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Local Authority Chief Executives
[Copy to: Local Authority Building Standards Managers]

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Dear Chief Executive,

CHANGES TO LEGISLATION AND GUIDANCE FOR OCTOBER 2019

BUILDING (SCOTLAND) ACT 2003: SECTIONS 4(2) AND 4(4) NOTICE RELATING TO GUIDANCE DOCUMENTS

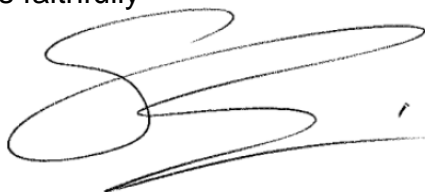
I am writing to advise you that the Building (Scotland) Amendment Regulations 2019 will come into force on 1 October 2019. There are also significant changes to the Building Standards Technical Handbooks that come into force on 1 October 2019. A summary of the changes is attached in **Annex A**.

The Technical Handbooks are only available electronically in html and pdf formats. If you require a hard copy these should be printed using the .pdf version. Full details of the changes to legislation and guidance are published on our website at <https://www.gov.scot/policies/building-standards/monitoring-improving-building-regulations/>.

The 2019 Technical Handbooks for domestic and non-domestic buildings apply from 1 October 2019 and the notice issued by the Scottish Ministers under sections 4(2) and 4(4) of the Building (Scotland) Act 2003 is attached in **Annex B**.

Verifiers should consider the receipt of applications for building warrant carefully to avoid incomplete applications being submitted to circumvent compliance with the revised standards and guidance.

Yours faithfully



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Head of Building Standards

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ANNEX A –

SUMMARY OF CHANGES TO LEGISLATION AND GUIDANCE APPLICABLE FROM 1 OCTOBER 2019

Legislation
The Building (Scotland) Amendment Regulations 2019 (SSI 2019 No. 210).
These Regulations amend the Building (Scotland) Regulations 2004 which set out functional standards for buildings. http://www.legislation.gov.uk/ssi/2019/210/contents/made Standard 2.4 – the term “unseen”, used in relation to smoke and fire is removed from the standard. The term “concealed spaces” is changed to “cavities”. The purpose of this instrument is to clarify the application of mandatory functional standard 2.4 which requires buildings to be constructed and designed to prevent and inhibit the spread of fire.

Guidance (new/updated)	Description
Building Standards Technical Handbook – Domestic 2019	Revised and updated handbook - https://www.gov.scot/policies/building-standards/monitoring-improving-building-regulations/ .
Building Standards Technical Handbook – Non-Domestic 2019	Revised and updated handbook - https://www.gov.scot/policies/building-standards/monitoring-improving-building-regulations/ .
Building Standards Technical Handbook – Summary of October 2019 Changes	Summary of the changes made in the 2019 Technical Handbooks - https://www.gov.scot/policies/building-standards/monitoring-improving-building-regulations/ .

ANNEX B –

BUILDING (SCOTLAND) ACT 2003: SECTIONS 4(2) AND 4(4) NOTICE RELATING TO GUIDANCE DOCUMENTS

Issue of guidance documents

The Building (Scotland) Amendment Regulations 2019 (SSI 2019 No. 210) come into force on 1 October 2019.

Under the provisions of Section 4(1) of the Building (Scotland) Act 2003 (the Act), which came into force on 1 May 2005, Scottish Ministers may issue guidance documents for the purposes of providing practical guidance with respect to the requirements of any provision of building regulations and may issue revisions of the whole or any part of any guidance document.

Guidance documents issued under Section 4(1) of the Act take effect in accordance with a notice issued by Scottish Ministers under Section 4(2) of the Act.

This letter, issued on behalf of Scottish Ministers, constitutes such a notice.

From 1 October 2019, the following revised documents are guidance documents for the purpose of building regulations:

- The Scottish Building Standards Technical Handbooks – Domestic 2019; and
- The Scottish Building Standards Technical Handbooks – Non-Domestic 2019

The guidance documents are issued with respect to the provisions of the Building (Scotland) Regulations 2004, as amended to 1 October 2019.

Withdrawal of guidance documents

As provided for by Section 4(3) and 4(4) of the Act, the previous Technical Handbooks, Domestic and Non-Domestic, shall cease to have effect in relation to building warrant applications made under section 9 of the Act and completion certificates submitted under section 17(4) of the Act after 30 September 2019.