
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 120

The Building (Scotland) Amendment Regulations 2011

Amendment of the Building (Scotland) Regulations 2004

2.—(1) The Building (Scotland) Regulations 2004(1) are amended in accordance with this regulation.

(2) In regulation 2(1) (interpretation), after the definition of “site” insert—

““statement of sustainability” means a statement issued for the purpose of compliance with regulation 9 and section 7.1(c) of Schedule 5;”.

(3) In Schedule 3 (descriptions of building and work, including the provision of services, fittings and equipment, not requiring a warrant), after paragraph 15A insert—

“**15B.** Any work associated with affixing a statement of sustainability to a building.”.

(4) In Schedule 5 (building standards applicable to design and construction), after section 6 insert—

“SECTION 7: SUSTAINABILITY

Statement of sustainability

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

- (a) with regard to a dwelling, 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, 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, other than 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, or alterations to buildings involving the fit-out of the building shell which is the subject of a continuing requirement;
- (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;

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- (e) buildings intended to have a life not exceeding the period specified in regulation 6; or
- (f) conservatories.”.