

## SCHEDULE 13

### AMENDMENTS

#### PART 2

#### AMENDMENTS TO SECONDARY LEGISLATION

##### **Building (Scotland) Regulations 2004**

**20.** For paragraph 1 of Schedule 1 to the Building (Scotland) Regulations 2004<sup>(1)</sup> (exempted buildings and services, fittings and equipment), substitute—

“**1.**—(1) Any building in which explosives are manufactured or stored under a licence granted under the Explosives Regulations 2014 where the whole building is used for that manufacture or storage.

(2) Where only a part of a building is used for the manufacture or storage of explosives under a licence granted under the Explosives Regulations 2014, that part of the building where the licence specifies that that manufacture or storage may take place.

(3) Except— sub-paragraphs (1) and (2) do not include any building or, as the case may be, any part of a building as is referred to in, respectively, sub-paragraph (1) or (2) in relation to which—

- (a) no minimum separation distance is required to be maintained by virtue of regulation 27(2)(a) or (3) of the Explosives Regulations 2014; or
- (b) a minimum separation distance of 0 metres is prescribed by virtue of regulation 27(1) of, and Schedule 5 to, the Explosives Regulations 2014 and the requirement for the assent of the local authority under regulation 13(3) of those Regulations did not apply by virtue of regulation 13(4)(a) of those Regulations.”.

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<sup>(1)</sup> S.S.I. 2004/406, amended by S.S.I. 2006/534; there are other amending instruments but none is relevant.