

**2017 No. 225**

**BUILDING AND BUILDINGS**

**The Energy Performance of Buildings (Scotland) Amendment  
Regulations 2017**

<i>Made</i> - - - -	<i>27th June 2017</i>
<i>Laid before the Scottish Parliament</i>	<i>29th June 2017</i>
<i>Coming into force</i> - -	<i>1st October 2017</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a) and all other powers enabling them to do so.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Energy Performance of Buildings (Scotland) Amendment Regulations 2017 and come into force on 1st October 2017.

(2) In these Regulations “the 2008 Regulations” means the Energy Performance of Buildings (Scotland) Regulations 2008(b).

**Amendment of the Energy Performance of Buildings (Scotland) Regulations 2008**

2.—(1) Subject to regulation 3, the 2008 Regulations are amended in accordance with paragraph (2).

(2) In regulation 10A (fees for entering data onto register)—

- (a) in paragraph (a) for “£1.15” substitute “£2.60”; and
- (b) in paragraph (b) for “£5.36” substitute “£12.10”.

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(a) 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46) (“the 1998 Act”), schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act 2006 (c.51) (“the 2006 Act”). Section 2(2) was also amended by the 2006 Act, section 27(1)(a) and the European Union (Amendment) Act 2008 (c.7), schedule 1, Part 1. The functions conferred upon the Minister of the Crown under section 2(2), insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.

(b) S.S.I. 2008/309 as relevantly amended by S.S.I. 2012/208.

### **Savings**

3. Notwithstanding the amendment of the 2008 Regulations by regulation 2, the 2008 Regulations continue to apply as they did immediately before 1st October 2017 in respect of the entering of data on a register maintained in accordance with regulation 10 of the 2008 Regulations where that data was sent to the register before that date.

St Andrew's House,  
Edinburgh  
27th June 2017

*KEVIN STEWART*  
Authorised to sign by the Scottish Ministers

## **EXPLANATORY NOTE**

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

These Regulations amend the Energy Performance of Buildings (Scotland) Regulations 2008 (“the 2008 Regulations”). The 2008 Regulations transpose the provisions of recast Directive 2010/31/EU of the European Parliament and of the Council on the energy performance of buildings (OJ L 153, 18.06.2010, p.13).

These Regulations increase the fees payable under regulation 10A of the 2008 Regulations in respect of the entering of the energy performance data onto the register. The fee is increased from £1.15 to £2.60 where the data relates to a dwelling and from £5.36 to £12.10 where the data relates to another type of building or building unit.

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