

2022 No. 376 (C. 20)

HEAT NETWORKS

**The Heat Networks (Scotland) Act 2021
(Commencement) (No. 1) Regulations 2022**

Made - - - - *14th December 2022*

Laid before the Scottish Parliament *16th December 2022*

Coming into force - - *16th January 2023*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 102(2) and (3) of the Heat Networks (Scotland) Act 2021(a).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Heat Networks (Scotland) Act 2021 (Commencement) (No. 1) Regulations 2022 and come into force on 16 January 2023.

(2) In these Regulations “the Act” means the Heat Networks (Scotland) Act 2021.

Appointed day

2.—(1) Subject to paragraph (2), the day appointed for the coming into force of the provisions of the Act specified in column 1 of the table in the schedule (the subject matter of which is described in column 2 of that table) is 16 January 2023.

(2) Where a purpose is specified in column 3 of that table in relation to any provision specified in column 1, that provision comes into force on 16 January 2023 only for that purpose.

PATRICK HARVIE

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
14th December 2022

SCHEDULE

Regulation 2

PROVISIONS OF THE ACT COMING INTO FORCE ON 16 JANUARY 2023

<i>Column 1 Provisions of the Act</i>	<i>Column 2 Subject Matter</i>	<i>Column 3 Purpose</i>
section 19	Exemptions from requirement for heat network consent	
section 27	Revocation of heat network consent	For the purpose of making regulations under sections 27(1) and (7)
section 32	Compensation on modification or revocation of heat network consent	
section 34	Effective community engagement: guidance	For the purposes of issuing guidance under section 34(1)
section 35	Regulations about decisions under Part 2	
section 37	Meaning of “enforcement authority”	For the purpose of making regulations under section 37(b)
section 41	Appeals against enforcement notice	
section 47	Duty on local authority to review heat network zoning in area	For the purpose of making regulations under section 47(7)
section 48	Designation of heat network zone by local authority	For the purpose of making regulations under sections 48(1)(g), (2) and (4)(c)
section 50	Variation of heat network zone by local authority	For the purpose of making regulations under sections 50(3) and (5)(c)
section 54	Guidance	For the purpose of issuing guidance under section 54(1)
section 63	Building assessment reports	For the purpose of making regulations under section 63(3) and (4)(a)(ii)
section 64	Exemptions from duty to prepare building assessment reports	
section 66	Guidance about building assessment reports	For the purpose of issuing guidance under section 66(1)
section 67	Interpretation of Part 5	For the purpose of making regulations under section 67
section 84	Identifying key heat network assets	For the purpose of making regulations under section 84(5)(d)
section 85	Preparing schedule of key heat network assets	For the purpose of making regulations under section 85(6)
section 87	Modifying schedule of key heat network assets	For the purpose of making regulations under section 87(6)

<i>Column 1 Provisions of the Act</i>	<i>Column 2 Subject Matter</i>	<i>Column 3 Purpose</i>
section 88	Preparation and maintenance of schedule of key network assets: further provision	
section 89	Transfer schemes	For the purpose of making regulations under section 89(4)
section 90	Compensation in connection with transfer schemes	

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring sections 19, 32, 35, 41, 64, 88 and 90 of the Heat Networks (Scotland) Act 2021 (“the Act”) into force on 16 January 2023. Sections 27, 37, 47, 48, 50, 63, 67, 84, 85, 87 and 89 of the Act are commenced for the limited purpose of enabling regulations to be made. Section 34, 54 and 66 are commenced for the limited purpose of enabling guidance to be issued and published.

The Bill for the Act received Royal Assent on 30 March 2021. Sections 97 to 103 came into force on the following day.

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