The Building (Forms) (Scotland) Regulations 1991

Made: 28th January 1991
Laid before Parliament: 18th February 1991
Coming into force: 1st April 1991

LONDON: HMSO
£6.75
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Made  28th January 1991
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The Secretary of State, in exercise of the powers conferred on him by section 24(1)(a) of the Building (Scotland) Act 1959, makes the following Regulations:

1.—(1) These Regulations may be cited as the Building (Forms) (Scotland) Regulations 1991 and shall come into force on 1st April 1991.

(2) Any form referred to in these Regulations by number means the form so numbered in the Schedule hereto and any reference in these Regulations to the Act is a reference to the Building (Scotland) Act 1959.

2. The forms set out in the Schedule to these Regulations are hereby prescribed as the forms of any notice or other document which is required or authorised to be used under or for the purposes of the Act.

3. The Building (Forms) (Scotland) Amendment Regulations 1981 are hereby revoked.

St Andrew’s House, Edinburgh
28th January 1991

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

(a) 1959 c. 24
(b) S. I. 1975-548
(c) S. I. 1981-1522
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<td>Order under section 11 to Make Building Conform to the Building</td>
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<td>Notice of Intention to make Order Requiring Operations on a Dangerous</td>
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<td>26</td>
<td>Charging Order</td>
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</tbody>
</table>
APPLICATION FOR RELAXATION OF BUILDING STANDARDS REGULATIONS

Building (Scotland) Act 1959, section 4

Before completing this form please read the Notes at the back

PART A

This application should be sent to the Secretary of State/_________ Council* (see Note 1)

1. APPLICANT
Name __________________________
Address __________________________
Address __________________________
Address __________________________
Address __________________________
Post Code __________________________
Tel No __________________________

2. AGENT (if any)
Name __________________________
Address __________________________
Address __________________________
Address __________________________
Post Code __________________________
Tel No __________________________

3. ADDRESS OF BUILDING
(in relation to which application is made)


4. NAME AND ADDRESS OF OWNER OF BUILDING:
(if different from applicant)


PART B

5. DETAILS OF APPLICATION:

<table>
<thead>
<tr>
<th>Regulation number and provision of the Technical Standards from which dispensation or relaxation is being sought</th>
<th>Proposed dispensation or relaxation</th>
<th>Grounds for application</th>
</tr>
</thead>
<tbody>
<tr>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

PART C (EXISTING BUILDINGS ONLY)

6. State present use of building

7. State proposed use of building

PART D (NEW BUILDINGS ONLY)

8. State proposed use of building

PART E

9. FIRE AUTHORITY

Is the work being carried out at the request of the Fire Authority? YES/NO

10. SECTION 10 NOTICE

Has a notice under section 10 of the Building (Scotland) Act 1959 been served on you? (see note 5) YES/NO

11. If so, give date of notice
12. **SECTION 11 NOTICE**

Has a notice under section 11 of the Building (Scotland) Act 1959 been served on you? (see note 5)  

13. If so, give date of notice  

14. **BUILDING WARRANT**

Has an application for a building warrant been made?  

If so, please give date of application and reference number  

15. **Listed building**

Is the building listed as being of special architectural or historic interest, or in a conservation area? (If in doubt the planning authority can advise)  

16. If so, please state category  

<table>
<thead>
<tr>
<th>PART F</th>
</tr>
</thead>
</table>

17. **I/We* apply for a direction dispensing with or relaxing those provisions of the Building Standards Regulations set out above [in accordance with any necessary plans (including drawings, specifications and other particulars) submitted with the application]*. (See note 6).  

Signature of applicant/agent*  

Date  

*Delete as appropriate  

<table>
<thead>
<tr>
<th>PART G</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>COUNCIL ENQUIRY POINT</th>
</tr>
</thead>
</table>

Council  

Name  

Tel  

Ext  

Post Code
NOTES

1. Where on application it appears to the Secretary of State or the local authority that it is unreasonable that any provision of the building standards regulations should apply to any particular building, the Secretary of State or the local authority may give a direction relaxing that provision in relation to that building. If you are in doubt to whom your application should be addressed, you should seek advice from your local authority. If your application is to be addressed to the Secretary of State, a copy must also be sent to the local authority.

2. Applications to the local authority should be sent to the address shown at Part G of the form. The local authority can advise you where applications to the Secretary of State should be sent.

3. If the local authority refuse to dispense with or relax the regulations or apply conditions to a relaxation which you find unacceptable you may appeal to the Secretary of State against their decision. You must appeal within 28 days from the local authority's decision by completing Form 3 and sending it to the Secretary of State (see note 2).

4. If the local authority do not give a decision within 2 months of you making the application you may appeal to the Secretary of State following the procedure in note 3.

5. Section 10 of the Building (Scotland) Act 1959 gives powers to the local authority to remove or make a building conform to the building standards regulations where the building was constructed without a warrant, in contravention of the conditions of the warrant, or where the life of a limited life building has expired. Section 11 gives power to the local authority to require buildings to conform to the building standards regulations.

6. The local authority can advise you on what plans, drawings, specifications and other particulars should accompany your application.
FORM 2

RELAXATION DIRECTION

Building (Scotland) Act 1959, section 4

This direction is given by ________________ Council in connection with the application by __________________ dated __________ requesting dispensation or relaxation of provisions of the Building Standards (Scotland) Regulations 19__ in relation to the building at _____________________.

The ________________ Council hereby direct that the provision(s) of the Building Standards (Scotland) Regulations 19__ specified in the Schedule hereto shall not apply for the reasons stated in that Schedule.

________________________ (signed) for _____________________________ Council

________________________ (date)

NOTES

1. If the local authority have applied conditions to this direction which you find unacceptable you may appeal to the Secretary of State against their decision. You must appeal within 28 days of the local authority's decision by completing Form 3 and sending it to the Secretary of State whose address may be obtained from the local authority.

2. A copy of the appeal (Form 3) should also be sent to the local authority.
FORM 2 (Continued)

SCHEDULE TO FORM 2

Regulations dispensed or relaxed and conditions, if applicable.

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Provisions from which dispensation or relaxation is given</th>
<th>Conditions attached to direction</th>
<th>Reasons for decision</th>
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</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>
RELAXATION OF BUILDING STANDARDS REGULATIONS - 
APPEAL TO THE SECRETARY OF STATE

Building (Scotland) Act 1959, section 4A

If the local authority have refused to dispense with or relax the regulations or have applied conditions to the direction which you find unacceptable, you may appeal against their decision to the Secretary of State within 28 days of being notified of their decision by completing this form and sending it to the Secretary of State. You may also appeal, as if the local authority had refused your application, if they have not given you a decision within 2 months, or such longer period as may be agreed with the local authority. The Secretary of State's address may be obtained from the local authority.

A copy of the appeal should also be sent to the local authority.

1. APPLICANT

Name __________________________

Address _________________________

__________________________________

__________________________________

Post Code _________________________

Tel No ____________________________

2. AGENT (if any)

Name __________________________

Address _________________________

__________________________________

__________________________________

Post Code _________________________

Tel No ____________________________

3. ADDRESS OF BUILDING
(in relation to which relaxation was sought)

__________________________________

__________________________________

__________________________________

4. AGE OF BUILDING

Is it a new building? YES/NO*
5. ORIGINAL APPLICATION FOR RELAXATION DIRECTION

Date of Relaxation Application to local authority

__________________________

Which local authority?

__________________________

Please quote local authority reference number

__________________________

Date of Direction (if received)

__________________________

Regulation number and provisions from which dispensation or relaxation was sought.

__________________________

6. TYPE OF APPEAL

1/We* wish to appeal against:

refusal to grant application □

conditions subject to which application was granted □

failure to notify me/us* of their decision □

( / as applicable)

7. GROUNDS OF APPEAL

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

8. Signature of Applicant/Agent* ___________________________ Date _______

*Delete as appropriate
APPLICATION FOR BUILDING/DEMOLITION/CHANGE OF USE* WARRANT

Building (Scotland) Act 1959, section 6

APPLICANTS FOR DEMOLITION WARRANTS NEED ONLY COMPLETE PARTS A, C AND F

The local authority will grant a building warrant if they are satisfied that the building will be constructed in accordance with the building operations regulations and the building standards regulations. A warrant for demolition will be granted if the building operations regulations will be met.

Applications should be sent to the address shown at Part G of the form.

PART A (to be completed for all applications)

1. APPLICANT

Name __________________________

Address ________________________

_______________________________

_______________________________

_______________________________

Post Code ______________________

Tel No ________________________

2. AGENT (if any)

Name __________________________

Address ________________________

_______________________________

_______________________________

_______________________________

Post Code ______________________

Tel No ________________________

3. PURPOSE FOR WHICH WARRANT IS SOUGHT

Please state the nature of the proposed operations eg erection, alteration, extension, change of use or demolition of house, shop or other building.

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
4. **ADDRESS OF BUILDING(S)**
   (for which application is being made)

   __________________________________________

5. **LISTED BUILDINGS**

   Does the application concern buildings listed as **Yes/No**
   being of special architectural or historic interest
   or in a conservation area? (If in doubt, the
   planning authority can advise)

   6. If so, please state category

6. **PART B (to be completed by applicants for warrant to erect, alter, or
   extend a building)**

7. **USE(S) OF BUILDING(S)**

   The building(s) will be used as

   __________________________________________

8. **RELAXATION DIRECTIONS**

   The building(s) is/are the subject of a relaxation direction given by the
   Secretary of State/the local authority, reference number ________
   dated ________________.

9. **STAGES OF CONSTRUCTION**

   If a staged warrant is required, please indicate which stage(s) are
   requested.

   __________________________________________

   __________________________________________

   __________________________________________

   **Note**

   You can arrange at the local authority's discretion to be granted a
   warrant on condition that you provide them with further details before
   any of the following stages of construction are commenced:

   - foundations
   - substructure
   - underground drainage system
   - superstructure, excluding the stages specified below
   - external wall cladding or internal walls or their linings
   - roof
   - installation of a lift, escalator or electrical, ventilation, heating or
     plumbing system

---

14
PART C (to be completed by all applicants)

10. COST OF OPERATIONS

The cost of the operations is estimated at £____

Please note that the local authority may wish to verify this figure.

PART D (to be completed where an existing building is to be used for a different purpose)

11. EXISTING USE(S) OF BUILDING(S)

The building(s) is/are* at present used as ____________________________

12. PROPOSED USE(S) OF BUILDING(S)

The building(s) will be used as ____________________________

PART E (complete this part only if the building is intended to have a life of less than 5 years - less onerous requirements may apply to buildings in this category)

13. LIMITED LIFE BUILDINGS

The life of building(s) will be _______ (not more than 5 years)

PART F (to be completed by all applicants)

14. DECLARATION

I/We* apply for a warrant in accordance with the details supplied above and any necessary plans (including drawings, specifications, and other particulars) accompanying this application (see note 2).

Signature of applicant/agent* ________________________________

Date ________________________________

*Delete as appropriate.
PART G

ADDRESS TO WHICH YOU SHOULD SEND YOUR APPLICATION

COUNCIL ENQUIRY POINT

_________________________ Council Name _________________________

_________________________ Tel ________________________________

_________________________ Ext _________________________________

_________________________ Post Code ___________________________

WARNING

A BUILDING WARRANT DOES NOT EXEMPT YOU FROM OBTAINING OTHER TYPES OF PERMISSION NECESSARY, EG PLANNING PERMISSION OR LISTED BUILDING CONSENT. CONSULT THE LOCAL AUTHORITY IF IN DOUBT.

NOTES

1. If the local authority refuse to grant a warrant you may appeal to the sheriff within 21 days of the date of the decision.

2. The local authority can advise you on what plans, drawings, specifications and other particulars should accompany your application.
Building Warrant

Building (Scotland) Act 1959, section 6

This warrant is granted by __________________________ Council in connection with the application by __________________________ dated ________________ for the erection/alteration/extension/change of use* of a building/buildings* at __________________________

The reference number of this warrant is __________________________

The following conditions apply:

1. The building(s) shall be erected/ altered/ extended* in accordance with any necessary plans (including drawings, specifications and other particulars) accompanying the application and in accordance with the Building Standards (Scotland) Regulations 19___.

2. The conditions specified in the relaxation direction given by the Secretary of State/the local authority*, reference no __________________________ dated ________________ shall be observed.

3. The limited life building(s) shall be demolished on or before the expiry of the period of ____ years from the date on which the certificate of completion in respect of the building was granted.

4a. This warrant relates to __________________________

__________________________ stage(s)

Work on any further stage(s) shall not commence until sufficient information has been supplied to the local authority, as below:

__________________________

__________________________

__________________________

__________________________
4b. Stage(s) of warrant not yet granted


A copy of the plans is returned duly endorsed

________________________ (signed) for _____________________ Council

________________________ (date)

*Delete as appropriate

NOTES

1. This warrant is valid for work started and completed within 6 years of the date on which it was granted, unless an extension is granted by the local authority. Any extension can be granted only during the period of validity of the warrant.

2. The person who is carrying out the building operations should notify the local authority:
   a. in writing, of the date on which work starts, within 7 days of that date;
   b. when any drain has been laid and is ready for inspection or test;
   c. in writing, of the date on which work is completed, unless a certificate of completion has already been applied for.

3. You must obtain a certificate of completion before using or occupying the building(s) unless the local authority have agreed to temporary occupation.

4. The local authority must either grant the certificate of completion or give reasons for refusal within 14 days of an application for a certificate of completion being received and there is a right of appeal to the sheriff against refusal.

WARNING

THIS WARRANT DOES NOT EXEMPT YOU FROM OBTAINING OTHER TYPES OF PERMISSION NECESSARY, EG PLANNING PERMISSION OR LISTED BUILDING CONSENT. CONSULT THE LOCAL AUTHORITY IF IN DOUBT.
DEMOLITION WARRANT

Building (Scotland) Act 1959, section 6

This warrant is granted by ____________________ Council in connection with the application by ____________________ dated ________________ for the demolition of a building/buildings.*

at ____________________.

The following conditions apply:

1. From the date of commencement of operations the demolition will be completed within ________________, in accordance with any necessary plans (including drawings, specifications and other particulars), submitted with the application and in accordance with the building regulations.

2. The demolition shall be carried out in accordance with the method statement submitted with the application and agreed with the local authority.

A copy of the plans, drawings and other particulars submitted with the application is returned, duly endorsed.

______________________ (signed) for ____________________ Council

______________________ (date)

* Delete as appropriate

NOTES

1. This warrant is valid for demolition operations started within 3 years of the date on which it was granted, unless an extension is granted by the local authority. Any extension can be granted only during the period of validity of the warrant.

2. The person who is carrying out the demolition operations should notify the local authority in writing, of the date on which work starts within 7 days of that date and of the date on which it is completed.

WARNING

THIS WARRANT DOES NOT EXEMPT YOU FROM OBTAINING OTHER TYPES OF PERMISSION NECESSARY, EG LISTED BUILDING CONSENT. CONSULT THE LOCAL AUTHORITY IF IN DOUBT.
FORM 7

APPLICATION FOR AMENDMENT OF BUILDING WARRANT

Building (Scotland) Act 1959, section 6(3A) and (7)

Applicants for amendment to a staged building warrant should complete Parts A, C and E.

Other applicants should complete Parts A, B, D and E.

**PART A**

<table>
<thead>
<tr>
<th>1. APPLICANT</th>
<th>2. AGENT (if any)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Name</td>
</tr>
<tr>
<td>Address</td>
<td>Address</td>
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<tr>
<td>Post Code</td>
<td>Post Code</td>
</tr>
<tr>
<td>Tel No</td>
<td>Tel No</td>
</tr>
</tbody>
</table>

**PART B**

<table>
<thead>
<tr>
<th>5. AMENDMENT(S) REQUIRED</th>
</tr>
</thead>
</table>

What changes do you wish to make to the proposals for which warrant was granted?

__________________________________________

__________________________________________

__________________________________________

__________________________________________

__________________________________________

__________________________________________
PART C

6. STAGE WARRANT

For which stages does the local authority require further information? (see condition 5 of the original warrant)


7. For which stages are you now applying for amendment of warrant?


8. The information relating to the stages listed in question 7 is as follows:-


PART D

9. ADDITIONAL OPERATIONS

Are additional operations involved? YES/NO*

If yes, please state estimated additional cost and the revised total cost.

Additional cost £____________

Revised total cost £____________

Please note that the local authority may wish to verify these figures.
10. DECLARATION

I/We* apply for an amendment of warrant in accordance with the details supplied above and any necessary plans (including drawings, specifications and other particulars) accompanying this application (see note below).

Signature of applicant/agent*  
Date

*Delete as appropriate.

<table>
<thead>
<tr>
<th>ADDRESS TO WHICH YOU SHOULD SEND YOUR APPLICATION</th>
<th>COUNCIL ENQUIRY POINT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Council</td>
</tr>
<tr>
<td></td>
<td>Name</td>
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<td></td>
<td>Tel</td>
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<tr>
<td></td>
<td>Ext</td>
</tr>
<tr>
<td></td>
<td>Post Code</td>
</tr>
</tbody>
</table>

NOTE

The local authority can advise you on what plans, drawings, specifications and other particulars should accompany your application.
APPLICATION FOR CERTIFICATE OF COMPLETION

Building (Scotland) Act 1959, section 9

1. APPLICANT
Name ____________________________
Address ____________________________
Post Code ____________________________
Tel No ____________________________

2. AGENT (if any)
Name ____________________________
Address ____________________________
Post Code ____________________________
Tel No ____________________________

3. A certificate of completion is sought for the erection/alteration/extension* of the building or buildings at
(address) ____________________________

4. DATE OF BUILDING WARRANT AND ANY AMENDMENTS
A building warrant was granted on ____________________________
Reference Number of Warrant ____________________________
5. DATE WORKS COMPLETED
The works were completed on ____________________________

6. RELAXATION DIRECTIONS
Was a relaxation of the provisions of the building standards regulations given? YES/NO*
If so, give date and reference number ____________________________

7. DECLARATION
I/We* confirm that the operations at the above address have now been completed in accordance with the building standards regulations [as relaxed by the Secretary of State/local authority* on (date)]*. The operations were carried out as laid down in the building warrant mentioned above and conform with any necessary plans (including drawings, specifications and other particulars) endorsed in connection with the warrant. [I/We* also enclose a certificate showing that the electrical installation complies with the terms of the warrant]*

Signature of applicant/agent* ____________________________
Date ____________________________

*Delete as appropriate

ADDRESS TO WHICH YOU SHOULD SEND YOUR APPLICATION

COUNCIL ENQUIRY POINT

Council Name ____________________________
________________________
________________________
________________________
________________________
Post Code ____________________________

NOTES
1. The local authority must either grant a certificate of completion or notify the applicant of their refusal to do so within 14 days of the date of receipt of the application for a certificate of completion.

2. If the local authority refuse to grant a certificate of completion the applicant has the right of appeal to the sheriff.
FORM 9

COMPLIANCE CERTIFICATE FOR ELECTRICAL INSTALLATION

Building (Scotland) Act 1959, section 9

I certify that, to the best of my knowledge and belief, the electrical installation at __________________________ (address), carried out by me/under my supervision*, complies with the Building Standards (Scotland) Regulations 19___ and the relevant conditions of the building warrant (reference number ________) granted by Council on __________________________ (date) for the erection/alteration/extension* of the building.

Signature __________________________
Date __________________________
NAME __________________________
ADDRESS __________________________

Post Code __________________________
Tel No __________________________
Profession __________________________

*Delete as appropriate

THIS CERTIFICATE, WHEN COMPLETED, SHOULD BE SENT TO:-

____________________________________ Council

____________________________________

____________________________________

____________________________________ Post Code __________________________

COUNCIL ENQUIRY POINT

Name __________________________
Tel __________________________
Ext __________________________

WARNING

IF A PERSON GRANTS OR PRODUCES A CERTIFICATE WHICH IS FALSE OR MISLEADING HE/SHE MAY BE GUILTY OF AN OFFENCE UNDER THE BUILDING (SCOTLAND) ACT 1959 AND LIABLE ON SUMMARY CONVICTION TO A FINE.
CERTIFICATE OF COMPLETION

Building (Scotland) Act 1959, section 9

This certificate of completion is granted by ____________________________
Council in respect of the building at
___________________________ (address).

The Council, so far as they are able to ascertain after taking all
reasonable steps in that behalf, are satisfied that the
erection/alteration/extension* has now been completed in accordance
with:-

the building warrant dated ________________, [and amendments
dated ____________________________]*
reference number ____________________________ (including any relevant
plans, drawings, specifications and other particulars);

d the provisions of the Building Standards (Scotland) Regulations 19 __;
[as relaxed, as shown below, by the Secretary of State/Council* on
_________________________ (date)]

Provision(s) relaxed:-

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

__________________________________________ (Signed) for ____________________________ Council

__________________________________________ (date)

* Delete as appropriate
FORM 11

APPLICATION FOR TEMPORARY OCCUPATION/USE*

Building (Scotland) Act 1959, section 9

1. APPLICANT
   Name _______________________
   Address ______________________
   ____________________________
   Post Code _________________
   Tel No ______________________

2. AGENT (if any)
   Name _______________________
   Address ______________________
   ____________________________
   Post Code _________________
   Tel No ______________________

3. ADDRESS OF BUILDING OR PART OF BUILDING
   (in respect of which application is made)
   _____________________________________________

WARRANT DETAILS

4. Date building warrant granted ______________________
   Reference number of warrant ______________________

5. Building warrant granted for
   ___________ erection __
   ___________ alteration __
   ___________ extension __ ( √ as applicable)

PREVIOUS APPLICATION

6. Has a previous application for
   permission for temporary occupation/use* been granted? YES/NO*

7. If yes, please give details:
   Date authorisation given ___________

8. Date authorisation expires ___________
9. REASONS FOR APPLICATION

Please state below why you wish the above building to be temporarily occupied/used* before the issue of a Certificate of Completion.


10. LENGTH OF TEMPORARY OCCUPATION

Period of temporary occupation requested: From _____ To _____

Signature of applicant/agent* __________________________

Date ________________

*Delete as appropriate

ADDRESS TO WHICH YOU SHOULD SEND YOUR APPLICATION

Council

Name __________________________

Tel No __________________________

Ext ________________

Post Code __________________________
FORM 12

AUTHORISATION OF TEMPORARY OCCUPATION/USE*

Building (Scotland) Act 1959, section 9

Building warrant reference number ____________________________
The ____________________________ Council, in connection with the
application by ____________________________

for [extending the] * permission for the temporary occupation/use* of the
building/part of a building* at ____________________________

grant/extend* permission for such occupation/use*. This permission
expires on ________________, 19__

_________________________ (signed) for ____________________________ Council

_________________________ (date)

*Delete as appropriate
APPLICATION FOR EXTENSION OF PERIOD OF USE OF BUILDING INTENDED TO HAVE A LIMITED LIFE

Building (Scotland) Act 1959, section 6

1. APPLICANT

Name ___________________________________________ Name ___________________________________________
Address __________________________________________ Address ___________________________________________

Post Code __________________________ Post Code __________________________
Tel No __________________________ Tel No __________________________

2. AGENT (if any)

Name ___________________________________________
Address __________________________________________

Post Code __________________________
Tel No __________________________

3. ADDRESS OF BUILDING
   (in respect of which application is made)

________________________________________

WARRANT AND CERTIFICATE OF COMPLETION

4. Date building warrant granted
   Reference number of warrant

5. Date certificate of completion granted

LIFE OF BUILDING

6. When is the building due to be taken down?

7. Has the life of the building previously been extended
   YES/NO*

8. If yes, when?

9. For how long?
10. DECLARATION

I/We* apply for the life of the building to be extended until ____________ #.

Signature of applicant/agent* _____________________________________________

Date __________________________

*Delete as appropriate

#This period must be no longer than 5 years

ADDRESS TO WHICH YOU SHOULD SEND YOUR APPLICATION

________________________________________ Council  ____________________________________________

________________________________________  Name  ____________________________________________

________________________________________  Tel No  ____________________________________________

________________________________________  Ext  ____________________________________________

__________ Post Code ________
NOTICE UNDER SECTION 10 TO SHOW CAUSE WHY BUILDING OPERATIONS SHOULD NOT BE EXECUTED

Building (Scotland) Act 1959, section 10

PART 1

To (name and address) ____________________________________________

1. It appears to ______________________________________ Council, that the building at ______________________________________

* (i) has been or is being constructed without a warrant;

* (ii) has been or is being constructed in contravention of the conditions subject to which a warrant in respect of the building was granted;

* (iii) remains in existence after the expiry of the limited life period stipulated when the warrant was granted;

2. As you are -

* (i) the person by whom the building has been or is being constructed;

* (ii) the person on whose behalf the building has been or is being constructed;

* (iii) the person entitled to the interest of ___________________ in the building (in the circumstances set out in section 10(1)(ii) of the Building (Scotland) Act 1959);

the Council require you by ___________________ (date)#

a. to show cause why you should not be required to carry out the operations specified in Part 2 of this notice

* [and b. to ensure that work on the building is stopped until the matters raised in this notice have been resolved, or until one month after you receive this notice, whichever first occurs].

* Delete as appropriate.

# a date not less than 21 days from service of this notice.
PART 2 BUILDING OPERATIONS REQUIRED

The operations referred to in Part I are:-

________________________ (signed) for ______________________ Council

________________________ (date)

YOU SHOULD SEND YOUR REPLY TO:-

________________________ Council

________________________ COUNCIL ENQUIRY POINT

Name ______________________

Tel ______________________

Ext ______________________

Post Code ________________
1. In cases which fall under I(i) or I(ii) above, you may apply to the Secretary of State or the local authority for a relaxation direction under section 4 of the Building (Scotland) Act 1959. You must apply by the date given in paragraph 2. The local authority can advise you to whom your application should be addressed. If you apply for a direction, the period of this notice will be extended.

2. If you fail to show cause why the operations should not be carried out the local authority may serve on you an Order requiring the work to be carried out. If you fail to carry out the operations in the Order you may be guilty of an offence under the Building (Scotland) Act 1959 and liable on summary conviction to a fine. In addition, the local authority may carry out the operations themselves and claim from you as a debt any expenses incurred.
FORM 15

ORDER UNDER SECTION 10 REQUIRING THE EXECUTION OF BUILDING OPERATIONS

Building (Scotland) Act 1959, section 10

To (name and address) ____________________________________________

________________________________________

in connection with the building at ____________________________

________________________________________

1. On ________________ (date) the __________________________ Council
served notice on you as

*(i) the person by whom the building has been or is being
constructed;

*(ii) the person on whose behalf the above building is being
constructed;

*(iii) the person entitled to the interest of ________________ in
the above building (in the circumstances set out in section 10(i)(ii)
of the Building (Scotland) Act 1959);

to show cause by ________________ (date) why the following building
operations should not be carried out:-

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

2. As you have failed to show cause [within the required time-scale
and] * to the satisfaction of the Council, why those operations should not
be carried out, the Council now order that they be carried out within the
period of ________________ days after the Order becomes operative#.

________________________________________ (signed) for __________________________ Council

________________________________________ (date)

*Delete as appropriate

# This period must be at least 28 days after the Order becomes operative. The Order becomes operative once the 21 days allowed for an appeal has elapsed or, where there is an appeal, once this appeal is determined or abandoned.
NOTES

1. If you object to this Order you may appeal to the sheriff within 21 days of the date on which it was made.

2. If you fail to carry out the operations in this Order you may be guilty of an offence under the Building (Scotland) Act 1959 and liable on summary conviction to a fine. In addition, the local authority may carry out the operations themselves and claim from you as a debt any expenses incurred.
NOTICE UNDER SECTION 11 REQUIRING OWNER TO SHOW CAUSE WHY BUILDING SHOULD NOT CONFORM TO BUILDING STANDARDS (SCOTLAND) REGULATIONS 19

Building (Scotland) Act 1959, section 11

To (name and address) ____________________________________________

______________________________________________

1. It appears to ____________________________ Council, that the building at ____________________________ does not conform to the provisions of the Building Standards (Scotland) Regulations 19________ listed below:-

______________________________________________
2. The Council consider that:

   a. the building ought, having regard to the need for securing the health, safety, welfare and convenience of the persons who will inhabit or frequent it and the safety of the public generally and for furthering the conservation of fuel and power, to be made to conform to that/these provision(s); and

   b. it is reasonably practicable to make the building so conform.

3. Accordingly, the Council now require you by (date)# to show cause why the building should not conform to the provisions of the Building Standards (Scotland) Regulations 19____ specified at paragraph 1.

   ____________________________ (signed) for ____________________________ Council
   ____________________________ (date)

* Delete as appropriate
# A date note less than 28 days from service of this notice.
NOTES

1. You may apply to the Secretary of State or the local authority for a relaxation direction under section 4 of the Building (Scotland) Act 1959 at any time up until the date mentioned in 3 above. The local authority can advise you to whom your application should be addressed. If you apply for a direction, the period within which you must respond to this notice will be extended accordingly.

2. If you fail to show cause why the building does not conform to the building standards regulations the local authority may serve on you an Order requiring the building to conform. If you fail to make the building conform after the Order has been served you may be guilty of an offence under the Building (Scotland) Act 1959 and liable on summary conviction to a fine. In addition, the local authority may carry out the operations themselves and claim from you as a debt any expenses incurred.
ORDER UNDER SECTION 11 TO MAKE BUILDING CONFORM TO THE BUILDING STANDARDS (SCOTLAND) REGULATIONS 19__

Building (Scotland) Act 1959, section 11

To (name and address) ________________________________________________________________

1. On __________ (date), the Council served notice on you as the owner(s) of the building at

2. The notice required you to show cause by __________ (date), why the building should not conform to the provision(s) of the Building Standards (Scotland) Regulations 19__ listed below:-

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________
3. As you have failed to show such cause [within the required
time-scale and]* to the satisfaction of the Council, the Council now order
you to make the building conform with the above provisions within the
period of ________ days from the date on which this Order becomes
operative#.

_________________________ (signed) for __________________________
Council

_________ (date)

* Delete as appropriate

# This period must be at least 28 days after the Order becomes
operative. The Order becomes operative once the 21 days allowed
for an appeal has elapsed or, where there is an appeal, once this
appeal is determined or abandoned.

NOTES

1. If you object to this Order you may appeal to the sheriff within
21 days of the date on which it was made.

2. If you fail to carry out the operations in this Order you may be
 guilty of an offence under the Building (Scotland) Act 1959 and liable on
summary conviction to a fine. In addition, the local authority may carry
out the operations themselves and claim from you as a debt any expenses
incurred.
NOTICE REQUIRING OPERATIONS ON A DANGEROUS BUILDING

Building (Scotland) Act 1959, section 13

To (name and address) ____________________________________________

1. It appears to ____________________________________ Council, that the building at __________________________ is dangerous to persons inhabiting or frequenting it or adjacent buildings or places or to the public generally.

2. As you are the owner(s) of the building, the Council now require you to begin by ______________________ (date)\# the following building operations:

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

\# Enter the date by which the operations are to begin.
3. These operations are, in the opinion of the Council, necessary to remove the danger and must be completed to the Council's satisfaction by ______________ (date)†

________________________ (signed) for ___________________________ Council

________________________ (date)

# This date must be within 7 days from the service of this notice

† This date must not be less than 21 days after the date at 2. above.

<table>
<thead>
<tr>
<th>Council COUNCIL ENQUIRY POINT</th>
</tr>
</thead>
<tbody>
<tr>
<td>__________________________</td>
</tr>
<tr>
<td>Name ______________________</td>
</tr>
<tr>
<td>Tel No ____________________</td>
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<tr>
<td>Post Code ____ Ext ________</td>
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</tbody>
</table>
NOTICE OF INTENTION TO MAKE
ORDER REQUIRING OPERATIONS ON
A DANGEROUS BUILDING

Building (Scotland) Act 1959, section 13

To (name and address)

________________________________________

________________________________________

________________________________________

________________________________________

1. On __________________________ (date) ___________ Council
served notice on (name and address)

________________________________________

as owner(s) of the building at

________________________________________

that the building is dangerous to persons inhabiting or frequenting it or
adjacent building or places or to the public generally.

2. The Council required the owner(s) to begin by
________________________ (date) and have completed to the Council's
satisfaction by __________________________ (date) the following building
operations:

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________

3. As the owner(s) has/have* not begun/completed* these operations to
the satisfaction of the Council, notice is now given of the Council's
intention to make an order under section 13(2) of the Building (Scotland)
Act 1959.

44
4. Any objection you have to the carrying out of these operations must be lodged with the Council within 7 days of the service of this notice. You should send any objection to the address given at the end of this form stating:

a. your interest in the matter,
b. the grounds of objection, and
c. an address at which documents may be served on you.

5. If any person objecting to these operations does not own the building then a copy of the objection should be served on the owner.

__________________________ (signed) for ____________________ Council

__________________________ (date)

* Delete as appropriate

<table>
<thead>
<tr>
<th>Council</th>
<th>COUNCIL ENQUIRY POINT</th>
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</thead>
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<tr>
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<td>Name</td>
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<td>Tel No</td>
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<td>Post Code</td>
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</tbody>
</table>
FORM 20

ORDER UNDER SECTION 13 REQUIRING
OWNER TO CARRY OUT OPERATIONS
ON A DANGEROUS BUILDING

Building (Scotland) Act 1959, section 13

To (name and address)

1. On ___________ (date), the ___________ Council,
served a notice on you requiring the following operations to be carried
out:

____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________

2. These operations are to be carried out on the dangerous building
at _____________________.

3. The Council, having given the owner(s) and any other person
appearing to them to have an interest an opportunity to be heard, now
order you to carry out the above building operations.
These operations must be carried out within a period of _______ days from the operative date of this Order#

_________________________ (signed) for __________________ Council

_________________________ (date)

# Under section 16(4) of the Building (Scotland) Act 1959, the Order becomes operative once the 21 days allowed for an appeal have elapsed or, where there is an appeal, once this appeal is determined or abandoned.

WARNING

IF YOU FAIL TO CARRY OUT THE OPERATIONS IN THIS ORDER THE LOCAL AUTHORITY MAY CARRY OUT THE OPERATIONS THEMSELVES AND CLAIM FROM YOU AS A DEBT ANY EXPENSES INCURRED.
FORM 21

NOTICE TO REMOVE FROM A DANGEROUS BUILDING OR ADJACENT BUILDING

Building (Scotland) Act 1959, Schedule 7

To (name and address)

____________________________________________

____________________________________________

It appears to Council that the building at is dangerous to persons inhabiting or frequenting it or adjacent buildings or places or to the public generally.

The local authority now require you, and all other occupants, to remove from the above building/the adjacent premises* at immediately by (date)*.

____________________________________________ (signed) for Council

____________________________________________ (date)

* Delete as appropriate.

ANY ENQUIRIES ABOUT THIS NOTICE SHOULD BE ADDRESSED TO:

____________________________________________ Council

____________________________________________ Name

____________________________________________ Tel

____________________________________________ Ext

_____________ Post Code ___________

COUNCIL ENQUIRY POINT

NOTE

If any person fails to comply with this Notice the local authority may then apply to the sheriff for a warrant for its enforcement.
CERTIFICATE THAT BUILDING
IS A SOURCE OF IMMEDIATE DANGER

Building (Scotland) Act 1959, Schedule 7

The ______________________ Council certify that the building at
is a source of immediate danger.

A notice to remove has therefore been served on the people listed below, as occupants of the building [or of adjacent buildings which are also considered to be at risk]*:-

NAMES AND ADDRESSES

_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

__________________________________________ (signed) for ______________________ Council

__________________________________________ (date)

* Delete as appropriate

ANY ENQUIRIES ABOUT THIS CERTIFICATE SHOULD BE SENT TO:-

__________________________________________ Council

Name _______________________

Tel _______________________

Ext _______________________

Post Code ___________________
CERTIFICATE THAT ORDER HAS BEEN MADE
UNDER SECTION 13 REQUIRING BUILDING
TO BE DEMOLISHED

Building (Scotland) Act 1959, Schedule 7

The Council certify that an Order was made on the day of , 19 ,
under section 13(2) of the Building (Scotland) Act 1959 requiring that the
building at

be demolished.

A notice to remove has therefore been served on the people listed below as all known occupants of the building [or of adjacent buildings which are also considered to be at risk] *:

NAMES AND ADDRESSES


(signed) for Council

(date)

ANY ENQUIRIES ABOUT THIS CERTIFICATE SHOULD BE ADDRESSED

TO:-


Council Name

Tel

Ext

Post Code

* Delete as appropriate
NOTICE OF INTENTION TO ENTER PREMISES

Building (Scotland) Act 1959, section 18

To (name and address)

____________________________________________________
____________________________________________________
____________________________________________________

the owner/occupier* of the premises at

____________________________________________________
____________________________________________________
____________________________________________________

I being a person so authorised by notice that I intend to enter after __________________________

Council, give the above premises on or (date) for the purpose of

____________________________________________________
____________________________________________________

Signed ______________________
Designation ______________________
Date ______________________

* Delete as appropriate

ANY ENQUIRIES ABOUT THIS NOTICE SHOULD BE Addressed TO:

Council Name ______________________
Tél ______________________
Ext ______________________
Post Code ______________________

COUNCIL ENQUIRY POINT
NOTES

1. Any person authorised in writing by the local authority, on showing his authority if requested, may at all reasonable times enter any premises:

   a. to inspect any work involving building operations which are covered by his written authority;

   b. to apply any reasonable tests to determine the quality and strength of any material used or to be used in construction of a building;

   c. to inspect any buildings where the local authority have reasonable cause to believe that a change of use is proposed or has taken place;

   d. to inspect any building which the local authority have reasonable cause to believe is dangerous to persons inhabiting or frequenting it or adjacent buildings or places or to the public generally;

   e. to inspect any building which the local authority consider should be examined in order to determine whether to exercise their powers to make the building conform to the building standards regulations;

   f. to execute any operations in relation to buildings which have been constructed without a warrant or in contravention of their warrant conditions, or whose life has expired or which do not conform to the building standards regulations or are regarded as dangerous.

2. The authorised person must give 3 days' notice to the occupier and (unless the owner is unknown) also to the owner if he intends to enter premises for any of the purposes outlined at paragraph 1(c), (e) and (f) above.

3. The person authorised to enter the building may take with him such other persons as appear to him to be necessary.

4. Any person who wilfully obstructs any authorised person entering premises for any of these purposes may be guilty of an offence under the Building (Scotland) Act 1959 and liable on summary conviction to a fine.
FORM 25

AUTHORITY TO ENTER PREMISES

Building Scotland Act 1959, section 18

The Council authorise

Name

Designation

Address


to enter any premises at all reasonable times for the purposes of:-

a. inspecting buildings which are in course of construction, or which have been constructed but for which no certificate of completion has been issued, or the sites of buildings in respect of which applications for directions under section 4 of the Building (Scotland) Act 1959 (hereinafter referred to as the 1959 Act) or warrants under section 6 of the 1959 Act have been made;

b. applying any reasonable tests to determine the quality and strength of any material used or proposed to be used in the construction of any building such as is mentioned in the foregoing paragraph;

c. inspecting any buildings as to which the Council have reasonable cause to believe that a change of use is proposed or has taken place;

d. inspecting any building which the Council have reasonable cause to believe is dangerous to persons inhabiting or frequenting it or adjacent buildings or places or to the public generally;

e. inspecting any building which the Council consider should be examined in order to determine whether to exercise their powers under section 11 of the 1959 Act; or

f. executing any operations under section 10, 11 or 13 of the 1959 Act.

(signed) for Council

(date)
1. Any person authorised in writing by the local authority, on showing his authority if requested, may at all reasonable times enter any premises:

a. to inspect any work involving building operations which are covered by his written authority;

b. to apply any reasonable tests to determine the quality and strength of any material used or to be used in construction of a building;

c. to inspect any buildings where the local authority has reasonable cause to believe that a change of use is proposed or has taken place;

d. to inspect any building which the local authority has reasonable cause to believe is dangerous to persons inhabiting or frequenting it or adjacent buildings or places or to the public generally;

e. to inspect any building which the local authority considers should be examined in order to determine whether to exercise its powers to make the building conform to the building standards regulations.

f. to execute any operations in relation to buildings which have been constructed without a warrant or in contravention of their warrant conditions, or whose life has expired or which do not conform to the building standards regulations or are regarded as dangerous.

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3. The person authorised to enter the building may take with him such other persons as appear to him to be necessary.

4. Any person who wilfully obstructs any authorised person entering premises for any of these purposes may be guilty of an offence under the Building (Scotland) Act 1959 and liable on summary conviction to a fine.
CHARGING ORDER

Building (Scotland) Act 1959, Schedule 6

The ___________ Council, in exercise of their powers under Schedule 6 to the Building (Scotland) Act 1959 hereby provide and declare that the subjects described in the Schedule below are charged and burdened with a payment to ________________ Council of an annuity of ______________________________ payable on the __________________________ day of ___________________________ (insert date one year after the date of this Order) and in every year for the term of thirty years from the date of this Order.

__________________________ (signed) for ________________ Council

__________________________ (date)

The Order should be signed in the manner in which the local authority's deeds are normally executed.

SCHEDULE

<table>
<thead>
<tr>
<th>Description of Subjects*</th>
<th>Name and Designation of Owner</th>
</tr>
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<tbody>
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</tbody>
</table>

* This should, wherever possible, include reference to a recorded title or land certificate.
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and re-enact with amendments the Building (Forms) (Scotland) Regulations 1975, as amended. The number of forms has been reduced from 31 to 26 by merging forms, where possible, and deleting those no longer required. All the forms now included have been drafted in a more user-friendly style.

The Regulations prescribe the forms which should be used for applications, orders, warrants, directions, notices etc for the purposes of the Building (Scotland) Act 1959.

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