
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 136

The Building (Scotland) Amendment Regulations 2022

PART 2

Amendment of the Building (Scotland) Regulations 2004 on 1 June 2022

Amendment of regulation 8 – fitness and durability of materials and workmanship

3. In regulation 8 (fitness and durability of materials and workmanship), after paragraph (2) insert—

“(3) Subject to paragraph (4), work must be carried out so that materials which form part of an external wall cladding system, or specified attachment, of a relevant building are of European Classification A2-s1, d0 or A1, classified in accordance with BS EN 13501-1:2018 entitled “Fire classification of construction products and building elements. Classification using testing data from reaction to fire tests” published by the British Standards Institution.

(4) Paragraph (3) does not apply to materials which form part of—

- (a) cavity trays,
- (b) cavity vents,
- (c) a roof (other than a roof pitched at an angle 70 degrees or more to the horizontal) if that part is connected to an external wall,
- (d) door frames and doors,
- (e) insulation and water proofing materials used below the ground and up to 300 mm above the ground,
- (f) intumescent and fire stopping materials, fire barriers and cavity barriers where the inclusion of the materials is necessary to meet the requirements in section 2 (fire) of schedule 5 (building standards applicable to design and construction),
- (g) membranes,
- (h) seals, gaskets, fixings, sealants and backer rods,
- (i) thermal break materials,
- (j) window frames and glass.

(5) Work must be carried out so that an external wall cladding system or internal lining does not comprise of highly combustible metal composite material.

(6) In this regulation—

“highly combustible metal composite material” means any panel or sheet, having a thickness of no more than 10 mm, which consists of a number of layers, two or more of which are made of metal, alloy, or metal compound and one or more substantial layer of which is made of material having a gross calorific value of more than 35 MJ/kg when tested in accordance with BS EN ISO 1716:2018 entitled “Reaction to fire tests for products – Determination of the gross heat of combustion (calorific value)” published by the British Standards Institution,

“relevant building” means a building having a storey, or creating a storey (not including roof-top plant areas or any storey consisting exclusively of plant rooms) at a height of 11 metres or more above the ground and which contains—

- (a) a dwelling,
- (b) a building used as a place of assembly, or as a place of entertainment or recreation,
- (c) a hospital,
- (d) a residential care building or sheltered housing complex,
- (e) a shared multi-occupancy residential building,

“specified attachment” means—

- (a) a balcony,
- (b) solar shading,
- (c) a solar panel,

attached to an external wall,

“substantial layer” means a layer is one which is at least 1 mm thick or has a mass per unit area of at least 1 kg per m².”.

Commencement Information

II [Reg. 3](#) in force at 1.6.2022, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Building (Scotland) Amendment Regulations 2022, Section 3.