

1964 No. 802 (S. 50)

BUILDING AND BUILDINGS**The Building Standards (Scotland) Amendment
Regulations 1964**

<i>Made - - - -</i>	<i>3rd June 1964</i>
<i>Laid before Parliament</i>	<i>10th June 1964</i>
<i>Coming into Operation</i>	<i>15th June 1964</i>

In exercise of the powers conferred on me by sections 3, 6 and 24 of, and Schedule 4 to, the Building (Scotland) Act 1959(a), and of all other powers enabling me in that behalf, and having complied with the provisions of section 3(6) of that Act, that is to say—

- (a) having consulted the Building Standards Advisory Committee as to the contents of the proposed Regulations, and
- (b) having published drafts of the proposed Regulations together with a notice stating that representations as to the drafts may be lodged with me in the manner and within the time stated in the notice, and
- (c) having considered the representations duly lodged (no person having required the holding of a public inquiry), and
- (d) having consulted the Building Standards Advisory Committee as to the alterations that I proposed to the said drafts,

I hereby make the following Regulations—

1.—(1) These Regulations shall be cited as the Building Standards (Scotland) Amendment Regulations 1964, and the Building Standards (Scotland) Regulations 1963(b) and these Regulations may be cited together as the Building Standards (Scotland) Regulations 1963 and 1964.

(2) These Regulations shall come into operation on 15th June 1964.

2.—(1) In these Regulations, unless the context otherwise requires—

- (a) “ the principal Regulations ” means the Building Standards (Scotland) Regulations 1963, and other words and expressions have the same meanings as in the principal Regulations ;
- (b) any reference to a Part, Regulation or Schedule shall be construed as a reference to a Part or Regulation of, or Schedule to the principal Regulations and any reference to a numbered Table shall be construed as a reference to a Table in Schedule 8 to the principal Regulations.

(2) References in these Regulations to any Regulation shall be construed as a reference to that Regulation as amended by any subsequent Regulations, including these Regulations.

(3) The Interpretation Act 1889(a) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

3. In Regulation 2 the following paragraph shall be added after paragraph (3)—

“(3A) Any reference in these Regulations to a British Standard or a British Standard Code of Practice shall be construed as a reference to a British Standard Specification or a British Standard Code of Practice published under authority of the General Council of the British Standards Institution.”

4. In Regulation 40, for paragraphs (3) and (4) there shall be substituted the following paragraphs—

“(3) No garage to which paragraph (1)(b) of this Regulation applies, shall be nearer to the building second referred to in the said paragraph (1)(b) than 10 feet:

Provided that nothing in this paragraph shall require a garage, the roof of which is designated AA, AB or AC, to be situated at a distance greater than 3 feet 6 inches from any external wall of the building if either of the following conditions is satisfied—

(i) in relation to any part of the external wall which is within 6 feet of the garage—

(A) such part is non-combustible or has an external facing of non-combustible material, and

(B) such part has a period of fire resistance of not less than one-half hour, and

(C) any opening in such part, other than such an opening as is specified in Regulation 37(4)(a), is protected by a fire-check door within the meaning of proviso (i) to Regulation 28(6); or

(ii) in relation to the wall of the garage adjacent to the building—

(A) such wall is non-combustible or has an external facing of non-combustible material, and

(B) such wall has either an internal lining of Grade A as specified in Regulation 57 or a period of fire resistance of not less than one-half hour, and

(C) any opening in such wall, not being a permanent ventilator having a cross-sectional area not exceeding 10 square inches, is protected by a fire-check door within the meaning of proviso (i) to Regulation 28(6) which, with its frames and surrounds, has a period of fire resistance of not less than one-half hour.

(4) No part of the external wall of a garage to which this Regulation applies shall be nearer to the boundary than 7 feet:

Provided that nothing in this paragraph shall—

(i) prohibit the wall being situated on the boundary if—

(A) the external wall of the garage satisfies the requirements of this Part for a separating wall having a period of fire resistance of not less than one hour, and

(B) if the garage is not set off, the roof thereon is designated AA, AB or AC;

(ii) require the wall to be situated at a distance from the boundary greater than 1 foot 6 inches if the garage is set off ;

(iii) require the wall to be situated at a distance from the boundary greater than 3 feet 6 inches if—

(A) the external wall of the garage adjacent to the boundary satisfies condition (ii) of the proviso to paragraph (3) of this Regulation, and

(B) the roof of the garage is designated AA, AB or AC.

(5) Any reference in the last foregoing paragraph of this Regulation to a garage which is set off shall be construed as a reference to a garage which is either not less than 10 feet behind the back wall or not less than 10 feet in front of the front wall of the building second referred to in paragraph (1)(b) of this Regulation."

5. In Regulation 46(1), in the proviso for the words "head 1 of Part II of Table 11" there shall be substituted the words "head 5 of Part IV of Table 11".

6. In Regulation 88(2), for sub-paragraph (h) there shall be substituted the following sub-paragraph—

"(h) no part of a subsidiary flue, other than a connecting bend no part of which is more than 24 inches in length, makes an angle with the horizontal plane of less than 45°".

7. In Regulation 142(1), at the end there shall be inserted the following proviso—

"Provided that nothing in the said Regulations shall apply to any open-jointed, porous or perforated drain which is a surface water drain communicating with a soak-away, ditch or other means of disposal approved by the local authority",

and paragraph (8) of that Regulation shall be omitted.

8. In Regulation 185(5), for sub-paragraph (a) there shall be substituted the following sub-paragraph—

"(a) in the bathroom provided so as to comply with paragraph (3) of this Regulation".

9. In Schedule 8—

(a) in Part VIB of Table 4, for the words "3 inch plasterboard" in column (3) there shall be substituted the words " $\frac{3}{4}$ inch plasterboard";

(b) in Part I of Table 8, at the end there shall be inserted the following item—

Covering material	Supporting structure	Designation
"6. Bitumen felt strip slates, asbestos based, mineral surfaced with an under layer of self-finished bitumen asbestos felt minimum 30 pounds	Timber rafters and boarding	BB "

(c) in Part IVA of Table 8, in the columns headed "Combustible Deck" for the dash, in each of the eight places where it occurs, there shall be substituted the letters "AA";

- (d) in Part IVB of Table 8, in the column headed "Upper Layer", in Item 2, for the words "Type 2C, mineral asbestos surfaced bitumen felt 80 pounds" there shall be substituted the words "Type 2C, mineral surfaced bitumen asbestos felt 80 pounds".

10. In Schedule 9—

- (a) in Head A, in paragraph 1, there shall be omitted the words "for the time being", and for the words "including any published amendments thereto" there shall be substituted the words "as at the date of making these Regulations, including any amendments thereto published at that date";

(b) in Head B,

- (i) in Specification (5) to Regulation 101, for paragraph (a) there shall be substituted the following paragraph—

"(a) the element is built of—

(i) clay engineering bricks, or

(ii) granite blocks,

conforming in either case to the appropriate specification listed in column (1) of Part I of Schedule 10";

- (ii) in Specification (2) to Regulation 142(2), at the end insert the words "or B.S. 3656".

Michael Noble,

One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

3rd June 1964.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend the Building Standards (Scotland) Regulations 1963 so that the references therein to publications and amendments to publications are limited to those published prior to 22nd November 1963 (the date of making the said Regulations of 1963). They also contain a definition of the references to British Standards and British Standard Codes of Practice.

The Regulations also make a number of minor amendments to the Building Standards (Scotland) Regulations 1963, and in particular alter the provisions governing the standards required for the construction of small garages.