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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 406**

**BUILDING AND BUILDINGS**

**The Building (Scotland) Regulations 2004**

	<i>22nd September</i>
<i>Made - - - -</i>	<i>2004</i>
<i>Laid before the Scottish</i>	<i>23rd September</i>
<i>Parliament - -</i>	<i>2004</i>
<i>Coming into force</i>	<i>1st May 2005</i>

**THE BUILDING (SCOTLAND) REGULATIONS 2004**

1. Citation and commencement
  2. Interpretation
  3. Exempted buildings and services, fittings and equipment
  4. Changes in the occupation or use of a building which cause the regulations to apply
  5. Descriptions of building and work, including the provision of services, fittings and equipment, not requiring a warrant
  6. Limited life buildings
  7. Measurements
  8. Fitness and durability of materials and workmanship
  9. Building standards – construction
  10. Building Standards – demolition
  11. Building standards –service, fitting or equipment
  12. Building standards – conversion
  13. Provision of protective works
  14. Clearing of footpaths
  15. Securing of unoccupied and partly completed buildings
  16. Relaxations
  17. Continuing requirements
- Signature

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**SCHEDULE 1 EXEMPTED BUILDINGS AND SERVICES, FITTINGS AND EQUIPMENT**

1. Buildings etc. controlled by other legislation
2. A building erected on a site which is subject to...
3. A building included in the schedule of monuments maintained under...

**Status:** Point in time view as at 01/10/2019.

**Changes to legislation:** There are currently no known outstanding effects for the  
The Building (Scotland) Regulations 2004. (See end of Document for details)

4. Protective Works
5. Buildings or work not frequented by people
6. Detached fixed plant or machinery or a detached building housing...
7. Agricultural and related buildings
8. A single-storey detached building used for any other form of...
9. Works of civil engineering construction
10. Buildings of a specialised nature
11. A single-storey detached road or rail passenger shelter or a...
12. A caravan or mobile home within the meaning of the...
13. Small buildings
14. Construction and development buildings
15. A building used in connection with the letting or sale...
16. Temporary buildings
17. Buildings ancillary to houses
18. A single storey building attached to an existing house, which...
19. A single storey building which is detached, or is attached...
20. Buildings ancillary to flats or maisonettes
21. Paved areas

SCHEDULE 2      CONVERSIONS TO WHICH THE REGULATIONS  
APPLY

1. Changes in the occupation or use of a building to...
2. Changes in the occupation or use of a building ancillary...
3. Changes in the occupation or use of a building which...
4. Changes in the occupation or use of a domestic building...
5. Changes in the occupation or use of a residential building...
6. Changes in the occupation or use of a residential building...
7. Changes in the occupation or use of an exempt building...
8. Changes in the occupation or use of a building to...
9. Changes in the occupation or use of a building to...

SCHEDULE 3      DESCRIPTIONS OF BUILDING AND WORK,  
INCLUDING THE PROVISION OF SERVICES,  
FITTINGS AND EQUIPMENT, NOT REQUIRING A  
WARRANT

1. A. On condition that types 1–23 in all respects and/or in the manner of their fitting meet any standards required by the Regulations
2. Any work to or in a non-residential building to which...
- 2A Any works to or in a building ... that is...
- 2B A building or any work to or in a building...
- 2C A building or any work to or in a building...
3. And, without prejudice to the generality of types 1 to 2C above
4. A detached single-storey building, having an area exceeding 8 square...
5. A detached single-storey building, having an area exceeding 8 square...
6. Any work associated with a fixed combustion appliance installation or...
7. Any work associated with a balanced flue serving a room-sealed...
8. Any work associated with pipework, radiators, convector heaters and thermostatic...
9. Any work associated with installing a flue liner.
10. Any work associated with refillable liquefied petroleum gas storage cylinders...
11. Any work associated with the provision of a single sanitary...
12. Any work associated with the relocation within the same room...
13. Any work associated with the provision of an extractor fan....
14. Any work associated with a stairlift within a dwelling.

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- 15. Any work associated with the provision of a notice or...
- 15A Any work associated with affixing an energy performance certificate to...
- 15B Any work associated with affixing a statement of sustainability to...
- 16. Any work associated with an outdoor sign that is subject...
- 17. Any work associated with thermal insulating material to or within...
- 18. A wall not exceeding 1.2 metres in height, or a...
- 19. Any work associated with open raised external decking. Except –Any...
- 20. A door, window, or rooflight when the work includes replacing...
- 21. A paved area or hardstanding exceeding 50 square metres in...
- 22. An electrical installation, including a circuit for telecommunication, alarm purposes...
- 23. The construction of a ramp not exceeding 5 metres in...
- 23A AA. On condition that this type in all respects and/or in the manner of their fitting meet the requirements of standards 1.1, 3.17, 3.18, 3.19, 3.20, 3.21, 3.22 and 4.4 of schedule 5.
- 24. B. On condition that this work, service, fitting or equipment is to a standard no worse than at present
- 25. Any work associated with the replacement in whole or in...
- 26. Any work to a door, window or rooflight, including glazing...

#### SCHEDULE 4 MEASUREMENTS

- 1. Area
- 2. A room excludes any built-in fixture extending from the floor...
- 3. In the case of a dwelling, a room excludes any...
- 4. Height and depth
- 5. In the measurement of height or depth from ground which...
- 6. General

#### SCHEDULE 5 BUILDING STANDARDS APPLICABLE TO DESIGN AND CONSTRUCTION

##### SECTION 1:

##### *STRUCTURE*

- 1.1 Structure
- 1.2 Disproportionate collapse

##### SECTION 2:

##### *FIRE*

- 2.1 Compartmentation
  - Limitation
- 2.2 Separation
- 2.3 Structural protection
- 2.4 Cavities
- 2.5 Internal linings
- 2.6 Spread to neighbouring buildings
- 2.7 Spread on external walls
- 2.8 Spread from neighbouring buildings
- 2.9 Escape
- 2.10 Escape lighting
- 2.11 Communication
  - Limitation
- 2.12 Fire and rescue service access

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- 2.13 Fire and rescue service water supply  
Limitation
- 2.14 Fire and rescue service facilities
- 2.15 Automatic fire suppression systems  
Limitation

### SECTION 3:

#### *ENVIRONMENT*

- 3.1 Site preparation – harmful and dangerous substances  
Limitation
- 3.2 Site preparation – protection from radon gas
- 3.3 Flooding and ground water
- 3.4 Moisture from the ground
- 3.5 Existing drains  
Limitation
- 3.6 Surface water drainage
- 3.7 Wastewater drainage  
Limitation
- 3.8 Private wastewater treatment systems – treatment plants
- 3.9 Private wastewater treatment systems – infiltration systems
- 3.10 Precipitation  
Limitation
- 3.11 Facilities in a dwelling  
Limitation
- 3.12 Sanitary facilities
- 3.13 Heating  
Limitation
- 3.14 Ventilation
- 3.15 Condensation  
Limitation
- 3.16 Natural lighting  
Limitation
- 3.17 Combustion appliances – safe operation
- 3.18 Combustion appliances – protection from products of combustion
- 3.19 Combustion appliances – relationship to combustible materials
- 3.20 Combustion appliances – removal of products of combustion
- 3.21 Combustion appliances – air for combustion
- 3.22 Combustion appliances – air for cooling
- 3.23 Fuel storage – protection from fire  
Limitation
- 3.24 Fuel storage – containment  
Limitation
- 3.25 Solid waste storage  
Limitation
- 3.26 Dungsteads and farm effluent tanks
- 3.27 Water efficiency  
Limitation

## SECTION 4:

### *SAFETY*

- 4.1 Access to buildings  
Limitation
- 4.2 Access within buildings  
Limitation
- 4.3 Stairs and ramps
- 4.4 Pedestrian protective barriers  
Limitation
- 4.5 Electrical safety  
Limitation
- 4.6 Electrical fixtures  
Limitation
- 4.7 Aids to communication  
Limitation
- 4.8 Danger from accidents  
Limitation
- 4.9 Danger from heat
- 4.10 Fixed seating  
Limitation
- 4.11 Liquefied petroleum gas storage  
Limitation
- 4.12 Vehicle protective barriers
- 4.13 Security  
Limitation
- 4.14 In-building physical infrastructure for high-speed electronic  
communications networks  
Limitation  
Interpretation of this standard  
In this standard— “access point” means a physical point, located...

## SECTION 5:

### *NOISE*

- 5.1 Noise separation  
Limitation
- 5.2 Noise reduction between rooms  
Limitation

## SECTION 6:

### *ENERGY*

- 6.1 Carbon dioxide emissions  
Interpretation of this standard  
Limitation
- 6.2 Building insulation envelope  
Limitation
- 6.3 Heating system  
Limitation
- 6.4 Insulation of pipes, ducts and vessels

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- Limitation
- 6.5 Artificial and display lighting
- Limitation
- 6.6 Mechanical ventilation and air conditioning
- Limitation
- 6.7 Commissioning building services
- Limitation
- 6.8 Written information
- Limitation
- 6.9 Energy Performance Certificates
- Limitation
- 6.10 Metering
- Limitation

## SECTION 7:

### *SUSTAINABILITY*

- 7.1 Statement of sustainability
- Limitation

#### SCHEDULE 6 BUILDING STANDARDS APPLICABLE TO CONVERSIONS

1. Every conversion, to which these regulations apply, shall meet the...
2. Every conversion, to which these regulations apply, shall meet the...

Explanatory Note

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