

[<sup>F1</sup>SCHEDULE 5 **S**

Regulation 9

BUILDING STANDARDS APPLICABLE TO DESIGN AND CONSTRUCTION

**Textual Amendments**

**F1** Schs. 1-6 substituted (1.5.2007) by [The Building \(Scotland\) Amendment Regulations 2006 \(S.S.I. 2006/534\)](#), regs. 1, 2(c), **sch.** (with regs. 3, 4)

**SECTION 1:**

**STRUCTURE**

**Structure **S****

**1.1** Every building must be designed and constructed in such a way that the loadings that are liable to act on it, taking into account the nature of the ground, will not lead to:

- (a) the collapse of the whole or part of the building;
- (b) deformations which would make the building unfit for its intended use, unsafe, or cause damage to other parts of the building or to fittings or to installed equipment; or
- (c) impairment of the stability of any part of another building.

**Disproportionate collapse **S****

**1.2** Every building must be designed and constructed in such a way that in the event of damage occurring to any part of the structure of the building the extent of any resultant collapse will not be disproportionate to the original cause.

**SECTION 2:**

**FIRE**

**Compartmentation **S****

**2.1** Every building must be designed and constructed in such a way that in the event of an outbreak of fire within the building, fire and smoke are inhibited from spreading beyond the compartment of origin until any occupants have had the time to leave that compartment and any fire containment measures have been initiated.

**Limitation**

This standard does not apply to domestic buildings.

**Separation **S****

**2.2** Every building, which is divided into more than one area of different occupation, must be designed and constructed in such a way that in the event of an outbreak of fire within the building, fire and smoke are inhibited from spreading beyond the area of occupation where the fire originated.

**Structural protection **S****

**2.3** Every building must be designed and constructed in such a way that in the event of an outbreak of fire within the building, the load-bearing capacity of the building will continue to

function until all occupants have escaped, or been assisted to escape, from the building and any fire containment measures have been initiated.

### **Cavities** **S**

**2.4** Every building must be designed and constructed in such a way that in the event of an outbreak of fire within the building, the <sup>F2</sup>... spread of fire and smoke within [<sup>F3</sup>cavities] in its structure and fabric is inhibited.

#### **Textual Amendments**

- F2** Word in sch. 5 para. 2.4 omitted (1.10.2019) by virtue of [The Building \(Scotland\) Amendment Regulations 2019 \(S.S.I. 2019/210\)](#), regs. 1, **2(2)(a)**
- F3** Word in sch. 5 para. 2.4 substituted (1.10.2019) by [The Building \(Scotland\) Amendment Regulations 2019 \(S.S.I. 2019/210\)](#), regs. 1, **2(2)(b)**

### **Internal linings** **S**

**2.5** Every building must be designed and constructed in such a way that in the event of an outbreak of fire within the building, the development of fire and smoke from the surfaces of walls and ceilings within the area of origin is inhibited.

### **Spread to neighbouring buildings** **S**

**2.6** Every building must be designed and constructed in such a way that in the event of an outbreak of fire within the building, the spread of fire to neighbouring buildings is inhibited.

### **Spread on external walls** **S**

**2.7** Every building must be designed and constructed in such a way [<sup>F4</sup>, having regard to the height, use and position of the building,] that in the event of an outbreak of fire within the building, or from an external source, the spread of fire on the external walls of the building is inhibited.

#### **Textual Amendments**

- F4** Words in sch. 5 para. 2.7 inserted (1.6.2022) by [The Building \(Scotland\) Amendment Regulations 2022 \(S.S.I. 2022/136\)](#), regs. 1(2), **5** (with reg. 6)

### **Spread from neighbouring buildings** **S**

**2.8** Every building must be designed and constructed in such a way that in the event of an outbreak of fire in a neighbouring building, the spread of fire to the building is inhibited.

### **Escape** **S**

**2.9** Every building must be designed and constructed in such a way that in the event of an outbreak of fire within the building, the occupants, once alerted to the outbreak of the fire, are provided with the opportunity to escape from the building, before being affected by fire or smoke.

## Escape lighting **S**

**2.10** Every building must be designed and constructed in such a way that in the event of an outbreak of fire within the building, illumination is provided to assist in escape.

## Communication **S**

**2.11** Every building must be designed and constructed in such a way that in the event of an outbreak of fire within the building, the occupants are alerted to the outbreak of fire.

## Limitation

F5 ...

### Textual Amendments

**F5** Sch. 5 para. 2.11: limitation omitted (1.10.2010) by virtue of [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(a)** (with reg. 3)

## [<sup>F6</sup>Fire and rescue service access **S**

**2.12** Every building must be accessible to the fire and rescue service.]

### Textual Amendments

**F6** Sch. 5 para. 2.12 substituted (1.10.2010) by [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(b)** (with reg. 3)

## [<sup>F7</sup>Fire and rescue service water supply **S**

**2.13** Every building must be provided with a water supply for use by the fire and rescue service.]

## Limitation

This standard does not apply to domestic buildings.

### Textual Amendments

**F7** Sch. 5 para. 2.13 substituted (1.10.2010) by [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(c)** (with reg. 3)

## Fire [<sup>F8</sup>and rescue] service facilities **S**

**2.14** Every building must be designed and constructed in such a way that facilities are provided to assist fire-fighting or rescue operations.

### Textual Amendments

**F8** Words in [sch. 5 para. 2.14 heading](#) inserted (1.10.2010) by [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(d)** (with reg. 3)

**Changes to legislation:** There are currently no known outstanding effects for the The Building (Scotland) Regulations 2004, SCHEDULE 5. (See end of Document for details)

**[<sup>F9</sup>Automatic fire suppression systems S**

**2.15** Every building must be designed and constructed in such a way that in the event of an outbreak of fire within the building, fire growth will be inhibited by the operation of an automatic fire suppression system.

**Limitation**

This standard applies only to a building which–

- (a) is an enclosed shopping centre;
- (b) is a residential care building;
- <sup>F10</sup>(c) .....
- (d) forms the whole or part of a sheltered housing complex; <sup>F11</sup> ...
- (e) is a school building [<sup>F12</sup>, other than a building forming part of an existing school or an extension to a school building where it is not reasonably practicable to install an automatic fire suppression system in that building or extension].
- <sup>F13</sup>(f) is a building containing a flat or maisonette,
- (g) is a social housing dwelling, or
- (h) is a shared multi-occupancy residential building.]]

**Textual Amendments**

**F9** Sch. 5 para. 2.15 substituted (1.10.2010) by [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(e)** (with reg. 3)

**F10** Words in sch. 5 para. 2.15 omitted (1.3.2021) by virtue of [The Building \(Scotland\) Amendment Regulations 2020 \(S.S.I. 2020/275\)](#), regs. 1, **2(3)(a)**

**F11** Word in sch. 5 para. 2.15 omitted (1.3.2021) by virtue of [The Building \(Scotland\) Amendment Regulations 2020 \(S.S.I. 2020/275\)](#), regs. 1, **2(3)(b)**

**F12** Words in sch. 5 para. 2.15 inserted (1.10.2013) by [The Building \(Miscellaneous Amendments\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/143\)](#), regs. 1, **2(2)(a)** (with reg. 5)

**F13** Word in sch. 5 para. 2.15 inserted (1.3.2021) by virtue of [The Building \(Scotland\) Amendment Regulations 2020 \(S.S.I. 2020/275\)](#), regs. 1, **2(3)(c)**

**SECTION 3:**

**ENVIRONMENT**

**Site preparation – harmful and dangerous substances S**

**3.1** Every building must be designed and constructed in such a way that there will not be a threat to the building or the health of people in or around the building due to the presence of harmful or dangerous substances.

**Limitation**

This standard does not apply to the removal of unsuitable material, including turf, vegetable matter, wood, roots and topsoil on the site of a building (other than a dwelling) intended to have a life not exceeding the period specified in regulation 6.

### **Site preparation – protection from radon gas** **S**

**3.2** Every building must be designed and constructed in such a way that there will not be a threat to the health of people in or around the building due to the emission and containment of radon gas.

### **Flooding and ground water** **S**

**3.3** Every building must be designed and constructed in such a way that there will not be a threat to the building or the health of the occupants as a result of flooding and the accumulation of ground water.

### **Moisture from the ground** **S**

**3.4** Every building must be designed and constructed in such a way that there will not be a threat to the building or the health of the occupants as a result of moisture penetration from the ground.

### **Existing drains** **S**

**3.5** Every building must not be constructed over an existing drain (including a field drain) that is to remain active.

#### **Limitation**

This standard does not apply where it is not reasonably practicable to re-route an existing drain.

### **Surface water drainage** **S**

**3.6** Every building, and hard surface within the curtilage of a building, must be designed and constructed with a surface water drainage system that will–

- (a) ensure the disposal of surface water without threatening the building and the health and safety of the people in and around the building; and
- (b) have facilities for the separation and removal of silt, grit and pollutants.

### **Wastewater drainage** **S**

**3.7** Every wastewater drainage system serving a building must be designed and constructed in such a way as to ensure the removal of wastewater from the building without threatening the health and safety of the people in and around the building, and–

- (a) that facilities for the separation and removal of oil, fat, grease and volatile substances from the system are provided;
- (b) that discharge is to a public sewer or public wastewater treatment plant, where it is reasonably practicable to do so; and
- (c) where discharge to a public sewer or public wastewater treatment plant is not reasonably practicable that discharge is to a private wastewater treatment plant or septic tank.

#### **Limitation**

Standard 3.7(a) does not apply to a dwelling.

### **Private wastewater treatment systems – treatment plants** **S**

**3.8** Every private wastewater treatment plant or septic tank serving a building must be designed and constructed in such a way that it will ensure the safe temporary storage and treatment of wastewater prior to discharge.

### **Private wastewater treatment systems – infiltration systems** **S**

**3.9** Every private wastewater treatment system serving a building must be designed and constructed in such a way that the disposal of the wastewater to ground is safe and is not a threat to the health of the people in or around the building.

### **Precipitation** **S**

**3.10** Every building must be designed and constructed in such a way that there will not be a threat to the building or the health of the occupants as a result of moisture from precipitation penetrating to the inner face of the building.

#### **Limitation**

This standard does not apply to a building where penetration of moisture from the outside will result in effects no more harmful than those likely to arise from use of the building.

### **Facilities in a dwelling** **S**

- 3.11** Every building must be designed and constructed in such a way that–
- (a) the size of any apartment or kitchen will ensure the welfare and convenience of all occupants and visitors; and
  - (b) an accessible space is provided to allow for the safe, convenient and sustainable drying of washing.

#### **Limitation**

This standard applies only to a dwelling.

### **Sanitary facilities** **S**

**3.12** Every building must be designed and constructed in such a way that sanitary facilities are provided for all occupants of, and visitors to, the building in a form that allows convenience of use and that there is no threat to the health and safety of occupants or visitors.

### **Heating** **S**

**3.13** Every building must be designed and constructed in such a way that it can be heated and maintain heat at temperature levels that will not be a threat to the health of the occupants.

#### **Limitation**

This standard applies only to a dwelling.

### **[<sup>F14</sup>Ventilation** **S**

**3.14** Every building must be designed and constructed in such a way that ventilation is provided so that the air quality inside the building is not a threat to the building or the health of the occupants.]

#### **Textual Amendments**

**F14** Sch. 5 para. 3.14 substituted (1.10.2010) by [The Building \(Scotland\) Amendment Regulations 2010](#) (S.S.I. 2010/32), regs. 1, **2(3)(f)** (with reg. 3)

## Condensation **S**

**3.15** Every building must be designed and constructed in such a way that there will not be a threat to the building or the health of the occupants as a result of moisture caused by surface or interstitial condensation.

### Limitation

F15  
...

#### Textual Amendments

**F15** Sch. 5 para. 3.15: limitation omitted (1.10.2010) by virtue of [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(g)** (with reg. 3)

## Natural lighting **S**

**3.16** Every building must be designed and constructed in such a way that natural lighting is provided to ensure that the health of the occupants is not threatened.

### Limitation

This standard applies only to a dwelling.

## Combustion appliances – safe operation **S**

**3.17** Every building must be designed and constructed in such a way that each fixed combustion appliance installation operates safely.

## Combustion appliances – protection from products of combustion **S**

**3.18** Every building must be designed and constructed in such a way that any component part of each fixed combustion appliance installation used for the removal of combustion gases will withstand heat generated as a result of its operation without any structural change that would impair the stability or performance of the installation.

## Combustion appliances – relationship to combustible materials **S**

**3.19** Every building must be designed and constructed in such a way that any component part of each fixed combustion appliance installation will not cause damage to the building in which it is installed by radiated, convected or conducted heat or from hot embers expelled from the appliance.

## Combustion appliances – removal of products of combustion **S**

**3.20** Every building must be designed and constructed in such a way that the products of combustion are carried safely to the external air without harm to the health of any person through leakage, spillage, or exhaust nor permit the re-entry of dangerous gases from the combustion process of fuels into the building.

## Combustion appliances – air for combustion **S**

**3.21** Every building must be designed and constructed in such a way that each fixed combustion appliance installation receives air for combustion and operation of the chimney so that the health of persons within the building is not threatened by the build-up of dangerous gases as a result of incomplete combustion.

### **Combustion appliances – air for cooling** **S**

**3.22** Every building must be designed and constructed in such a way that each fixed combustion appliance installation receives air for cooling so that the fixed combustion appliance installation will operate safely without threatening the health and safety of persons within the building.

### **Fuel storage – protection from fire** **S**

**3.23** Every building must be designed and constructed in such a way that–

- (a) an oil storage installation, incorporating oil storage tanks used solely to serve a fixed combustion appliance installation providing space heating or cooking facilities in a building, will inhibit fire from spreading to the tank and its contents from within, or beyond, the boundary; or
- (b) a container for the storage of woody biomass fuel will inhibit fire from spreading to its contents from within or beyond the boundary.

#### **Limitation**

This standard does not apply to portable containers.

### **Fuel storage – containment** **S**

**3.24** Every building must be designed and constructed in such a way that–

- (a) an oil storage installation, incorporating oil storage tanks used solely to serve a fixed combustion appliance installation providing space heating or cooking facilities in a building, will–
  - (i) reduce the risk of oil escaping from the installation;
  - (ii) contain any oil spillage likely to contaminate any water supply, groundwater, watercourse, drain or sewer; and
  - (iii) permit any spill to be disposed of safely.
- (b) it allows the number of journeys by delivery vehicles to be minimised due to the volume of woody biomass fuel storage.

#### **Limitation**

This standard does not apply to portable containers.

### **Solid waste storage** **S**

**3.25** Every building must be designed and constructed in such a way that accommodation for solid waste storage is provided which–

- (a) permits access for storage and for the removal of its contents;
- (b) does not threaten the health of people in and around the building; and
- (c) does not contaminate any water supply, ground water or surface water.

#### **Limitation**

This standard applies only to a [<sup>F16</sup>flat or maisonette].



**Textual Amendments**

**F16** Words in Sch. 5 para. 3.25 substituted (1.10.2013) by [The Building \(Miscellaneous Amendments\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/143\)](#), regs. 1, **2(2)(b)** (with reg. 5)

**Dungsteads and farm effluent tanks** **S**

**3.26** Every building must be designed and constructed in such a way that there will not be a threat to the health and safety of people from a dungstead and farm effluent tank.

[<sup>F17</sup>**Water efficiency** **S**

**3.27** Every building must be designed and constructed in such a way that sanitary facilities with water efficient fittings which are designed for the prevention of undue consumption of water are installed.

**Limitation**

This standard applies only to dwellings.]

**Textual Amendments**

**F17** [Sch. 5 para. 3.27](#) inserted (1.10.2013) by [The Building \(Miscellaneous Amendments\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/143\)](#), regs. 1, **2(2)(c)** (with reg. 5)

[<sup>F18</sup>**Overheating risk** **S**

**3.28.** Every building must be designed and constructed in such a way that the risk to the health of the occupants from overheating is reduced.

**Limitation**

This standard applies only to—

- (a) a unit of residential accommodation occupied by an individual, or individuals, living together as a family or as a single household,
- (b) a shared multi-occupancy residential building,]

**Textual Amendments**

**F18** [Sch. 5 para. 3.28](#) inserted (1.2.2023) by [The Building \(Scotland\) Amendment Regulations 2022 \(S.S.I. 2022/136\)](#), regs. 1(3), **9(a)** (with reg. 11) (as amended by [S.S.I. 2022/340](#), reg. 2)

**SECTION 4:**

**SAFETY**

**Access to buildings** **S**

**4.1** Every building must be designed and constructed in such a way that all occupants and visitors are provided with safe, convenient and unassisted means of access to the building.

**Limitation**

There is no requirement to provide access for a wheelchair user to–

- (a) a house, between either the point of access to or from any car parking within the curtilage of a building and an entrance to the house where it is not reasonably practicable to do so; or
- (b) a common entrance of a domestic building not served by a lift, where there are no dwellings entered from a common area on the entrance storey.

### Access within buildings **S**

**4.2** Every building must be designed and constructed in such a way that–

- (a) in non-domestic buildings, safe, unassisted and convenient means of access is provided throughout the building;
- (b) in residential buildings, a proportion of the rooms intended to be used as bedrooms must be accessible to a wheelchair user;
- (c) in domestic buildings, safe and convenient means of access is provided within common areas and to each dwelling;
- (d) in dwellings, safe and convenient means of access is provided throughout the dwelling; and
- (e) in dwellings, unassisted means of access is provided to, and throughout, at least one level.

#### Limitation

There is no requirement to provide access suitable for a wheelchair user–

- (a) in a non-domestic building not served by a lift, to a room, intended to be used as a bedroom, that is not on an entrance storey; or
- (b) in a domestic building not served by a lift, within common areas and to each dwelling, other than on an entrance storey.

### Stairs and ramps **S**

**4.3** Every building must be designed and constructed in such a way that every level can be reached safely by stairs or ramps.

### Pedestrian protective barriers **S**

**4.4** Every building must be designed and constructed in such a way that every sudden change of level that is accessible in, or around, the building is guarded by the provision of pedestrian protective barriers.

#### Limitation

This standard does not apply where the provision of pedestrian protective barriers would obstruct the use of areas so guarded.

### Electrical safety **S**

**4.5** Every building must be designed and constructed in such a way that the electrical installation does not–

- (a) threaten the health and safety of the people in, and around, the building; and
- (b) become a source of fire.

#### Limitation

This standard does not apply to an electrical installation–

- (a) serving a building or any part of a building to which the Mines and Quarries Act 1954 <sup>F19</sup> or the Factories Act 1961 <sup>F20</sup> applies; or
- (b) forming part of the works of an undertaker to which regulations for the supply and distribution of electricity made under the Electricity Act 1989 <sup>F21</sup> apply.

#### Textual Amendments

**F19** 1954 c. 70, as extended by the Mines and Quarries (Tips) Act 1969 (c. 10), and the Mines Management Act 1971 (c. 20) and as amended by the Constitutional Reform Act 2005 (c. 4).

**F20** 1961 c. 34.

**F21** 1989 c. 29.

### Electrical fixtures **S**

**4.6** Every building must be designed and constructed in such a way that electric lighting points and socket outlets are provided to ensure the health, safety and convenience of occupants and visitors.

#### Limitation

This standard applies only to domestic buildings where a supply of electricity is available.

### Aids to communication **S**

**4.7** Every building must be designed and constructed in such a way that it is provided with aids to assist those with a hearing impairment.

#### Limitation

This standard does not apply to domestic buildings.

### Danger from accidents **S**

**4.8** Every building must be designed and constructed in such a way that—

- (a) people in and around the building are protected from injury that could result from fixed glazing, projections or moving elements on the building;
- (b) fixed glazing in the building is not vulnerable to breakage where there is the possibility of impact by people in and around the building;
- (c) both faces of a window and rooflight in a building are capable of being cleaned such that there will not be a threat to the cleaner from a fall resulting in severe injury;
- (d) a safe and secure means of access is provided to a roof; and
- (e) manual controls for ventilation and for electrical fixtures can be operated safely.

#### Limitation

Standard 4.8(d) does not apply to domestic buildings.

### Danger from heat **S**

**4.9** Every building must be designed and constructed in such a way that protection is provided for people in, and around, the building from the danger of severe burns or scalds from the discharge of steam or hot water.

**Fixed seating** **S**

**4.10** Every building, which contains fixed seating accommodation for an audience or spectators, must be designed and constructed in such a way that a number of level spaces for wheelchairs are provided proportionate to the potential audience or spectators.

**Limitation**

This standard does not apply to domestic buildings.

**Liquefied petroleum gas storage** **S**

**4.11** Every building must be designed and constructed in such a way that each liquefied petroleum gas storage installation, used solely to serve a combustion appliance providing space heating, water heating, or cooking facilities, will—

- (a) be protected from fire spreading to any liquefied petroleum gas container; and
- (b) not permit the contents of any such container to form explosive gas pockets in the vicinity of any container.

**Limitation**

This standard does not apply to a liquefied petroleum gas storage container, or containers, for use with portable appliances.

**Vehicle protective barriers** **S**

**4.12** Every building accessible to vehicular traffic must be designed and constructed in such a way that every change in level is guarded.

**[<sup>F22</sup>Security** **S**

**4.13** Every building must be designed and constructed in such a way that doors and windows, vulnerable to unlawful entry, can be secured to deter housebreaking and protect the safety and welfare of occupants.

**Limitation**

This standard applies only to domestic buildings.]

**Textual Amendments**

**F22** Sch. 5 para. 4.13 inserted (1.10.2010) by [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(h)** (with reg. 3)

**[<sup>F23</sup>In-building physical infrastructure for high-speed electronic communications networks** **S**

**4.14.** Every building and building unit must be designed and constructed in such a way that—

- (a) a high-speed ready in-building physical infrastructure up to a network termination point for high-speed electronic communications network is provided; and
- (b) in the case of a building which contains more than one building unit, a common access point for high-speed electronic communications networks is provided.

**Limitation**

This standard does not apply to—

- (a) alterations or extensions to buildings that do not include major renovation works; or
- (b) buildings having an area not exceeding 30 square metres, ancillary to and within the curtilage of a dwelling.

Interpretation of this standard

In this standard—

“access point” means a physical point, located inside or outside the building, accessible to undertakings providing or authorised to provide public communications networks, where connection to the high-speed ready in-building physical infrastructure is made available;

“building unit” means a part of a building which is designed or altered to be used separately;

“high-speed electronic communications network” means an electronic communications network which is capable of delivering broadband access services at speeds of at least 30 Mbps;

“high-speed ready in-building physical infrastructure” means in-building physical infrastructure intended to host elements, or enable delivery, of high-speed electronic communications networks;

“in-building physical infrastructure” means physical infrastructure or installations at the end-user’s location, including elements under joint ownership, intended to host wired or wireless access networks, where such access networks are capable of delivering electronic communications services and connecting the building access point with the network termination point;

“major renovation works” means works at the end-user’s location encompassing structural modifications of the entire in-building physical infrastructure, or of a significant part of it; and

“network termination point” means a physical point located inside or outside the building at which an occupier is provided with access to high-speed electronic communications networks.]

#### Textual Amendments

**F23** Sch. 5 para. 4.14 inserted (1.7.2016) by [The Building \(Scotland\) Amendment Regulations 2016 \(S.S.I. 2016/70\)](#), regs. 1, **2(2)** (with reg. 2)

## SECTION 5:

### NOISE

#### [<sup>F24</sup>Noise separation **S**

**5.1** Every building, which is divided into more than one area of different occupation, must be designed and constructed in such a way to limit the transmission of source noise from normal domestic type activities, between such areas, to a level that will not threaten the health of, or cause inconvenience to the building occupants.

#### Limitation

This standard only applies to a building in different occupation incorporating—

- (a) attached dwellings;
- (b) attached residential buildings; or
- (c) a roof, walkway or access deck located directly above an area that is either a dwelling or a residential building.

**Changes to legislation:** There are currently no known outstanding effects for the The Building (Scotland) Regulations 2004, SCHEDULE 5. (See end of Document for details)

**Textual Amendments**

**F24** Sch. 5 paras. 5.1, 5.2 substituted for sch. 5 para. 5.1 (1.10.2010) by [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(i)** (with reg. 3)

**Noise reduction between rooms** **S**

**5.2** Every building must be designed and constructed in such a way to limit the transmission of source noise from normal domestic type activities, through a wall or floor, between a room and internal space where noise is likely to occur, to a level that will not cause inconvenience to the building occupants.

**Limitation**

This standard only applies to a wall or floor forming an apartment in a dwelling and a room in a residential building which is capable of being used for sleeping; other than—

- (a) a wall between an en-suite bathroom and the apartment or room it serves;
- (b) a hospital; or
- (c) a place of lawful detention.]

**Textual Amendments**

**F24** Sch. 5 paras. 5.1, 5.2 substituted for sch. 5 para. 5.1 (1.10.2010) by [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(i)** (with reg. 3)

**SECTION 6:**  
**ENERGY**

**[<sup>F25</sup>Energy demand <sup>F26</sup> ...]** **S**

**6.1** Every building must be designed and constructed in such a way that—

- [<sup>F27</sup>(a) the energy performance is estimated in accordance with a methodology of calculation approved under regulation 7(a) of the Energy Performance of Buildings (Scotland) Regulations 2008 <sup>F28</sup>,]<sup>F29</sup> ...
- <sup>F30</sup>(b) .....
- [<sup>F31</sup>(c) it is a nearly zero-energy building].
- [<sup>F32</sup>(d) it is capable of reducing the energy demand of the building.]

**[<sup>F33</sup>Interpretation of this standard**

In this standard—

“energy from renewable sources” means energy from renewable non-fossil sources, namely wind, solar, aero-thermal, geothermal, hydrothermal and ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas and biogases; and

“nearly zero-energy building” means a building that has a very high energy performance, as determined in accordance with a methodology approved under regulation 7 of the Energy Performance of Buildings (Scotland) Regulations 2008 <sup>F34</sup>, where the nearly zero or very low

amount of energy required should be covered to a very significant extent by energy from renewable sources, including energy from renewable sources produced on site or nearby.]

### Limitation

- [<sup>F35</sup>(1) <sup>F36</sup>.....]
- (2) This standard does not apply to—
- [<sup>F37</sup>(a) alterations and extensions to buildings other than—
- (i) alterations and extensions to stand-alone buildings having an area less than 50 square metres that would increase the area to 50 square metres or more;
  - (ii) extensions to non-domestic buildings where the extension will have an area which is both greater than 100 square metres and greater than 25% of the area of the existing building; and
  - (iii) alterations to buildings involving the fit-out of the building shell which is the subject of a continuing requirement;]
- (b) conversions of buildings;
- (c) non-domestic buildings and buildings that are ancillary to a dwelling that are stand-alone having an area less than 50 square metres;
- (d) buildings, which will not be heated or cooled other than by heating provided solely for the purpose of frost protection; <sup>F38</sup> ...
- (e) limited life buildings which have an intended life of less than 2 years.

### Textual Amendments

- F25** Sch. 5 para. 6.1 heading substituted (1.2.2023) by [The Building \(Scotland\) Amendment Regulations 2022 \(S.S.I. 2022/136\)](#), regs. 1(3), **9(b)(i)** (with reg. 11) (as amended by [S.S.I. 2022/340](#), reg. 2)
- F26** Words in sch. 5 para. 6.1 heading omitted (1.4.2024) by virtue of [The Building \(Scotland\) Amendment Regulations 2023 \(S.S.I. 2023/177\)](#), regs. 1, **4(a)(i)** (with reg. 6)
- F27** Sch. 5 para. 6.1(a) substituted (1.10.2010) by [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(j)(i)** (with reg. 3)
- F28** S.S.I. 2008/309.
- F29** Word in sch. 5 para. 6.1.(a) omitted (with application in accordance with reg. 1(2) of the amending S.S.I.) by virtue of [The Building \(Energy Performance of Buildings\) \(Scotland\) Amendment Regulations 2016 \(S.S.I. 2016/71\)](#), regs. 1(3), **2(3)(a)**
- F30** Sch. 5 para. 6.1(b) omitted (1.4.2024) by virtue of [The Building \(Scotland\) Amendment Regulations 2023 \(S.S.I. 2023/177\)](#), regs. 1, **4(a)(ii)** (with reg. 6)
- F31** Sch. 5 para. 6.1.(c) and word inserted (with application in accordance with reg. 1(2) of the amending S.S.I.) by [The Building \(Energy Performance of Buildings\) \(Scotland\) Amendment Regulations 2016 \(S.S.I. 2016/71\)](#), regs. 1(3), **2(3)(b)**
- F32** Sch. 5 para. 6.1(d) inserted (1.2.2023) by [The Building \(Scotland\) Amendment Regulations 2022 \(S.S.I. 2022/136\)](#), regs. 1(3), **9(b)(iii)** (with reg. 11) (as amended by [S.S.I. 2022/340](#), reg. 2)
- F33** Words in sch. 5 para. 6.1 inserted (with application in accordance with reg. 1(2) of the amending S.S.I.) by [The Building \(Energy Performance of Buildings\) \(Scotland\) Amendment Regulations 2016 \(S.S.I. 2016/71\)](#), regs. 1(3), **2(3)(c)**
- F34** S.S.I. 2008/309. Regulation 7 was substituted by [S.S.I. 2012/315](#).
- F35** Words in sch. 5 para. 6.1 substituted (1.2.2023) by [The Building \(Scotland\) Amendment Regulations 2022 \(S.S.I. 2022/136\)](#), regs. 1(3), **9(b)(iv)(aa)** (with reg. 11) (as amended by [S.S.I. 2022/340](#), reg. 2)
- F36** Words in sch. 5 para. 6.1 omitted (1.4.2024) by virtue of [The Building \(Scotland\) Amendment Regulations 2023 \(S.S.I. 2023/177\)](#), regs. 1, **4(a)(iii)** (with reg. 6)

*Changes to legislation:* There are currently no known outstanding effects for the *The Building (Scotland) Regulations 2004, SCHEDULE 5.* (See end of Document for details)

- F37** Words in Sch. 5 para. 6.1 substituted (1.10.2015) by [The Building \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/219\)](#), regs. 1, **2(2)** (with reg. 3)
- F38** Word in sch. 5 para. 6.1 omitted (1.2.2023) by virtue of [The Building \(Scotland\) Amendment Regulations 2022 \(S.S.I. 2022/136\)](#), regs. 1(3), **9(b)(iv)(bb)** (with reg. 11) (as amended by [S.S.I. 2022/340](#), reg. 2)

**Building insulation envelope** **S**

**6.2** Every building must be designed and constructed in such a way that an insulation envelope is provided which reduces heat loss.

**Limitation**

This standard does not apply to—

- (a) non-domestic buildings which will not be heated, other than heating provided solely for the purposes of frost protection;
- (b) communal parts of domestic buildings which will not be heated, other than heating provided solely for the purposes of frost protection; or
- (c) buildings which are ancillary to dwellings, other than conservatories, which are either unheated or provided with heating which is solely for the purpose of frost protection.

**Heating system** **S**

**6.3** Every building must be designed and constructed in such a way that the heating and hot water service systems installed are energy efficient and are capable of being controlled to achieve optimum energy efficiency.

**Limitation**

This standard does not apply to—

- (a) buildings which do not use fuel or power for controlling the temperature of the internal environment;
- (b) heating provided solely for the purpose of frost protection; <sup>F39</sup>...
- <sup>F39</sup>(c) .....

**Textual Amendments**

**F39** Words in Sch. 5 para. 6.3 omitted (1.10.2015) by virtue of [The Building \(Scotland\) Amendment Regulations 2015 \(S.S.I. 2015/218\)](#), regs. 1(3), **3(2)** (with reg. 4)

**Insulation of pipes, ducts and vessels** **S**

**6.4** Every building must be designed and constructed in such a way that temperature loss from heated pipes, ducts and vessels, and temperature gain to cooled pipes and ducts, is resisted.

**Limitation**

This standard does not apply to—

- (a) buildings which do not use fuel or power for heating or cooling either the internal environment or water services;
- <sup>F40</sup>(b) buildings, or parts of a building, which will not be heated, other than heating provided solely for the purpose of frost protection; or
- (c) pipes, ducts or vessels that form part of an isolated industrial or commercial process.]



#### Textual Amendments

**F40** Words in Sch. 5 para. 6.4 substituted (1.10.2010) by [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(k)** (with reg. 3)

### Artificial and display lighting **S**

**6.5** Every building must be designed and constructed in such a way that the artificial or display lighting installed is energy efficient and is capable of being controlled to achieve optimum energy efficiency.

#### [<sup>F41</sup>Limitation

This standard does not apply to—

- (a) process and emergency lighting components in a building; or
- (b) alterations to a dwelling or a building ancillary to a dwelling.]

#### Textual Amendments

**F41** Sch. 5 para. 6.5: limitation substituted (1.10.2010) by [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(l)** (with reg. 3)

### Mechanical ventilation and air conditioning **S**

**6.6** Every building must be designed and constructed in such a way that—

- (a) the form and fabric of the building minimises the use of mechanical ventilating or cooling systems for cooling purposes; and
- (b) <sup>F42</sup>... the ventilating and cooling systems installed are energy efficient and are capable of being controlled to achieve optimum energy efficiency.

#### Limitation

This standard does not apply to buildings which do not use fuel or power for ventilating or cooling the internal environment.

#### Textual Amendments

**F42** Words in sch. 5 para. 6.6(b) omitted (1.10.2010) by virtue of [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(m)** (with reg. 3)

### Commissioning building services **S**

**6.7** Every building must be designed and constructed in such a way that energy supply systems [<sup>F43</sup>, control systems] and building services which use fuel or power for heating, lighting, ventilating and cooling the internal environment and heating the water, are commissioned to achieve [<sup>F44</sup>effective operation and] optimum energy efficiency.

#### Limitation

This standard does not apply to—

- (a) major power plants serving the National Grid;

**Changes to legislation:** There are currently no known outstanding effects for the The Building (Scotland) Regulations 2004, SCHEDULE 5. (See end of Document for details)

- (b) the process and emergency lighting components of a building;
- (c) heating provided solely for the purpose of frost protection; or
- (d) energy supply systems used solely for industrial and commercial processes, leisure use and emergency use within a building.

#### Textual Amendments

- F43** Words in sch. 5 para. 6.7 inserted (1.2.2023) by [The Building \(Scotland\) Amendment Regulations 2022 \(S.S.I. 2022/136\)](#), regs. 1(3), **9(c)(i)** (with reg. 11) (as amended by [S.S.I. 2022/340](#), reg. 2)
- F44** Words in sch. 5 para. 6.7 inserted (1.2.2023) by [The Building \(Scotland\) Amendment Regulations 2022 \(S.S.I. 2022/136\)](#), regs. 1(3), **9(c)(ii)** (with reg. 11) (as amended by [S.S.I. 2022/340](#), reg. 2)

### Written information **S**

**6.8** The occupiers of a building must be provided with written information by the owner—

- (a) on the operation and maintenance of the building services and energy supply systems; and
- (b) where any air conditioning system in the building is subject to regulation 17, stating a time based interval for inspection of the system.

#### Limitation

This standard does not apply to—

- (a) major power plants serving the National Grid;
- (b) buildings which do not use fuel or power for heating, lighting, ventilating and cooling the internal environment and heating the water supply services;
- (c) the process and emergency lighting components of a building;
- (d) heating provided solely for the purpose of frost protection;
- (e) lighting<sup>F45</sup> ... systems in a domestic building; or
- (f) energy supply systems used solely for industrial and commercial processes, leisure use and emergency use within a building.

#### Textual Amendments

- F45** Sch. 5 para. 6.8: words omitted (1.10.2010) by virtue of [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(n)** (with reg. 3)

### Energy Performance Certificates **S**

**6.9** Every building must be designed and constructed in such a way that—

- <sup>F46</sup>(a) an energy performance certificate for the building is affixed to the building; and
- (c) the energy performance certificate is displayed in a prominent place within the building.

#### Limitation

- (a) This standard does not apply to—
  - (i) buildings which do not use fuel or power for controlling the temperature of the internal environment;
  - (ii) non-domestic buildings and buildings that are ancillary to a dwelling that are stand-alone having an area less than 50 square metres;

**Changes to legislation:** There are currently no known outstanding effects for the *The Building (Scotland) Regulations 2004, SCHEDULE 5*. (See end of Document for details)

- [<sup>F47</sup>(iii) conversions, alterations and extensions to buildings other than—
- (aa) alterations and extensions to stand-alone buildings having an area less than 50 square metres that would increase the area to 50 square metres or more; and
  - (bb) alterations to buildings involving the fit-out of the building shell which is the subject of a continuing requirement;]
- (iv) limited life buildings which have an intended life of less than 2 years.

- [<sup>F48</sup>(b) Standard 6.9(c) only applies to buildings—
- (i) with a floor area of more than [<sup>F49</sup>250] square metres;
  - (ii) into which members of the public have an express or implied licence to enter; and
  - (iii) which are visited by members of the public on at least a weekly basis.]

#### Textual Amendments

- F46** Sch. 5 para. 6.9(a) substituted for para. 6.9(a)(b) (4.1.2009) by [The Building \(Scotland\) Amendment Regulations 2008 \(S.S.I. 2008/310\)](#), regs. 1, **2(4)**
- F47** Words in Sch. 5 para. 6.9 substituted (1.10.2015) by [The Building \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/219\)](#), regs. 1, **2(3)** (with reg. 3)
- F48** Words in Sch. 5 para. 6.9 substituted (9.1.2013) by [The Building \(Scotland\) Amendment Regulations 2012 \(S.S.I. 2012/209\)](#), regs. 1, **2(3)**
- F49** Word in Sch. 5 para. 6.9 substituted (9.7.2015) by [The Building \(Scotland\) Amendment Regulations 2015 \(S.S.I. 2015/218\)](#), regs. 1(2), **2(2)**

## Metering **S**

**6.10** Every building must be designed and constructed in such a way that each [<sup>F50</sup>building, or] part of a building designed for different occupation is fitted with fuel [<sup>F51</sup>and power] meters.

### Limitation

This standard does not apply to—

- (a) communal areas of buildings in different occupation;
- <sup>F52</sup>(b) .....
- (c) heating fired by solid fuel or biomass; or
- (d) heating for individual dwellings fired by LPG or oil.

#### Textual Amendments

- F50** Words in sch. 5 para. 6.10 inserted (1.10.2010) by [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(o)(i)** (with reg. 3)
- F51** Words in sch. 5 para. 6.10 substituted (1.10.2010) by [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(o)(ii)** (with reg. 3)
- F52** Words in Sch. 5 para. 6.10 omitted (1.10.2010) by virtue of [The Building \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/32\)](#), regs. 1, **2(3)(o)(iii)** (with reg. 3)

### <sup>F53</sup> Heating and hot water – direct emission heating system **S**

**6.11.** Every building must be designed and constructed in such a way that the means by which space within the building is heated or cooled and by which hot water is made available in the building is not by means of a direct emission heating system.

#### **Limitation**

This standard does not apply to—

- (a) alterations to, or extension of, a pre-2024 building,
- (b) emergency heating,
- (c) heating provided solely for the purpose of frost protection.

#### **Interpretation of this standard**

In this standard, “emergency heating” means a fixed combustion appliance installation which is installed to be used only in the event of the failure of the heating or hot water service system which is designed and installed for use during normal operation of the building.]

#### **Textual Amendments**

**F53** Sch. 5 para. 6.11 inserted (1.4.2024) by [The Building \(Scotland\) Amendment Regulations 2023 \(S.S.I. 2023/177\)](#), regs. 1, **4(b)** (with reg. 6)

## <sup>F54</sup> SECTION 7: SUSTAINABILITY

#### **Textual Amendments**

**F54** Sch. 5 Section 7 inserted (1.5.2011) by [The Building \(Scotland\) Amendment Regulations 2011 \(S.S.I. 2011/120\)](#), regs. 1, **2(4)**

### **Statement of sustainability** **S**

**7.1** Every building must be designed and constructed in such a way that—

- (a) with regard to a dwelling [<sup>F55</sup>or school building containing classrooms], a level of sustainability specified by the Scottish Ministers in respect of carbon dioxide emissions, resource use, building flexibility, adaptability and occupant well-being is achieved;
- (b) with regard to a non-domestic building, [<sup>F56</sup>other than a school building containing classrooms,] a level of sustainability specified by the Scottish Ministers in respect of carbon dioxide emissions is achieved; and
- (c) a statement of the level of sustainability achieved is affixed to the dwelling or non-domestic building.

#### **Limitation**

This standard does not apply to—

- (a) alterations and extensions to buildings<sup>F57</sup>...;
- (b) conversions of buildings;

- (c) buildings that are ancillary to a dwelling that are stand-alone having an area less than 50 square metres;
- (d) buildings which will not be heated or cooled other than by heating provided solely for the purpose of frost protection;
- (e) buildings intended to have a life not exceeding the period specified in regulation 6; or
- (f) conservatories.]]

#### Textual Amendments

- F55** Words in sch. 5 para. 7.1(a) inserted (1.10.2013) by [The Building \(Miscellaneous Amendments\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/143\)](#), regs. 1, **2(2)(d)(i)** (with reg. 5)
- F56** Words in sch. 5 para. 7.1(b) inserted (1.10.2013) by [The Building \(Miscellaneous Amendments\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/143\)](#), regs. 1, **2(2)(d)(ii)** (with reg. 5)
- F57** Words in Sch. 5 para. 7.1 omitted (1.10.2013) by virtue of [The Building \(Miscellaneous Amendments\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/143\)](#), regs. 1, **2(2)(d)(iii)** (with reg. 5)

### [<sup>F58</sup>Electric vehicle charging **S**

**7.2** Every building must be designed and constructed in such a way that provision for the charging of electric vehicles is made where car parking spaces are located within the building or the curtilage of the building.

#### Limitation

This standard does not apply to—

- (a) a non-domestic building where ten or fewer car parking spaces are present within the building or the curtilage of the building,
- (b) alteration to, or extension of a building, other than major renovation works.

#### Interpretation of this standard

In this standard—

“building envelope” in relation to a building, means the walls, floor, roof, windows, doors, roof windows and roof-lights,

“major renovation works” means works for the renovation of a building where ten or more car parking spaces are present within the building or the curtilage of the building and where—

- (a) more than 25% of the surface area of the building envelope undergoes renovation, and
- (b) the works include works to—
  - (i) car parking spaces, or
  - (ii) the electrical infrastructure of the building or of the car parking spaces.]

#### Textual Amendments

- F58** [Sch. 5 para. 7.2](#) inserted (5.6.2023) by [The Building \(Scotland\) Amendment \(No. 2\) Regulations 2022 \(S.S.I. 2022/349\)](#), regs. 1, **3** (with reg. 5) (as amended by [S.S.I. 2023/65](#), regs. 1, 2)

**Changes to legislation:**

There are currently no known outstanding effects for the The Building (Scotland) Regulations 2004, SCHEDULE 5.