

*Draft Order laid before the Scottish Parliament under section 86(2A) of the Housing (Scotland) Act 1987, for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2019 No.**

**HOUSING**

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

*Made* - - - - 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(1) 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.

**Citation and commencement**

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 2021.

**Tolerable standard: extension of criteria**

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

- “(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.”.

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(1) 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).

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**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: *The Housing (Scotland) Act 1987 (Tolerable Standard) (Extension of Criteria) Order 2019 No. 8*

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St Andrew's House,  
Edinburgh  
Date

*Name*  
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.