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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2016 No.**

**BUILDING AND BUILDINGS**

The Assessment of Energy Performance of Non-domestic Buildings (Scotland) Regulations 2016

*Made* - - - - 2016

*Coming into force* 1st September 2016

THE ASSESSMENT OF ENERGY PERFORMANCE OF NON-DOMESTIC BUILDINGS (SCOTLAND) REGULATIONS 2016

PART 1

Preliminary

1. Citation and commencement
2. Application of Regulations
3. Interpretation
4. Meaning of prospective buyer or prospective tenant

PART 2

Assessment of Energy Performance

5. Action plans on sale or rent of non-domestic buildings
6. Action Plans
7. Energy performance target and emissions target

PART 3

Implementation of action plans or operational rating measures

8. Implementation of building improvement measures
9. Confirmation of completion of building improvement measures
10. Implementation of operational rating measures
11. Display Energy Certificate
12. Advisory report

**Draft Legislation:** This is a draft item of legislation and has not yet been made as a Scottish Statutory Instrument. This draft has been replaced by a new draft, *The Assessment of Energy Performance of Non-domestic Buildings (Scotland) Regulations 2016* ISBN 978-0-11-103105-6

#### PART 4

##### Approved organisations

13. Approved organisations

#### PART 5

##### Register of energy improvement data

14. Registration of energy improvement data
15. Disclosures generally
16. Disclosure of documents
17. Disclosure of data relating to a particular building or building unit
18. Disclosure of bulk access data
19. Disclosure of data

#### PART 6

##### Enforcement

20. Enforcement authorities
  21. Power to require production of action plan
  22. Penalty charge notices – failure to provide action plan
  23. Defence where action plan unobtainable
  24. Penalty charge notice - failure to implement building improvement measures
  25. Reviews
  26. Appeal to the sheriff court
  27. Recovery of penalty charges
  28. Repayment of penalty charge
- Signature

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#### SCHEDULE — Identified Improvement Measures

1. The identified improvement measures in respect of a building or...
2. The improvement measures are— (a) installing draught stripping to doors...
3. The criteria are— (a) in the case of improvement measures...

Explanatory Note