
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 188

**The Building (Miscellaneous
Amendments) (Scotland) Regulations 2017**

Amendment of the Building (Scotland) Regulations 2004

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

(2) For regulation 9 (building standards – construction) substitute—

“**9.**—(1) Subject to paragraph (2), construction must be carried out so that the work complies with the applicable requirements of schedule 5⁽²⁾.

(2) Only the requirements of the standards set out in paragraphs 1.1, 3.17, 3.18, 3.19, 3.20, 3.21, 3.22 and 4.4 of schedule 5 apply in the case of the construction of a building of the type described in paragraph 23A of schedule 3.”.

(3) In schedule 3⁽³⁾ (descriptions of building and work not requiring a warrant), after paragraph 23 insert—

“**AA.** On condition that this type in all respects and/or in the manner of their fitting meet the requirements of standards 1.1, 3.17, 3.18, 3.19, 3.20, 3.21, 3.22 and 4.4 of schedule 5.

23A. A detached single-storey building used for shelter or sleeping in connection with recreation. **Except-** A dwelling. A building having an area exceeding 30 square metres. A building ancillary to another building. A building within 6 metres of a boundary of another building. Any wastewater disposal system serving a building of this type. A building containing a gallery or galleries unless the gallery, or where there is more than one gallery, the galleries together, occupy an area not more than—

- (a) 8 square metres; or
- (b) one-half of the area of the room or space in which the gallery is, or galleries are, situated,

whichever is the lesser.

Interpretation of paragraph 23A

In paragraph 23A, “gallery” means a raised floor or platform which is open to the room or space into which it projects and is not enclosed below.”.

(1) [S.S.I. 2004/406](#).

(2) Schedule 5 was substituted by [S.S.I. 2006/534](#). There are other amendments not relevant to these Regulations.

(3) Schedule 3 was substituted by [S.S.I. 2006/534](#). There are other amendments not relevant to these Regulations.