accepting a completion certificate relating to a building or in respect of work or a conversion of such description as may be specified to consult such persons as may be specified) there is specified in the case of work or a conversion in respect of which a completion certificate has been submitted in accordance with section 17(4) of the Act the relevant fire authority only if the verifier would have done so in terms of regulation 11 had it been an application for a building warrant.

Consideration of completion certificate

44.—(1) Subject to paragraph (2), on receipt of a completion certificate the verifier shall proceed forthwith to consider the completion certificate and shall within the period of 14 days beginning with the date of receipt notify the person who submitted the certificate of its acceptance or rejection.

(2) In relation to a completion certificate submitted under section 17(4) of the Act, on receipt thereof the verifier shall proceed to consider the completion certificate in accordance with the provisions of regulation 9(1)(ii).

(3) Where a verifier accepts a completion certificate the verifier must send an acceptance in such form as the verifier thinks fit to the person who submitted the certificate.

Acceptance of completion certificates – multiple buildings

45.—(1) In relation to a completion certificate referred to in regulation 42(1) (a) and (b) the verifier—

- (a) may issue an acceptance in respect of all the buildings covered by the completion certificate; or
- (b) if requested by the relevant person and the verifier thinks fit may issue a separate acceptance in respect of each building covered by the completion certificate.

(2) In relation to a completion certificate referred to in regulation 42(1)(b) any acceptance issued by the verifier shall be in respect of the building covered by the completion certificate.

(3) The verifier shall not accept a completion certificate referred to in regulation 42(1)(a) and (b) unless the verifier is satisfied as to the following matters—

- (a) where the completion certificate is in respect of the last dwelling forming part of a housing development, that all parts of the development communal to any dwelling forming part of that development and subject to a requirement of the building regulations are complete;

- (b) where the completion certificate is in respect of a dwelling which forms part of a larger building that the areas communal to the dwelling and the larger building have been completed; and
 - (c) where the completion certificate is in respect of several buildings at different postal addresses that the buildings all have the same owner.
- (4) In this Regulation “relevant person ” has the same meaning as in section 17(10) of the Act.

Documents and information to be sent

46. For the purposes of section 18(4)(a)(ii) of the Act (which requires the verifier on accepting or rejecting a completion certificate to send a copy of the certificate together with such other documents and information as may be specified) there is specified–

- (a) in the case of a completion certificate submitted under section 17(4) of the Act (work or conversion for which a building warrant is required carried out or made without a building warrant) the principal plans to be submitted with the completion certificate in accordance with regulation 42(1)(b) including where required by the verifier exposure of such concealed parts of the structure of the building as was necessary to establish that the construction as built accords with the submitted plans;
- (b) in every case a copy of the acceptance issued in accordance with regulation 45(2); and
- (c) in every case any certificate submitted to the verifier in accordance with section 19(1) of the Act.

Rejection of completion certificate

47. Where a verifier rejects a completion certificate the verifier shall notify the person who submitted the certificate and in accordance with section 18(4)(b) the owner of the building of the rejection and of the verifier’s reasons therefor.

Information to fire authority

48. Where a verifier accepts a completion certificate and a fire authority has been consulted either–

- (a) in relation to the application for a building warrant in accordance with regulation 11; or
- (b) in relation to the completion certificate in accordance with regulation 44

the verifier shall send a copy of the acceptance to the relevant fire authority.

Occupation or use without completion certificate

49. Where in accordance with section 21(3) of the Act a verifier grants permission for the temporary occupation or use of a building the verifier shall send a copy of the permission to the relevant fire authority but only when the fire authority has been consulted prior to the granting of the permission.

Imposition of continuing requirements by verifiers

50. Where in accordance with section 22(2) of the Act a verifier imposes continuing requirements in relation to a building which relate to fire safety the verifier shall send a copy of the continuing requirements to the relevant fire authority.