



Housing (Cladding Remediation) (Scotland) Act 2024

2024 asp 7

PART 2

POWERS TO ASSESS AND ADDRESS DANGER

CHAPTER 1

SCOTTISH MINISTERS' POWERS

PROSPECTIVE

Powers to assess danger

3 Power to arrange single-building assessment

- (1) The Scottish Ministers may arrange for a single-building assessment to be carried out in relation to a building.
- (2) Anything that needs to be done on premises for the purposes of carrying out an assessment arranged under [subsection \(1\)](#) may not be done, without the consent of the premises' owner, before the end of the notice period.
- (3) The notice period is a period of 7 days beginning with the day that the Scottish Ministers give the premises' owner a written notice explaining what the carrying out of the assessment may entail.
- (4) At the same time as giving notice to the premises' owner in order to begin the notice period, the Scottish Ministers are to give a written notice in the same terms to any occupier of the premises.

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Housing (Cladding Remediation) (Scotland) Act 2024, Cross Heading: Powers to assess danger. (See end of Document for details)

Commencement Information

II S. 3 not in force at Royal Assent, see [s. 39\(2\)](#)

4 Power to arrange additional work assessment

- (1) The Scottish Ministers may arrange for an additional work assessment to be carried out in relation to a building in relation to which a single-building assessment has been carried out.
- (2) Subsection (3) applies where—
 - (a) something needs to be done on premises for the purposes of carrying out an assessment arranged under subsection (1), and
 - (b) the premises are not premises on which a person carrying out work under an arrangement made under [this Chapter](#) is entitled, by virtue of [section 13](#), to do anything reasonably required to carry out that work.
- (3) Anything that needs to be done on the premises for the purposes of carrying out an assessment arranged under subsection (1) may not be done, without the consent of the owner, before the end of the notice period.
- (4) The notice period is a period of 7 days beginning with the day that the Scottish Ministers give the premises' owner a written notice explaining what the carrying out of the assessment may entail.
- (5) At the same time as giving notice to the premises' owner in order to begin the notice period, the Scottish Ministers are to give a written notice in the same terms to any occupier of the premises.

Commencement Information

I2 S. 4 not in force at Royal Assent, see [s. 39\(2\)](#)

5 Power to require information for assessments and the register

- (1) The Scottish Ministers may require any person to supply them with information which is reasonably required—
 - (a) by a person for the purpose of carrying out a single-building assessment or an additional work assessment, or
 - (b) by them for the purpose of maintaining the cladding assurance register.
- (2) A requirement under [subsection \(1\)](#) is imposed on a person by the Scottish Ministers giving the person a written notice specifying—
 - (a) the information, or the nature of the information, which is to be supplied,
 - (b) the form in which it is to be supplied,
 - (c) the date on or by which it is to be supplied,
 - (d) why it is required.
- (3) A person may not be required under [subsection \(1\)](#) to supply information which that person would be entitled to refuse to provide in proceedings in a court in Scotland.

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Housing (Cladding Remediation) (Scotland) Act 2024, Cross Heading: Powers to assess danger. (See end of Document for details)

(4) The Scottish Ministers may relieve a person from a requirement to supply information under [subsection \(1\)](#) by giving the person a written notice to that effect.

(5) In [this section](#), “information” includes unrecorded information.

Commencement Information

I3 S. 5 not in force at Royal Assent, see [s. 39\(2\)](#)

6 Offence of failing to comply with requirement under [section 5](#)

(1) A person who is required under [section 5\(1\)](#) to supply information commits an offence if the person fails, without reasonable excuse, to supply the information in the required form by the date on or by which it is to be supplied.

(2) A person who commits an offence under [subsection \(1\)](#) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Commencement Information

I4 S. 6 not in force at Royal Assent, see [s. 39\(2\)](#)

Status:

This version of this cross heading contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Housing (Cladding Remediation) (Scotland) Act 2024, Cross Heading: Powers to assess danger.