POLICY NOTE

THE BUILDING (SCOTLAND) AMENDMENT (AMENDMENT) REGULATIONS 2022

SSI 2022/209

The above instrument was made in exercise of the powers conferred by sections 1 and 54(2) and schedule 1 of the Building (Scotland) Act 2003. The instrument is subject to negative parliamentary procedure.

Purpose of the instrument.
These Regulations amend The Building (Scotland) Amendment Regulations 2022 (the "2022 Regulations") which introduced new mandatory energy and environmental standards for buildings and building work. The purpose of this instrument is to amend the date on which Part 3 of the 2022 Regulations comes into force from 1 October 2022 to 1 December 2022.

Policy Objectives
Section 1 of the Building (Scotland) Act 2003 (the Act) allows Ministers to make regulations (building regulations) with respect to the design, construction, demolition and conversion of buildings and the provision of services, fittings and equipment in or in connection with buildings for purposes including securing the health, safety, welfare and convenience of persons in or about buildings, furthering the conservation of fuel and power, and furthering the achievement of sustainable development.

The policy objectives are to improve the emission and energy performance of buildings and to reduce the risk to health from overheating in new residential buildings. This is achieved through amendment of The Building (Scotland) Regulations 2004 (the "2004 Regulations"), made under the Act, which set minimum standards for the function and performance of buildings and building work. The mandatory standards applicable to building design and construction are set out in regulation 9 and schedule 5 of the 2004 Regulations.

This instrument amends the date on which provisions within Part 3 of the 2022 Regulations come into force from 1 October 2022 to 1 December 2022. This change is required to provide a longer period for the development of supporting third-party resources used to demonstrate compliance with the building standards introduced in Part 3. These Regulations also make changes to the transitional provision in regulation 11 of the 2022 Regulations and to headings in those regulations, where reference is made to an into force date of 1 October 2022.

Consultation
No consultation was needed for this amending instrument.

Impact Assessments
No impact assessments are required for this amending instrument.

Financial Effects
This instrument has no financial effects.

Scottish Government
Local Government and Housing Directorate

June 2022