

SCOTTISH STATUTORY INSTRUMENTS

2019 No. 8

HOUSING

The Housing (Scotland) Act 1987 (Tolerable Standard) (Extension of Criteria) Order 2019

Made - - - - *16th January 2019*

Coming into force - - *1st February 2021*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 86(2) of the Housing (Scotland) Act 1987 ^{M1} and all other powers enabling them to do so.

In accordance with section 86(2A) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Marginal Citations

M1 1987 c.26. Section 86 was amended by section 11 of the [Housing \(Scotland\) Act 2006 \(asp 1\)](#). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the [Scotland Act 1998 \(c.46\)](#).

Citation and commencement **S**

1. This Order may be cited as the Housing (Scotland) Act 1987 (Tolerable Standard) (Extension of Criteria) Order 2019 and comes into force on 1 February [^{F1}2022].

Textual Amendments

F1 Word in art. 1 substituted (28.1.2021) by [The Housing \(Scotland\) Act 1987 \(Tolerable Standard\) \(Extension of Criteria\) Amendment Order 2021 \(S.S.I. 2021/46\)](#), arts. 1, 2

Commencement Information

I1 [Art. 1](#) in force at 1.2.2022, see [art. 1](#) (as amended by [S.S.I. 2021/46, art. 2](#))

Tolerable standard: extension of criteria **S**

2. In section 86(1) of the Housing (Scotland) Act 1987 (definition of house meeting tolerable standard), after paragraph (i) insert—

Changes to legislation: There are currently no known outstanding effects for the *The Housing (Scotland) Act 1987 (Tolerable Standard) (Extension of Criteria) Order 2019*. (See end of Document for details)

- “(j) has satisfactory equipment installed for detecting, and for giving warning of, fire or suspected fire;
- (k) has satisfactory equipment installed for detecting, and for giving warning of, carbon monoxide present in a concentration that is hazardous to health.”.

Commencement Information

I2 [Art. 2](#) in force at 1.2.2022, see [art. 1](#) (as amended by [S.S.I. 2021/46, art. 2](#)))

St Andrew's House,
Edinburgh

KEVIN STEWART
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends the tolerable standard criteria set out in section 86(1) of the Housing (Scotland) Act 1987 by adding new criteria which must be satisfied for a house to meet the tolerable standard for the purposes of that Act. The new requirements are for a house to have satisfactory fire detection alarms and carbon monoxide detection alarms. The requirements will come into force on 1 February 2021.

Changes to legislation:

There are currently no known outstanding effects for the The Housing (Scotland) Act 1987 (Tolerable Standard) (Extension of Criteria) Order 2019.