SCOTTISH STATUTORY INSTRUMENTS

2024 No. 376

BUILDING AND BUILDINGS

The Building (Procedure) (Scotland) Amendment Regulations 2024

Made - - - -	*10th December 2024*
Laid before the Scottish Parliament	*12th December 2024*
Coming into force - -	*31st March 2028*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 24(2) and 33 and schedule 3 of the Building (Scotland) Act 2003(**a**) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Building (Procedure) (Scotland) Amendment Regulations 2024 and come into force on 31 March 2028.

Amendment of the Building (Procedure) (Scotland) Regulations 2004

2.—(1) The Building (Procedure) (Scotland) Regulations 2004(**b**) are amended in accordance with paragraphs (2) to (5).

(2) In regulation 2 (interpretation) in paragraph (1) after the definition of "draft direction" insert—

> ""energy and environmental construction statement" means a statement describing how the construction of the building in respect of which the completion certificate is submitted complies with paragraphs 3.13, 3.14, 3.28, 6.1 to 6.7, 6.10, 7.1 and 7.2 of schedule 5 of the building regulations,
>
> "energy and environmental design statement" means a statement describing how the design of the building in respect of which the warrant or amendment to warrant is being sought complies with paragraphs 3.13, 3.14, 3.28, 6.1 to 6.7, 6.10, 7.1 and 7.2 of schedule 5 of the building regulations,".

(3) In regulation 4 (making of application for building warrant) after paragraph (1)(a) insert—

> "(aa) an energy and environmental design statement,".

(4) In regulation 41 (submission of completion certificates) after paragraph (a) insert—

> "(aa) an energy and environmental construction statement,".

(**a**) 2003 asp 8.
(**b**) S.S.I. 2004/428 as relevantly amended by S.S.I. 2007/167, S.S.I. 2011/120 and S.S.I. 2013/143.

(5) In regulation 57 (maintenance of records) after paragraph (2)(b)(iv) insert—

"(iva) any energy and environmental design statement submitted in connection with an application for a building warrant,

(ivb) any energy and environmental construction statement submitted in connection with a completion certificate,".

PAUL McLENNAN
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
10th December 2024

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Building (Procedure) (Scotland) Regulations 2004 (the "2004 Regulations") and come into force on 31 March 2028.

Regulation 2(2) inserts new definitions into regulation 2 of the 2004 Regulations to define "energy and environmental design statement" and "energy and environmental construction statement".

Regulation 2(3) amends regulation 4 of the 2004 Regulations to require an energy and environmental design statement to be submitted with an application for a building warrant or an application for an amendment to a building warrant.

Regulation 2(4) amends regulation 41 of the 2004 Regulations to require an energy and environmental construction statement to be submitted with a completion certificate.

Regulation 2(5) amends regulation 57 of the 2004 Regulations to require copies of energy and environmental design statements and energy and environmental construction statements to be kept in the building standards register.

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