

# Laws relating to electrical safety in privately rented properties



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PRIVATELY RENTED  
PROPERTIES  
IN SCOTLAND.**



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# The law is changing relating to electrical safety in privately rented properties in Scotland.

## What does it mean for landlords?

According to Scottish Government statistics, 69% of all accidental fires in Scottish homes (more than 3,400 annually) are caused by electricity. Independent research carried out by Electrical Safety First also indicates that private tenants are more likely to be at risk of electric shock or fire than owner occupiers. The risk of fire and shock can be reduced by ensuring the electrical installations and appliances are safe.

## What is the new legislation?

From 1st December 2015, under sections 13(4A) and 19B(4) of the Housing (Scotland) Act 2006, private landlords in Scotland will be required by law to ensure that their properties are electrically safe.

This covers:

- The installations in the property for the supply of electricity
- Electrical fixtures and fittings, and
- Any appliances provided by the landlord under the tenancy Landlords must be able to show that these are in a reasonable state of repair and in proper working order.

## How can I do this?

Landlords are required to ensure that regular safety inspections are carried out by a competent person and follow the guidance issued by the Scottish Government. An electrical safety inspection has two parts:

- An Electrical Installation Condition Report (EICR)\* on the safety of the electrical installations, fixtures and fittings, and
- A Portable Appliance Test (PAT) on any portable appliances that you have provided as landlord.

## Finding a competent person

The EICR must be carried out by a competent person. This means they must be employed by a firm that is a member of an accredited registration scheme operated by a body recognised by the Scottish Government. This will usually mean that they are registered with NICEIC or a member firm of the Electrical Contractors' Association of Scotland (SELECT). You can find a registered electrician in your area by visiting:

**SELECT** [www.select.org.uk/sectionindex.phpsectionid=3](http://www.select.org.uk/sectionindex.phpsectionid=3)

**NICEIC** [www.niceic.com/Page/SearchContractors](http://www.niceic.com/Page/SearchContractors)



\* Formerly known as a Periodic Inspection Report (PIR).  
The process is still often referred to as a periodic inspection.

## What is an Electrical Installation Condition Report (EICR)?

The registered electrician will carry out an inspection of:

- Installations for the supply of electricity,
- Electrical fittings, including –
  - The consumer unit (or fusebox)
  - All switches
  - Socket outlets
  - Light fittings, and
  - Any visible wiring.
- Fixed electrical equipment, including –
  - Fixed electrical heating equipment e.g. storage or panel heaters,
  - Boilers and other heat producing equipment, and
  - Hard-wired smoke and fire detectors.

Anything that fails to pass the electrical safety inspection must be replaced or repaired immediately. The electrician's report will highlight problems with the following codes:

- Anything that is classified under Code C1 (danger present) must be addressed immediately, preferably by the inspecting electrician on discovery of the dangerous condition.
- Code C2 (potentially dangerous) also highlights problems that need immediate attention.
- Anything classified as FI (Further investigation required) should be dealt with as soon as possible, as this investigation could reveal a dangerous or potentially dangerous condition.

Any remedial work that is undertaken as a result of the inspection will then be recorded on a Minor Electrical Installation Works Certificate.

### You may have a copy of an Electrical Installation Certificate rather than an EICR if:

- Your property is a new build
- The property has been fully rewired

It includes a recommendation for the next periodic inspection which, for a privately rented property, should be every five years. If you have an Electrical Installation Certificate, you can provide this to demonstrate that your property complies with the guidance, provided that the date of the next inspection indicated on the certificate has not elapsed.

## Portable Appliance Testing

This covers any movable electrical equipment that the landlord has provided as part of the tenancy, and must be carried out by a competent person, either:

- An electrician registered with one of the Government-approved schemes, or
- A person (which can include the landlord) who has completed appropriate training as a PAT Tester.



The PAT test requires a label for each appliance tested. These appliances include:

- Electrical white goods (such as refrigerators and washing machines)
- Electrical brown goods (such as televisions and DVD players)
- Electric fires that are not fixed in place,
- Kitchen appliances, such as toasters and kettles
- Hand held electrical equipment, such as hairdryers, and
- Any other appliances provided by the landlord that are not permanently connected to the electrical installation.
- Any appliance that fails the test must be replaced or repaired immediately.

### **How often do these inspections need to be carried out?**

An electrical safety inspection must be carried out:

- Before a tenancy starts, and
- During the tenancy, at intervals of no more than 5 years from the date of the previous inspection.

The electrical safety inspection does not have to be completed immediately before a new tenancy begins or every time a new tenancy starts, as long as an inspection has been carried out in the period of 5 years before the tenancy starts.

The landlord must receive and keep a copy of the EICR and PAT report for six years. A copy of the most recent reports must be given to a new tenant before the start of their tenancy. If an inspection is carried out during a tenancy, a copy relating to that inspection must be given to the tenant.

### **Find Out More**

Download the full guidance for landlords [www.prhpscotland.gov.uk](http://www.prhpscotland.gov.uk)

Visit [www.electricalsafetyfirst.org.uk/landlords](http://www.electricalsafetyfirst.org.uk/landlords)

which has more advice for landlords and guides and leaflets which are free to download.

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As per your tenancy agreement any repairs required to any property caused by a person/s are chargeable to the tenant.