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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 32**

**The Building (Scotland) Amendment Regulations 2010**

**Amendment of regulations**

2.—(1) The Building (Scotland) Regulations 2004<sup>(1)</sup> are amended in accordance with paragraphs (2) to (4).

(2) In Schedule 3 (descriptions of building and work not requiring a warrant) in paragraph 2A—

- (a) for “A building or any” substitute “Any”; and
- (b) omit “or the conversion of a building”.

(3) In Schedule 5 (building standards applicable to design and construction)—

- (a) in paragraph 2.11 (communication), omit the limitation to the standard contained in that paragraph;
- (b) for paragraph 2.12 (fire service access) substitute—

**“2.12 Fire and rescue service access**

Every building must be accessible to the fire and rescue service.”;

(c) for paragraph 2.13 (fire service water supply) substitute—

**“2.13 Fire and rescue service water supply**

Every building must be provided with a water supply for use by the fire and rescue service.”;

(d) in the heading to paragraph 2.14 after “Fire” insert “and rescue”;

(e) for paragraph 2.15 (automatic life safety fire suppression systems) substitute—

**“2.15 Automatic fire suppression systems**

Every building must be designed and constructed in such a way that in the event of an outbreak of fire within the building, fire growth will be inhibited by the operation of an automatic fire suppression system.

**Limitation**

This standard applies only to a building which—

- (a) is an enclosed shopping centre;
- (b) is a residential care building;
- (c) is a high rise domestic building;
- (d) forms the whole or part of a sheltered housing complex; or
- (e) is a school building.”;

- (f) for paragraph 3.14 (ventilation) substitute—

**“3.14 Ventilation**

Every building must be designed and constructed in such a way that ventilation is provided so that the air quality inside the building is not a threat to the building or the health of the occupants.”;

- (g) in paragraph 3.15 (condensation) omit the limitation to the standard contained in that paragraph;
- (h) after paragraph 4.12 (vehicle protective barriers) insert—

**“4.13 Security**

Every building must be designed and constructed in such a way that doors and windows, vulnerable to unlawful entry, can be secured to deter housebreaking and protect the safety and welfare of occupants.

**Limitation**

This standard applies only to domestic buildings.”;

- (i) for paragraph 5.1 (resisting sound transmission to dwellings using appropriate constructions) substitute—

**“5.1 Noise separation**

Every building, which is divided into more than one area of different occupation, must be designed and constructed in such a way to limit the transmission of source noise from normal domestic type activities, between such areas, to a level that will not threaten the health of, or cause inconvenience to the building occupants.

**Limitation**

This standard only applies to a building in different occupation incorporating—

- (a) attached dwellings;
- (b) attached residential buildings; or
- (c) a roof, walkway or access deck located directly above an area that is either a dwelling or a residential building.

**5.2 Noise reduction between rooms**

5.2 Every building must be designed and constructed in such a way to limit the transmission of source noise from normal domestic type activities, through a wall or floor, between a room and internal space where noise is likely to occur, to a level that will not cause inconvenience to the building occupants.

**Limitation**

This standard only applies to a wall or floor forming an apartment in a dwelling and a room in a residential building which is capable of being used for sleeping; other than—

- (a) a wall between an en-suite bathroom and the apartment or room it serves;
- (b) a hospital; or

- (c) a place of lawful detention.”;
- (j) in paragraph 6.1 (carbon dioxide emissions)—
  - (i) for paragraph (a) substitute—
    - “(a) the energy performance is estimated in accordance with a methodology of calculation approved under regulation 7(a) of the Energy Performance of Buildings (Scotland) Regulations 2008(2);”;
  - (ii) for paragraph (a) in the limitation to the standard contained in that paragraph substitute—
    - “(a) alterations and extensions to buildings, other than alterations and extensions to stand-alone buildings having an area less than 50 square metres that would increase the area to 50 square metres or more, or alterations to buildings involving the fit-out of the building shell which is the subject of a continuing requirement;”;
- (k) in the limitation to the standard contained in paragraph 6.4 (insulation of pipes, ducts and vessels), for paragraphs (b), (c) and (d) substitute—
  - “(b) buildings, or parts of a building, which will not be heated, other than heating provided solely for the purpose of frost protection; or
  - (c) pipes, ducts or vessels that form part of an isolated industrial or commercial process.”;
- (l) for the limitation to the standard contained in paragraph 6.5 (artificial and display lighting) substitute—

#### **“Limitation**

This standard does not apply to—

- (a) process and emergency lighting components in a building; or
- (b) alterations to a dwelling or a building ancillary to a dwelling.”;
- (m) in paragraph 6.6(b) (mechanical ventilation and air conditioning) omit “in non-domestic buildings.”;
- (n) in the limitation to the standard contained in paragraph 6.8 (written information), in sub-paragraph (e), omit “, ventilation and cooling”; and
- (o) in paragraph 6.10 (metering)—
  - (i) after “that each” insert “building, or”;
  - (ii) for “consumption” substitute “and power”; and
  - (iii) in the limitation to the standard contained in that paragraph, omit sub-paragraph (b).
- (4) In Schedule 6 (building standards applicable to conversions) in paragraph 1—
  - (a) in sub-paragraph (c) after “4.12” insert “, 4.13”; and
  - (b) in sub-paragraph (d) for “the standard” substitute “standards 5.1 and 5.2”.