
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 534

The Building (Scotland) Amendment Regulations 2006

Citation and commencement

1. These Regulations may be cited as the Building (Scotland) Amendment Regulations 2006 and shall come into force on 1st May 2007.

Amendment of Regulations

2. In the Building (Scotland) Regulations 2004(1)–

- (a) in regulation 5 (descriptions of building and work, including the provision of services, fittings and equipment, not requiring a warrant) insert “ building” before “warrant”;
- (b) after regulation 16 (relaxations) insert the following–

“Continuing requirements

17.—(1) Subject to paragraph (2), the owners of buildings shall ensure that–

- (a) every air conditioning system within a building is inspected at regular intervals; and
- (b) appropriate advice is given to the users of the buildings on reducing the energy consumption of such an air conditioning system.

(2) This regulation shall not apply to–

- (a) air conditioning systems with a total effective output rating of less than 12 kW; or
- (b) air conditioning systems solely for processes within a building.

(3) In terms of section 2 of the Building (Scotland) Act 2003 the provisions of paragraph (1) are a designated provision in respect of which there is a continuing requirement imposed on the owners of buildings.”

(c) for Schedules 1 to 6 substitute Schedules 1 to 6 set out in the Schedule to these Regulations.

Savings

3.—(1) Subject to paragraph (2), these Regulations shall apply only in relation to work commenced on or after 1st May 2007.

(2) Where–

- (a) an application for a building warrant for the design, construction, demolition or conversion of buildings or the provision of services, fittings or equipment in or in connection with buildings was made before the coming into force of these Regulations; or

- (b) an application for the extension of the period of validity or the amendment of the terms of such a building warrant granted was made before the coming into force of these Regulations,

the building regulations applicable to the building in question shall be those in force at the time of making of the original application for a building warrant and any reference in the Building (Scotland) Act 2003 to building regulations shall be construed accordingly.

Transitional provisions

4.—(1) Notwithstanding regulation 3 and subject to paragraph (2), where a building warrant is not required but the work must still comply with building regulations the building regulations applicable to the work in question shall be those in force at the date on which the contract for the work was entered into and any reference in the Building (Scotland) Act 2003 to building regulations shall be construed accordingly.

(2) This regulation only applies where—

- (a) the contract is entered into before 1st May 2007;
- (b) the work on the contract is commenced before 1st July 2007; and
- (c) the work on the contract is completed before 31st August 2007.

St Andrew's House,
Edinburgh
2nd November 2006

JOHANN M LAMONT
Authorised to sign by the Scottish Ministers