The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 1, 2 and 54(2) of the Building (Scotland) Act 2003(a) and all other powers enabling them to do so.

In accordance with section 1(2) of that Act they have consulted with such persons as appear to them to be representative of the interests concerned.

Citation and commencement

1. These Regulations may be cited as the Building (Scotland) Amendment Regulations 2012 and come into force on 9th January 2013.

Amendment of the Building (Scotland) Regulations 2004

2.—(1) The Building (Scotland) Regulations 2004(b) are amended in accordance with paragraphs (2) and (3).

(2) For regulation 17(1)(b) (continuing requirements) substitute—

“(b) following each inspection of that system the owner of the building or, where the owner is not the occupier, the occupier is given a report containing the result of the inspection and including recommendations for the cost-effective improvement of the energy performance of that system.”.

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(a) 2003 asp 8, section 1 was amended by section 6(2)(a) of the Public Services Reform (Scotland) Act 2010 (asp 8).
(3) In Schedule 5 (building standards applicable to design and construction) in the limitation to the standard contained in paragraph 6.9 (energy performance certificates), for sub-paragraph (b) substitute—

“(b) Standard 6.9(c) only applies to buildings—

(i) with a floor area of more than 500 square metres;
(ii) into which members of the public have an express or implied licence to enter;

and

(iii) which are visited by members of the public on at least a weekly basis.”.

DEREK MACKAY
Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
26th June 2012
EXPLANATORY NOTE

(This note is not part of the Regulations)


Regulation 2(2) amends regulation 17 of the 2004 Regulations to require an inspection report including recommendations for cost-effective improvements to be provided following inspections of air conditioning systems.

Regulation 2(3) amends the limitation to standard 6.9(c) of Schedule 5 to provide that this standard will only apply to certain public buildings with a floor area greater than 500 square metres.

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BUILDING AND BUILDINGS

The Building (Scotland) Amendment Regulations 2012