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SCOTTISH STATUTORY INSTRUMENTS

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**2022 No. 340**

**BUILDING AND BUILDINGS**

**The Building (Scotland) Amendment  
(Amendment) (No. 2) Regulations 2022**

*Made* - - - - 16th November 2022  
*Laid before the Scottish  
Parliament* - - - - 17th November 2022  
*Coming into force* - - 30th November 2022

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 1 and 54(2) and schedule 1 of the Building (Scotland) Act 2003<sup>(1)</sup>, 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 (Amendment) (No. 2) Regulations 2022 and come into force on 30 November 2022.

**Amendment of the Building (Scotland) Amendment Regulations 2022**

2.—(1) The Building (Scotland) Amendment Regulations 2022<sup>(2)</sup> are amended in accordance with paragraphs (2) to (5).

(2) In regulation 1(3) (citation and commencement) for “1 December 2022” substitute “1 February 2023”.

(3) In the heading to Part 3 (amendment of the Building (Scotland) Regulations 2004 on 1 December 2022) for “1 December 2022” substitute “1 February 2023”.

(4) In the heading to regulation 7 (amendment of the Building (Scotland) Regulations 2004 – 1 December 2022) for “1 December 2022” substitute “1 February 2023”.

(5) In regulation 11 (transitional provision)—

(a) in paragraph (a) for “1 December 2022” substitute “1 February 2023”,

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(1) 2003 asp 8. Section 1 was amended by section 6(2) of the Public Services Reform (Scotland) Act 2010 (asp 8). Paragraph 5(2) of schedule 1 was amended by S.S.I. 2014/364.

(2) S.S.I. 2022/136 as amended by S.S.I. 2022/209.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (b) in paragraph (b)(i) for “1 December 2022” substitute “1 February 2023”,
- (c) in paragraph (b)(ii) for “31 March” substitute “31 May”.

St Andrew’s House,  
Edinburgh  
16th November 2022

*PATRICK HARVIE*  
Authorised to sign by the Scottish Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Building (Scotland) Amendment Regulations 2022 (the “2022 Regulations”) and come into force on 30 November 2022.

Regulation 2(2) of these Regulations amends regulation 1(3) of the 2022 Regulations to change the date on which Part 3 of the 2022 Regulations comes into force from 1 December 2022 to 1 February 2023.

Regulation 2(3) amends the heading of Part 3 and regulation 2(4) amends the heading of regulation 7 of the 2022 Regulations to reflect the change in date on which Part 3 comes into force.

Regulation 2(5) amends the transitional provision for the regulations in Part 3 of the 2022 Regulations so that the regulations in that Part will not apply to work which does not require a building warrant and which is completed before 1 February 2023 or not completed before that date where the contract for the work is entered into before 1 February 2022 and the work is completed on or before 31 May 2023.