



Heat Networks (Scotland) Act 2021

2021 asp 9

PART 5

BUILDING ASSESSMENT REPORTS

63 Building assessment reports

- (1) A relevant person must prepare reports in relation to each non-domestic building in which the person has an interest.
- (2) A report prepared under subsection (1) (a “building assessment report”) must set out, in relation to each non-domestic building covered by the report, an assessment of—
 - (a) the potential for the non-domestic building to be supplied with thermal energy by means of a heat network,
 - (b) the period for which any system providing thermal energy to the non-domestic building is expected to continue to operate effectively and efficiently.
- (3) A building assessment report must—
 - (a) be prepared in the manner as may be specified, and
 - (b) at such intervals as may be specified.
- (4) For the purposes of this section—
 - (a) a relevant person has an interest in a non-domestic building if—
 - (i) the relevant person has a right of ownership in the non-domestic building,
 - (ii) the relevant person has such other interest in the non-domestic building as may be specified,
 - (b) where more than one relevant person has a right of ownership, or other interest as may be specified by regulations under paragraph (a)(ii), in a non-domestic building, a building assessment report must be prepared by one of those persons.
- (5) In this section, “specified” means specified in regulations made by the Scottish Ministers.

Changes to legislation: There are currently no known outstanding effects for the Heat Networks (Scotland) Act 2021, PART 5. (See end of Document for details)

Commencement Information

- I1** S. 63 in force at 16.1.2023 for specified purposes by [S.S.I. 2022/376, reg. 2, sch.](#)
I2 S. 63 in force at 30.5.2023 in so far as not already in force by [S.S.I. 2023/148, reg. 2\(1\)\(2\)\(j\)](#)

64 Exemptions from duty to prepare building assessment reports

- (1) The Scottish Ministers may by regulations provide that the requirement imposed by section 63(1) does not apply to—
- (a) specified relevant persons,
 - (b) relevant persons of a specified description.
- (2) The Scottish Ministers may by regulations provide that the requirement under section 63(1) does not apply in relation to—
- (a) specified non-domestic buildings,
 - (b) non-domestic buildings of a specified description.
- (3) In this section, “specified” means specified in the regulations.

Commencement Information

- I3** S. 64 in force at 16.1.2023 by [S.S.I. 2022/376, reg. 2, sch.](#)

65 Notification of building assessment reports

As soon as reasonably practicable after preparing a building assessment report, a relevant person must—

- (a) send the report to each local authority in whose area a non-domestic building to which the report relates is situated, and
- (b) send a copy of the report to the Scottish Ministers.

Commencement Information

- I4** S. 65 in force at 30.5.2023 by [S.S.I. 2023/148, reg. 2\(1\)\(2\)\(k\)](#)

66 Guidance about building assessment reports

- (1) The Scottish Ministers may issue guidance about the preparation of building assessment reports.
- (2) In preparing a building assessment report, a relevant person must have regard to any guidance issued under subsection (1).
- (3) The Scottish Ministers must publish guidance issued under subsection (1) in such manner as they consider appropriate.

Commencement Information

- I5** S. 66 in force at 16.1.2023 for specified purposes by [S.S.I. 2022/376, reg. 2, sch.](#)

Changes to legislation: There are currently no known outstanding effects for the Heat Networks (Scotland) Act 2021, PART 5. (See end of Document for details)

I6 S. 66 in force at 30.5.2023 in so far as not already in force by S.S.I. 2023/148, **reg. 2(1)(2)(l)**

67 Interpretation of Part 5

In this Part—

“building assessment report” has the meaning given in section 63(2),

“non-domestic building” means a building other than a dwelling,

“relevant person” means—

- (a) a Scottish public authority within the meaning of section 3(1)(a) of the Freedom of Information (Scotland) Act 2002,
- (b) such other person, or person of such description, as the Scottish Ministers may specify by regulations.

Commencement Information

I7 S. 67 in force at 16.1.2023 for specified purposes by S.S.I. 2022/376, **reg. 2, sch.**

I8 S. 67 in force at 30.5.2023 in so far as not already in force by S.S.I. 2023/148, **reg. 2(1)(2)(m)**

Changes to legislation:

There are currently no known outstanding effects for the Heat Networks (Scotland) Act 2021, PART 5.