
STATUTORY INSTRUMENTS

1994 No. 1266 (S.65)

BUILDING AND BUILDINGS

**The Building Standards (Scotland)
Amendment Regulations 1994**

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| <i>Made</i> | - - - - | <i>9th May 1994</i> |
| <i>Laid before Parliament</i> | | <i>19th May 1994</i> |
| <i>Coming into force</i> | - - | <i>30th June 1994</i> |

The Secretary of State, in exercise of the powers conferred on him by sections 3, 24(1)(b) and 29(1) of, and Schedule 4 to, the Building (Scotland) Act 1959(1) and of all other powers enabling him in that behalf and, as required by section 3(6) of that Act(2), having consulted the Building Standards Advisory Committee and such other bodies as appear to him to be representative of the interests concerned, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Building Standards (Scotland) Amendment Regulations 1994 and shall come into force on 30th June 1994.

Amendment of the Building Standards (Scotland) Regulations 1990

2.—(1) The Building Standards (Scotland) Regulations 1990(3) shall be amended in accordance with the following paragraphs.

(2) In paragraph (1) of regulation 2 (interpretation) for the definition of “Technical standards”(4) there shall be substituted the following:—

““Technical Standards” means the Technical Standards for compliance with the Building Standards (Scotland) Regulations 1990 issued by the Scottish Office in October 1990 as amended by the substitute pages issued by the Scottish Office in and dated July 1993(5) and June 1994;”.

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- (1) 1959 c. 24: section 3(2) and (3) were amended by the Health and Safety at Work Etc Act 1974 (c. 37) (“the 1974 Act”), Schedule 7, paragraphs 1(a) and 1(b) respectively; section 3(4) was amended by the Housing (Scotland) Act 1986 (c. 65), section 19(2); section 3(7) was inserted by the 1974 Act, Schedule 7, paragraph 1(c); section 29(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.
- (2) Section 3(6) was substituted by the Building (Scotland) Act 1970 (c. 38), section 1.
- (3) S.I. 1990/2179, amended by S.I. 1993/1457.
- (4) Substituted by S.I. 1993/1457.
- (5) These amendments to the Technical Standards were given effect to by S.I. 1993/1457.

(3) In regulation 11 (structure), for paragraph (2) there shall be substituted the following paragraphs:—

“(2) Subject to paragraph (3), every building of five or more storeys shall be so constructed that in the event of damage occurring to any part of the structure of the building the extent of any resultant collapse will not be disproportionate to the cause of the damage.

(3) In calculating the number of storeys for the purpose of paragraph (2), no account shall be taken of any storey within a roof space where the slope of the roof does not exceed 70° to the horizontal.”

(4) In regulation 25 (sanitary facilities) for paragraph (2) there shall be substituted the following:—

“(2) This regulation shall apply to all buildings other than buildings or any part of a building to which—

- (a) the Workplace (Health, Safety and Welfare) Regulations 1992⁽⁶⁾ apply;
- (b) section 7 of the Factories Act 1961⁽⁷⁾ applies; or
- (c) the School Premises (General Requirements and Standards) (Scotland) Regulations 1967 to 1979⁽⁸⁾ apply.”

(5) In regulation 27 (miscellaneous hazards)—

(a) in paragraph (1)—

- (i) the words “and rooflights” shall be added to the end of sub-paragraph (c), and
- (ii) the following sub-paragraphs shall be added after sub-paragraph (e):—

“(f) the positioning of manual controls for operation of windows and rooflights;

(g) the means of access to a roof.”; and

(b) for paragraph (2) there shall be substituted the following:—

“(2) Paragraph (1)(e) shall apply only, and paragraph (1)(f) and (g) shall not apply, to buildings of purpose group 1.”

(6) In paragraph (2) of regulation 32 (stairs, ramps and protective barriers) for the words “every stair, ramp, raised floor or other” there shall be substituted the words “every floor, stair, ramp or”.

(7) In regulation 33 (facilities for disabled people)—

(a) for the heading there shall be substituted “Access and facilities for disabled people”;

(b) for paragraphs (1) and (2) there shall be substituted the following:—

“(1) Subject to paragraph (4), a building to which this regulation applies shall be provided with adequate access and suitable aids for disabled people.

(2) In every such building in which sanitary facilities are provided, there shall be adequate provision of such facilities for disabled people.”;

(c) in paragraph (3) for the word “storey” there shall be substituted the word “building”; and

(d) for paragraph (4)(a) and (b) there shall be substituted the following:—

“(a) surgeries with access at ground level which form part of a building of purpose group 1;

(b) buildings of purpose groups 2 to 6 inclusive; and

(6) [S.I. 1992/3004](#).

(7) [1961 c. 34](#); section 7 was amended by [S.I. 1974/1941](#) and repealed by [S.I. 1992/3004](#). That repeal does not come into force until 1st January 1996 with respect to any workplace or part of a workplace which is not a new workplace or a modification, extension or conversion: see [S.I. 1992/3004](#), regulation 1(3).

(8) [S.I. 1967/1199](#), [1973/322](#) and [1979/1186](#).

(c) car parks and parking garages of purpose sub-group 7B or 7C.”.

Application of the Regulations

3. Regulation 2 above shall not have effect in relation to—
- (a) an application for a warrant for the construction or change of use of a building which was made before the date of coming into force of these Regulations, or
 - (b) an application for the extension of the period of validity or the amendment of the terms of such a warrant granted at any time in pursuance of an application made as aforesaid.

St. Andrew’s House,
Edinburgh
9th May 1994

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make further amendments to the Building Standards (Scotland) Regulations 1990 by modifying the requirements in relation to construction of buildings consisting of five or more storeys and as to the provision of protective barriers; amending the application of the requirement to provide sanitary facilities; laying down new safety requirements for roof and window access; and extending the requirements for facilities for disabled people, in particular access to the upper floors of buildings. Amendment of the definition of “Technical Standards” at regulation 2(2) provides through the substitute pages dated June 1994 mentioned therein, the means of compliance with these new requirements and gives effect to other minor changes including requiring a suitable means of escape from buildings for disabled people in the event of fire, reducing an onerous width requirement on common stairs in blocks of flats, simplifying requirements for spiral stairs and extending the range of equivalent standards which, along with any standard or specification named in the Technical Standards, will be deemed in accordance with regulation 9(2) of the 1990 Regulations to satisfy the relevant requirements.

The Regulations come into force on 30th June 1994 but do not apply to any construction or change of use of a building where application for warrant was made before that date.

Copies of the Technical Standards supporting the 1990 Regulations as amended are available from Her Majesty’s Stationery Office.

Where appropriate, Compliance Cost Assessments of the effect of the revised Technical Standards have been carried out and summaries thereof have been deposited for inspection in the House Libraries.