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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 310**

**BUILDING AND BUILDINGS**

**The Building (Scotland) Amendment Regulations 2008**

*Made - - - - 16th September 2008*  
*Laid before the Scottish*  
*Parliament - - - - 18th September 2008*  
*Coming into force - - 4th January 2009*

The Scottish Ministers make the following Regulations, in exercise of the powers conferred by sections 1 and 8(8) of the Building (Scotland) Act 2003<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 1(2) of the Building (Scotland) Act 2003 they have consulted with the Building Standards Advisory Committee and such other persons as appear to them to be representative of the interests concerned.

**Citation and commencement**

1. These Regulations may be cited as the Building (Scotland) Amendment Regulations 2008 and come into force on 4th January 2009.

**Amendment of regulations**

2.—(1) The Building (Scotland) Regulations 2004<sup>(2)</sup> are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2(1) (interpretation) after the definition of “dwelling” insert—

““energy performance certificate” has the same meaning as in the Energy Performance of Buildings (Scotland) Regulations 2008<sup>(3)</sup>.”.

(3) In Schedule 3 (descriptions of building and work not requiring a warrant) after paragraph 15 insert—

“**15A.** Any work associated with affixing an energy performance certificate to a building.”.

(4) In Schedule 5 for standard 6.9(a) and (b) (energy performance certificates) substitute—

“(a) an energy performance certificate for the building is affixed to the building; and”.

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(1) 2003 asp 8.

(2) S.S.I. 2004/406, as amended by S.S.I. 2006/534 and S.S.I. 2007/166.

(3) S.S.I. 2008/309.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh

*STEWART STEVENSON*  
Authorised to sign by the Scottish Ministers

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Building (Scotland) Regulations 2004 (the “principal Regulations”). Regulation 2(1) of the principal Regulations is amended to insert a definition of “energy performance certificate” (article 2(2) and 2(3)).

Schedule 3 to the principal Regulations sets out certain types of work that must comply with building regulations but do not require a warrant. Schedule 3 is amended to include work that involves affixing an energy performance certificate to a building (article 2(3)).

Standard 6.9 of Schedule 5 to the principal Regulations is amended to reflect the definition of “energy performance certificate” (article 2(4)).