

POLICY NOTE

THE BUILDING (MISCELLANEOUS AMENDMENTS) (SCOTLAND) REGULATIONS 2013

SSI 2013/143

1. The above instrument is made in exercise of the powers conferred by sections 1, 24, 33, 36 and 54 of the Building (Scotland) Act 2003 and all other powers enabling them to do so. The SSI is subject to negative procedure.

Background

2. The SSI amends the Building (Scotland) Regulations 2004 which prescribe functional standards to apply to the design, construction or demolition of a building, the provision of services, fittings or equipment in or in connection with a building, and the conversion of a building. The SSI also makes amendments to the Building (Procedure) (Scotland) Regulations 2004 and the Building (Forms) (Scotland) Regulations 2005.

The Building (Miscellaneous Amendments) (Scotland) Regulations 2013 will come into force on 1 October 2013.

Policy Objectives

3. The SSI is required to implement changes to building regulations arising out of an essential updating of standards and guidance, in addition to fulfilling the Scottish Government's purpose and strategic objectives.

The principal amendments are to Schedule 5 to the Building (Scotland) Regulations 2004 and are as follows:

- **Section 2 (Fire)** - Setting out that the obligation to install an automatic fire suppression system does not apply to new buildings forming part of, or an extension to, an existing school if it is not reasonably practicable to do so.
- **Section 3 (Environment)** - Amendment to remove waste storage accommodation requirements for new houses and only apply the requirements to new flats and maisonettes. Introduce a new standard requiring water efficiency measures for water closets and wash basins within dwellings.
- **Section 7 (Sustainability)** - A requirement is introduced for school buildings containing classrooms to meet specified levels of sustainability

The SSI is also required to amend procedural regulations for the provision of a fire safety design summary at completion of a non-domestic building. This summary will provide information in connection with the building, which will assist in the operation and maintenance of the building for fire safety purposes. The SSI also includes amendments to the completion certificate forms for the process of submitting the fire safety design summary.

Consultation

4. The amendments made by the Regulations were the subjects of separate public consultations carried out from 20 September to 12 December 2012. In addition, with an invitation to comment, details of the consultation packages were sent to over 350 industry related bodies and individuals that expressed an interest in the consultations. This included a wide range of professional organisations and institutions, construction research bodies, designers, house builders, technical specialists and those public bodies responsible for the administration and enforcement of the building standards system.

Impact Assessment and financial effects

5. For a detailed assessment of the financial effects of the changes to Regulations and guidance, it will be necessary to scrutinise the Costs and Benefits sections within each Business Regulatory Impact Assessments of which there are three: Section 2 - Fire; Section 3 – Environment and Section 7 – Sustainability.

Scottish Government
Communities and Local Government Directorate
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