

HEAT NETWORKS (SCOTLAND) ACT 2021

EXPLANATORY NOTES

THE ACT

Overview

Part 5 – Building assessment reports

Section 63: Building assessment reports

143. Subsection (1) requires that a “relevant person” must prepare building assessment reports in relation to each non-domestic building in which it has an interest. Section 67 defines “relevant person” for Part 5 of the Act as Scottish public authorities and any other person the Scottish Ministers may specify by regulations. Subsection (4) provides that a relevant person with an interest in a building is a person with a right of ownership in the building or such other interest as the Scottish Ministers may specify by regulations.
144. In relation to each building covered by the report, the report must set out the potential for the non-domestic building to be supported by a heat network and the expected operational life span of the building’s existing thermal energy system (subsection (2)).
145. The Scottish Ministers will specify by regulations the manner in which a building assessment report must be prepared and the intervals at which the report should be prepared (subsections (3) and (5)).

Section 64: Exemptions from duty to prepare building assessment reports

146. Section 64 enables the Scottish Ministers by regulations to provide exemptions from the duty to prepare building assessment reports to specified relevant persons, persons of a specified description, for specified non-domestic buildings and non-domestic buildings of a specified description.

Section 65: Notification of building assessment reports

147. Section 65 provides that a relevant person must send a copy of the building assessment report to each local authority in whose area the building to which the report relates is located and a copy to the Scottish Ministers, as soon as is reasonably practicable after the report has been prepared.

Section 66: Guidance about building assessment reports

148. Subsection (1) provides that the Scottish Ministers must issue guidance about the preparation of building assessment reports. The guidance is to be published in a manner that the Scottish Ministers consider appropriate (subsection (3)) and relevant persons are to have regard to any guidance issued (subsection (2)).

*These notes relate to the Heat Networks (Scotland) Act 2021
(asp 9) which received Royal Assent on 30 March 2021*

Section 67: Interpretation of Part 5

149. Section 67 provides definitions of various terms for the purposes of Part 5.