SCOTTISH STATUTORY INSTRUMENTS

2025 No. 312

BUILDING AND BUILDINGS

The Building (Scotland) Amendment Regulations 2025

Made - - - -	*30th October 2025*
Laid before the Scottish Parliament	*3rd November 2025*
Coming into force - -	*6th April 2026*

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(**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 2025 and come into force on 6 April 2026.

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) In regulation 8 (fitness and durability of materials and workmanship)—

(a) in paragraph (3) for "BS EN 13501-1:2018 entitled "Fire classification of construction products and building elements. Classification using testing data from reaction to fire tests" published by the British Standards Institution" substitute "the reaction to fire classification",

(b) after paragraph (4)(j) insert—

"(k) components associated with a solar shading device excluding components whose primary function is to provide shade or deflect sunlight such as the awning curtain or slats,

(l) materials which form the top horizontal floor layer of a balcony which are of European Classification A1fl or A2fl-s1 (classified in accordance with the reaction to fire classification) provided that the entire layer has an imperforate substrate under it.",

(c) in paragraph (6)—

(**a**) 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.

(**b**) S.S.I. 2004/406; relevant amending instruments are S.S.I. 2013/143, S.S.I. 2020/275 and S.S.I. 2022/136.

(i) after the definition of "highly combustible metal composite material" insert—

""reaction to fire classification" means BS EN 13501-1:2018 entitled "Fire classification of construction products and building elements. Classification using data from reaction to fire tests." published by the British Standards Institution in 2019,",

(ii) in in the definition of "relevant building" after paragraph (e) insert—

"(f) a hotel, guest house, boarding house or hostel,",

(iii) after the definition of "relevant building" insert—

""solar shading" means a device attached to the external surface of an external wall for reducing heat gain within a building by shading or deflecting sunlight,".

(3) In schedule 5 (building standards applicable to design and construction)—

(a) in the limitation to paragraph 2.15 (automatic fire suppression systems) omit "or" immediately preceding paragraph (h) and after paragraph (h) insert—

"(i) is a traditionally constructed residential building with 15 or more rooms used for sleeping accommodation.",

(b) after the limitation to paragraph 2.15 insert—

"Interpretation of this standard

In this standard—

"traditionally constructed" means constructed by traditional construction methods, using permeable components, that promote the dissipation of moisture from the building fabric.".

Transitional provision

3. The amendments made by these Regulations do not apply to work which, by virtue of regulation 5 and schedule 3 of the Building (Scotland) Regulations 2004, does not require a building warrant provided that the work is—

(a) completed before 6 April 2026, or

(b) not completed before that date and—

(i) the contract for the work is entered into before 6 April 2026, and

(ii) the work is completed on or before 6 October 2026.

MAIRI MCALLAN
A member of the Scottish Government

St Andrew's House,
Edinburgh
30th October 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Building (Scotland) Regulations 2004 (the "2004 Regulations") and come into force on 6 April 2026.

Regulation 2(2) amends regulation 8 of the 2004 Regulations to extend its requirements in respect of external wall cladding systems to hotels, guest houses, boarding houses and hostels. It also amends regulation 8 to exempt certain components associated with a solar shading device and materials which form the top horizontal floor layer of a balcony from such requirements.

Schedule 6 of the 2004 Regulations applies various building standards to conversions of properties, including the building standard set out in paragraph 2.15 (automatic fire suppression systems) of schedule 5 of the 2004 Regulations. Regulation 2(3) amends paragraph 2.15 of schedule 5 of the 2004 Regulations so that it applies to traditionally constructed residential buildings with 15 or more bedrooms.

Regulation 3 makes transitional provision so that the changes made by these Regulations will not apply to work which does not require a building warrant and which is either completed before 6 April 2026, or if not completed before that date, where the contract for the work is entered into before 6 April 2026 and the work is completed on or before 6 October 2026.

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