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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 406**

**BUILDING AND BUILDINGS**

**The Building (Scotland) Regulations 2004**

	<i>22nd September</i>
<i>Made - - - -</i>	<i>2004</i>
<i>Laid before the Scottish</i>	<i>23rd September</i>
<i>Parliament - -</i>	<i>2004</i>
<i>Coming into force</i>	<i>1st May 2005</i>

**THE BUILDING (SCOTLAND) REGULATIONS 2004**

1. Citation and commencement
  2. Interpretation
  3. Exempted buildings and services, fittings and equipment
  4. Changes in the occupation or use of a building which cause the regulations to apply
  5. Descriptions of building and work, including the provision of services, fittings and equipment, not requiring a warrant
  6. Limited life buildings
  7. Measurements
  8. Fitness and durability of materials and workmanship
  9. Building standards – construction
  10. Building Standards – demolition
  11. Building standards –service, fitting or equipment
  12. Building standards – conversion
  13. Provision of protective works
  14. Clearing of footpaths
  15. Securing of unoccupied and partly completed buildings
  16. Relaxations
  17. Continuing requirements
- Signature

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**SCHEDULE 1 EXEMPTED BUILDINGS AND SERVICES, FITTINGS  
AND EQUIPMENT**

1. Buildings etc. controlled by other legislation
2. A building erected on a site which is subject to...
3. A building included in the schedule of monuments maintained under...

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The Building (Scotland) Regulations 2004. (See end of Document for details)

4. Protective Works
5. Buildings or work not frequented by people
6. Detached fixed plant or machinery or a detached building housing...
7. Agricultural and related buildings
8. A single-storey detached building used for any other form of...
9. Works of civil engineering construction
10. Buildings of a specialised nature
11. A single-storey detached road or rail passenger shelter or a...
12. A caravan or mobile home within the meaning of the...
13. Small buildings
14. Construction and development buildings
15. A building used in connection with the letting or sale...
16. Temporary buildings
17. Buildings ancillary to houses
18. A single storey building attached to an existing house, which...
19. A single storey building which is detached, or is attached...
20. Buildings ancillary to flats or maisonettes
21. Paved areas

SCHEDULE 2      CONVERSIONS TO WHICH THE REGULATIONS  
APPLY

1. Changes in the occupation or use of a building to...
2. Changes in the occupation or use of a building ancillary...
3. Changes in the occupation or use of a building which...
4. Changes in the occupation or use of a domestic building...
5. Changes in the occupation or use of a residential building...
6. Changes in the occupation or use of a residential building...
7. Changes in the occupation or use of an exempt building...
8. Changes in the occupation or use of a building to...
9. Changes in the occupation or use of a building to...

SCHEDULE 3      DESCRIPTIONS OF BUILDING AND WORK,  
INCLUDING THE PROVISION OF SERVICES,  
FITTINGS AND EQUIPMENT, NOT REQUIRING A  
WARRANT

*A. On condition that types 1–23 in all respects and/or in the manner  
of their fitting meet any standards required by the Regulations*

1. Any work to or in a house. Except –Any work...
2. Any work to or in a non-residential building to which...
- 2A Any works to or in a building ... that is...
- 2B A building or any work to or in a building...
- 2C A building or any work to or in a building...

*And, without prejudice to the generality of types 1 to 2C above*

3. A detached single-storey building, having an area exceeding 8 square...
4. A detached single-storey building, having an area exceeding 8 square...
5. A detached single-storey building, having an area exceeding 8 square...
6. Any work associated with a fixed combustion appliance installation or...
7. Any work associated with a balanced flue serving a room-sealed...
8. Any work associated with pipework, radiators, convector heaters and  
thermostatic...
9. Any work associated with installing a flue liner.

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10. Any work associated with refillable liquefied petroleum gas storage cylinders...
11. Any work associated with the provision of a single sanitary...
12. Any work associated with the relocation within the same room...
13. Any work associated with the provision of an extractor fan....
14. Any work associated with a stairlift within a dwelling.
15. Any work associated with the provision of a notice or...
- 15A Any work associated with affixing an energy performance certificate to...
- 15B Any work associated with affixing a statement of sustainability to...
16. Any work associated with an outdoor sign that is subject...
17. Any work associated with thermal insulating material to or within...
18. A wall not exceeding 1.2 metres in height, or a...
19. Any work associated with open raised external decking. Except –Any...
20. A door, window, or rooflight when the work includes replacing...
21. A paved area or hardstanding exceeding 50 square metres in...
22. An electrical installation, including a circuit for telecommunication, alarm purposes...
23. The construction of a ramp not exceeding 5 metres in...

*AA. On condition that this type in all respects and/or in the manner of their fitting meet the requirements of standards 1.1, 3.17, 3.18, 3.19, 3.20, 3.21, 3.22 and 4.4 of schedule 5.*

- 23A A detached single-storey building used for shelter or sleeping in...

*B. On condition that this work, service, fitting or equipment is to a standard no worse than at present*

24. Any work associated with the replacement of a fitting or...
25. Any work associated with the replacement in whole or in...
- 25A Replacement of part of an external wall cladding system when...
26. Any work to a door, window or rooflight, including glazing...

#### SCHEDULE 4 MEASUREMENTS

1. Area
2. A room excludes any built-in fixture extending from the floor...
3. In the case of a dwelling, a room excludes any...
4. Height and depth
5. In the measurement of height or depth from ground which...
6. General

#### SCHEDULE 5 BUILDING STANDARDS APPLICABLE TO DESIGN AND CONSTRUCTION

##### SECTION 1:

##### *STRUCTURE*

- 1.1 Structure
- 1.2 Disproportionate collapse

##### SECTION 2:

##### *FIRE*

- 2.1 Compartmentation
- 2.2 Separation
- 2.3 Structural protection

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- 2.4 Cavities
- 2.5 Internal linings
- 2.6 Spread to neighbouring buildings
- 2.7 Spread on external walls
- 2.8 Spread from neighbouring buildings
- 2.9 Escape
- 2.10 Escape lighting
- 2.11 Communication
- 2.12 Fire and rescue service access
- 2.13 Fire and rescue service water supply
- 2.14 Fire and rescue service facilities
- 2.15 Automatic fire suppression systems

### SECTION 3:

#### *ENVIRONMENT*

- 3.1 Site preparation – harmful and dangerous substances
- 3.2 Site preparation – protection from radon gas
- 3.3 Flooding and ground water
- 3.4 Moisture from the ground
- 3.5 Existing drains
- 3.6 Surface water drainage
- 3.7 Wastewater drainage
- 3.8 Private wastewater treatment systems – treatment plants
- 3.9 Private wastewater treatment systems – infiltration systems
- 3.10 Precipitation
- 3.11 Facilities in a dwelling
- 3.12 Sanitary facilities
- 3.13 Heating
- 3.14 Ventilation
- 3.15 Condensation
- 3.16 Natural lighting
- 3.17 Combustion appliances – safe operation
- 3.18 Combustion appliances – protection from products of combustion
- 3.19 Combustion appliances – relationship to combustible materials
- 3.20 Combustion appliances – removal of products of combustion
- 3.21 Combustion appliances – air for combustion
- 3.22 Combustion appliances – air for cooling
- 3.23 Fuel storage – protection from fire
- 3.24 Fuel storage – containment
- 3.25 Solid waste storage
- 3.26 Dungsteeds and farm effluent tanks
- 3.27 Water efficiency
- 3.28 Overheating risk

### SECTION 4:

#### *SAFETY*

- 4.1 Access to buildings
- 4.2 Access within buildings
- 4.3 Stairs and ramps
- 4.4 Pedestrian protective barriers

- 4.5 Electrical safety
- 4.6 Electrical fixtures
- 4.7 Aids to communication
- 4.8 Danger from accidents
- 4.9 Danger from heat
- 4.10 Fixed seating
- 4.11 Liquefied petroleum gas storage
- 4.12 Vehicle protective barriers
- 4.13 Security
- 4.14 In-building physical infrastructure for high-speed electronic communications networks

SECTION 5:

*NOISE*

- 5.1 Noise separation
- 5.2 Noise reduction between rooms

SECTION 6:

*ENERGY*

- 6.1 Energy demand ...
- 6.2 Building insulation envelope
- 6.3 Heating system
- 6.4 Insulation of pipes, ducts and vessels
- 6.5 Artificial and display lighting
- 6.6 Mechanical ventilation and air conditioning
- 6.7 Commissioning building services
- 6.8 Written information
- 6.9 Energy Performance Certificates
- 6.10 Metering
- 6.11 Heating and hot water – direct emission heating system

SECTION 7:

*SUSTAINABILITY*

- 7.1 Statement of sustainability
- 7.2 Electric vehicle charging

SCHEDULE 6 BUILDING STANDARDS APPLICABLE TO  
CONVERSIONS

- 1. Every conversion, to which these regulations apply, shall meet the...
  - 2. Every conversion, to which these regulations apply, shall meet the...
  - 2A Every conversion, to which these regulations apply, which—
  - 2B Every conversion, to which these regulations apply, must meet the...
- Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Building (Scotland) Regulations 2004.