

## Appendix 1

## Legislative Framework

### The following legislation is enforced by or used within Development Services.

(There is some duplication of legislation between the services, indicated by \*).

#### BUILDING STANDARDS UNIT

- Building (Scotland) Act, 1959 as amended by the
- Building (Scotland) Act, 1970 and the
- Building (Scotland) Act 2003
- Civic Government (Scotland) Act 1982
- Disability Discrimination Act 1995
- Housing (Scotland) Act 1987
- Housing (Scotland) Act 2001
- Licensing (Scotland) Act, 1976
- Safety of Sports Grounds Act, 1975
- The Building (Scotland) Regulations 2002
- The Building (Scotland) Regulations 2004
- The Building (Procedure) (Scotland) Regulations 2004

#### CONSUMER PROTECTION UNIT

##### Food Safety and Health & Safety and Licensing

- Food Safety Act, 1990 \*and Regulations made thereunder
- Food and Environment Protection Act, 1985\*
- The Dairy Products (Hygiene) (Scotland) Regs, 1995
- The General Food Regulations 2004
- The Food (Lot Marking) Regulations 1996
- The Food Labelling Regulations, 1994
- The Imported Food (Scotland) Regulations, 1985
- The Meat Products and Spreadable Fish Products (Scotland) Regulations, 1984
- The Products of Animal Origin (Import and Export) Regulations, 1996
- Health and Safety at Work etc., Act, 1974\* and Regulations made thereunder
- Public Health (Scotland) Act, 1897\*
- The Public Health (Notification of Infectious Disease) (Scotland) Regs.1988\*
- Civic Government (Scotland) Act, 1982\*
- Licensing (Scotland) Act, 1976 \*
- Marriage (Scotland) Act 2002
- The Marriage (Approval of Places) (Scotland) Regs. 2002
- The Public Health (Ships) (Scotland) Regulations, 1971

## Trading Standards

- Agriculture Act, 1970
- Agricultural Produce (Grading and Marking) Act, 1928-31
- Animal Health Act 1981\*
- Children and Young Persons (Protection from Tobacco) Act, 1991
- Children and Young Persons (Scotland) Act, 1933
- Civic Government (Scotland) Act, 1982\*
- Clean Air Act 1993\*
- Consumer Credit Act, 1974
- The Consumer Credit (Advertisement) Regulations 2004
- Consumer Protection Act, 1987
- Control of Pollution Act, 1974\*
- Copyright, Designs and Patents Act, 1988
- Courts and Legal Services Act 1990
- Crossbows Act, 1987
- Development of Tourism Act, 1969
- Education Reform Act, 1988
- Energy Act, 1976
- Energy Conservation Act, 1981
- Enterprise Act 2002
- Estate Agents Act, 1979
- European Communities Act, 1972
- Fair Trading Act, 1973
- Farm and Garden Chemicals Act, 1967
- Fireworks Act 1951 and Fireworks Act 2003
- Food and Environment Protection Act, 1985\*
- Food Safety Act 1990\*
- Hallmarking Act, 1973
- Health and Safety at Work Act, 1974\* and the related
- Petroleum (Consolidation) Act, 1928
- Petroleum (Transfer of Licences) Act 1936 and
- Explosives Act, 1875,
- Manufacture and Storage of Explosives Regulations 2002
- Medicines Act 1968
- Motorcycle Noise Act 1987
- Poisons Act, 1972
- Prices Acts, 1974 and 1975
- Property Misdescriptions Act, 1991
- Road Traffic Act, 1988
- Sale and Supply of Goods to Consumers Regs. 2002
- Telecommunications Act, 1984
- Timeshare Act, 1992
- Trade Descriptions Act, 1992
- Trade Marks Act, 1938 and 1994
- Video Recordings Act, 1984 and 1993
- Weights and Measures Acts, 1976 and 1985
- The Feeding Stuffs (Safety Requirements for Feed for Food Producing (Animals) Regulations 2004
- The Non-automatic Weighing Instrument (EEC Requirements) Regulations 1995
- The Stop Now Orders (EC Directive) Regulations 2001
- The Tobacco Advertising and Promotion (Point of Sale) (Scotland) Regulations 2004

## **ENVIRONMENTAL HEALTH UNIT and Waste Management Team**

- Environmental Protection Act, 1990 and regulations \*
- Environment Act 1995\*
- The Environmental Information (Scotland) Regulations 2004
- The Air Quality Regulations 2000
- The Contaminated Land (Scotland) Regulations 2000
- Caravan Sites and Control of Development Act, 1960
- Civic Government (Scotland) Act, 1982\*
- Clean Air Act, 1993\*
- Crime and Disorder Act 1999 (*Anti Social Behaviour Orders*)
- Antisocial Behaviour (etc) (Scotland) Act 2004,
- The Antisocial Behaviour (Noise Control) (Scotland) Regs. 2005
- Control of Pollution Act, 1974\* and Regulations there under
- Food and Environment Protection Act, 1985\*
- Health and Safety at Work etc., Act, 1974 \*and regulations
- The Control of Substances Hazardous to Health Regs., 1994
- Housing (Scotland) Acts, 1987 and 2001
- Mines and Quarries Act 1954
- Noise and Statutory Nuisance Act, 1993
- The Pollution Prevention and Control (Scotland) Amendment Regulations 2002
- Prevention of Damage by Pests Act, 1949
- Public Health (Scotland) Act, 1897\*
- The Public Health (Notification of Infectious Disease) (Scotland) Regulations. 1989\*
- Refuse Disposal Amenity Act, 1978
- The Removal and Disposal of Vehicles Regulations, 1986
- The Removal and Disposal of Vehicles Amendment (Scotland) Regulations 2002
- Reservoirs Act 1975
- Road Traffic Regulation Act, 1984\*
- Tenements (Scotland) Act 2004
- Water (Scotland) Act, 1990
- Water Industry (Scotland) Act 2002
- Water Environment & Water Services (Scotland) Act 2003
- Water Supply (Water Quality) (Scotland) Regs., 1990 -2001
- The Private Water Supplies (Scotland) Regulations, 1991.
- The Controlled Waste (Fixed Penalty Notices) (Scotland) Order 2004
- The Special Waste Amendment (Scotland) Regulations 2004
- The Waste (Scotland) Regulations 2005
- Animal Boarding Establishments Act, 1963
- Animal Health Act 1981\*
- Breeding of Dogs Act, 1973 and 1999
- Dangerous Dogs Act, 1989 and 1991
- Dangerous Wild Animals Act, 1976
- Dog Fouling (Scotland) Act 2003
- The Control of Dogs Order, 1992
- The Environmental Protection (Stray Dogs) Regs, 1992
- Performing Animals (Regulation) Act 1925
- Pet Animals Act, 1951
- Riding Establishments Act, 1964 and 1970
- The Transport of Animals (Cleaning and Disinfection) (Scotland) Regulations 2000
- Zoo Licensing Act 1981

## **Emergency Planning**

- Civil Defence Act, 1948
- Civil Contingencies Act 2004
- Local Government (Scotland) Act, 1973
- Local Government etc., (Scotland) Act, 1994
- The Avian Influenza (Survey Powers) (Scotland) Regulations 2004
- The Civil Defence General Local Authority Functions (Scotland) Regs.1993
- The Civil Defence (Grant) (Scotland) Regulations,1953-1993
- The Control of Major Accident Hazards Regulations, 1999 (COMAH)
- The Pipeline Safety Regulations, 1996
- The Public Information for Radiation Emergencies Regulations, 1992

## **PLANNING AND TRANSPORTATION**

- Town and Country Planning (Scotland) Act 1997
- Countryside (Scotland Act ) 1981
- Education (Scotland) Act 1980
- Environment Act 1995
- Nature Conservation (Scotland) Act 2004
- Railways Act 1993
- Road Traffic Reduction Act 1997\*
- Transport Act 1985\*
- Transport (Scotland) Act 2001
- Chronically Sick and Disabled Persons Act 1970
- Concessionary Travel for Handicapped Persons (Scot) Act 1980
- Planning and Compensation Act 1991
- Planning and Compulsory Purchase Act 2004
- Planning (Consequential Provisions) (Scotland) Act 1997
- Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
- The Environmental Assessment of Plans and Programmes (Scot.) Regs. 2004
- The Town and Country Planning (Electronic Communications) (Scot.) Order 2004

## **ROADS AND DESIGN**

- Road Traffic Reduction Act 1997\*
- Road Traffic Act 1988
- Transport Act 1985
- Road Traffic Regulation Act 1984
- The Road Vehicles (Construction and Use) Regs.1986
- Roads (Scotland ) Act 1984
- New Roads and Streetworks Act 1991
- Road Traffic Act 1991
- The Traffic Signs Regulations & General Directions 1994
- Transport (Scotland) Act 2001
- Building (Scotland) Act 2003
- The Building (Scotland) Regulations 2004
- The Building Standards (Scotland) Regulations 1981- 1990)
- The Construction (Design and Management) Regulations 1984
- The Control of Substances Hazardous to Health Regulations 1984
- The Electricity at Work Regulations, 1989
- The Control of Asbestos at Work Regulations 1987
- The Home Energy Efficiency Scheme Amend. (Scotland) Regs. 2004
- Chartered Institution of Buildings Services Engineers Guide 1986
- Institution of Plumbing Services Design Guide 1977
- Institution of Electrical Engineers Wiring Regulations 16<sup>th</sup> Edition, 1994
- Code of Practice for In-Service Inspection and Testing of Electrical Equipment, 1994

## **Legislation without enforcement function (applicable to all Services)**

- Data Protection Act 1998
- Environment and Safety Information Act 1988
- The Environmental Information Regulations, 1992
- Freedom of Information (Scotland) Act 2002
- Health and Safety at Work etc. Act 1974 and associated regulations (compliance as an Employer)
- Human Rights Act 1998
- Land Reform (Scotland) Act 2003
- Local Government (Scotland ) Act 1973
- Local Government etc. (Scotland) Act 1994
- Local Government in Scotland Act 2003
- National Assistance Act 1948 (duty to provide funerals) (Env. Health)
- Public Appointments and Public Bodies etc. (Scotland) Act 2003
- Race Relations (Amendment) Act 2000
- Radioactive Substances Act 1993
- Regulation of Investigatory Powers (Scotland) Act 2000
- Title Conditions (Scotland) Act 2003