



T: 0131-244 6533
E: stephen.garvin@gov.scot

By email:
Chief Executives of Scottish Local Authorities

Copy to:
Local Authority Building Standards Managers;
Scottish Building Standards Hub Directors

Your ref: -
Our ref: A51033861
25 November 2024

Dear Chief Executive

CHANGES TO GUIDANCE FOR JANUARY 2025 - BUILDING (SCOTLAND) ACT 2003: SECTIONS 4(2) AND 4(4) NOTICE RELATING TO GUIDANCE DOCUMENTS

I am writing to advise you of changes being introduced to published guidance within the Building Standards Technical Handbooks that should be applied from 1 January 2025. A summary of the changes is attached in **Annex A**.

The Technical Handbooks are published electronically in pdf format. Full details of the changes to guidance and the January 2025 Technical Handbooks are published on our website at: <https://www.gov.scot/policies/building-standards/monitoring-improving-building-regulations/>.

The January 2025 Technical Handbooks for domestic and non-domestic buildings apply from 1 January 2025 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 sincerely

Dr Stephen Garvin
Head of Building Standards
Denholm House, Almondvale Business Park, Almondvale
Way, Livingston, West Lothian EH54 6GA
www.gov.scot



Summary of changes to legislation and guidance applicable from 1 January 2025

Legislation
<p>The Building (Scotland) Amendment Regulations 2024 - SSI 2024 No.247</p> <p>The Building (Scotland) Amendment (No. 2) Regulations 2024 – SSI 2024 No.327</p>
<p>The Building (Scotland) Regulations 2004 which set out functional standards for buildings are amended.</p> <p>The above amendment regulations apply from 1 January 2025 and introduce the following amendments to The Building (Scotland) Regulations 2004:</p> <p>Regulation 2 of SSI 2024 No.247:</p> <ul style="list-style-type: none"> • amends the title of paragraph 4.14 in schedule 5 (building standards applicable to design and construction). Paragraph is renamed ‘Gigabit-ready physical infrastructure for electronic communications networks’. • amends reference to ‘high-speed’ in paragraphs 4.14 (a) & (b) to ‘gigabit-ready’ and ‘gigabit capable’. • introduces a new paragraph 4.14 (c) requires provision of gigabit capable onsite physical infrastructure and connection to a gigabit-capable electronic communication network. • introduces a new limitation that paragraph 4.14 (c) does not apply to non-domestic buildings. • introduces further definitions relevant to the interpretation of the paragraph. <p>Regulation 2 of SSI 2024 No.327:</p> <ul style="list-style-type: none"> • introduces two further limitations, amending the scope of paragraph 6.11 in schedule 5 (building standards applicable to design and construction). Limitation (d) ‘a bioenergy or peat heating system’ and limitation (e) ‘secondary heating’. • introduces further definitions relevant to the interpretation of the paragraph.

Guidance (new/updated)	Description
Building Standards Technical Handbook – Domestic (January 2025)	<p>Amendments to regulations and standards as noted above.</p> <p>Changes to published guidance:</p> <ul style="list-style-type: none"> • Clause 0.1.7 updated to note amending regulations applicable from 1 January 2025.

- Clause 2.15.0 notes publication of Direction modifying the scope of standard 2.15 for domestic extensions and conversions.
- Standard 4.14 – title of standard amended to reflect ambition for gigabit-ready connectivity; standard amended to require on-site infrastructure and ‘best available connection’ form new domestic buildings.
- Clause 4.14.0 updated to reflect amended scope of standard and current industry references; additional definitions set out.
- Clause 4.14.1 guidance updated to reflect and reference the amended standard.
- Previous clause 4.14.2 on satellite and wireless communications incorporated into updated clauses.
- New clause 4.14.2 on on-site physical infrastructure..
- New clause 4.14.3 on determining type and level of connectivity.
- New clause 4.14.4 on provision of a connectivity plan.
- Clauses 6.0.1 & 6.0.2 updated to reference recent changes and developments in heat and energy policy, including the amendment of the New Build Heat Standard.
- Clause 6.1.0 statement on ‘direct emission heating systems’ updated.
- Clause 6.1.3 note on standard 6.11 expanded.
- Clause 6.3.0 paragraph on ‘direct emission heating systems’ removed (not needed).
- Standard 6.11 – two further limitations introduced - bioenergy or peat heating systems; secondary heating.
- Clause 6.11.0 text amended to reflect review of standard 6.11; new definitions added; text referring to previous Direction removed (withdrawn from 1 January)
- Clause 6.11.1 amended to reflect the exclusion of bioenergy and peat main heating systems from the standard. Commentary on what constitutes each heating system type added.
- Clause 6.11.2 – 6.11.4 amended to reflect the exclusion of secondary heating from the scope of standard 6.11
- Clause 6.B.1 notes that bioenergy heating systems are not subject to standard 6.11.
- Clause 7.1.1 – reference to ‘direct’ greenhouse gas emissions removed

	<ul style="list-style-type: none"> • Clause 7.1.3 – reference to reference bioenergy and peat added. • Clause 7.1.4 – aspect 1 title amended to ‘Greenhouse gas emissions’, describing how Aspect Silver 1 in the statement of sustainability will now report on one of two situations based upon whether direct emission heating systems are present or not. • Clause 7.1.5 – reference to reference bioenergy and peat added. • Clause 7.1.6 – aspect 1 title amended to ‘Greenhouse gas emissions’, describing how Aspect Silver 1 in the statement of sustainability will now report on one of two situations based upon whether direct emission heating systems are present or not. • Clause 7.1.7 – aspect 1 title amended to ‘Greenhouse gas emissions’, describing how Aspect Silver 1 in the statement of sustainability will now report on one of two situations based upon whether direct emission heating systems are present or not. • Appendix A – defined terms updated. <p>Revised and updated handbook - https://www.gov.scot/policies/building-standards/monitoring-improving-building-regulations/</p>
<p>Building Standards Technical Handbook – Non-Domestic (January 2025)</p>	<p>Amendments to regulations and standards as noted above.</p> <p>Changes to published guidance:</p> <ul style="list-style-type: none"> • Clause 0.1.7 updated to note amending regulations applicable from 1 January 2025. • Standard 4.14 – title of standard amended to reflect ambition for gigabit-ready connectivity; standard amended to require on-site infrastructure and ‘best available connection’ form new domestic buildings. • Clause 4.14.0 updated to reflect amended scope of standard and current industry references; additional definitions set out. • Clause 4.14.1 guidance updated to reflect and reference the amended standard. • Previous clause 4.14.2 on satellite and wireless communications incorporated into updated clauses. • Clauses 6.0.1 & 6.0.2 updated to reference recent changes and developments in heat and energy policy, including the amendment of the New Build Heat Standard.

- Clause 6.1.0 statement on 'direct emission heating systems' updated.
- Clause 6.1.6 note on standard 6.11 expanded.
- Clause 6.3.0 paragraph on 'direct emission heating systems' removed (not needed).
- Standard 6.11 – two further limitations introduced - bioenergy or peat heating systems; secondary heating.
- Clause 6.11.0 text amended to reflect review of standard 6.11; new definitions added; text referring to previous Direction removed (withdrawn from 1 January)
- Clause 6.11.1 amended to reflect the exclusion of bioenergy and peat main heating systems from the standard. Commentary on what constitutes each heating system type added.
- Clause 6.11.2 – 6.11.4 amended to reflect the exclusion of secondary heating from the scope of standard 6.11
- Clause 6.D.1 notes that bioenergy heating systems are not subject to standard 6.11.
- Clause 7.1.1 & 7.1.2 – reference to 'direct' greenhouse gas emissions removed
- Clause 7.1.4 – reference to reference bioenergy and peat added.
- Clause 7.1.6 – aspect 1 title amended to 'Greenhouse gas emissions', describing how Aspect Silver 1 in the statement of sustainability will now report on one of two situations based upon whether direct emission heating systems are present or not.
- Clause 7.1.7 – reference to reference bioenergy and peat added.
- Clause 7.1.9 – aspect 1 title amended to 'Greenhouse gas emissions', describing how Aspect Silver 1 in the statement of sustainability will now report on one of two situations based upon whether direct emission heating systems are present or not.
- Clause 7.1.10 – aspect 1 title amended to 'Greenhouse gas emissions', describing how Aspect Silver 1 in the statement of sustainability will now report on one of two situations based upon whether direct emission heating systems are present or not
- Appendix A – defined terms updated.

Revised and updated handbook -

<https://www.gov.scot/policies/building-standards/monitoring-improving-building-regulations/>

Building (Scotland) Act 2003: Sections 4(2) and 4(4) notice relating to guidance documents

Issue of guidance documents

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 January 2025, the following revised documents are guidance documents for the purpose of building regulations:

- The Scottish Building Standards Technical Handbooks – Domestic (January 2025 Edition); and
- The Scottish Building Standards Technical Handbooks – Non-Domestic (January 2025 edition).

These guidance documents introduced changes within section 0 (general), section 4 (safety), section 6 (energy), section 7 (sustainability) and Appendix A (defined terms) of the Technical Handbooks.

The guidance documents are issued with respect to the provisions of the Building (Scotland) Regulations 2004, as amended to 8 November 2024:

- [The Building \(Scotland\) Amendment Regulations 2024](#) - SSI 2024 No.247
- [The Building \(Scotland\) Amendment \(No. 2\) Regulations 2024](#) – SSI 2024 No.327

Withdrawal of guidance documents

As provided for by Section 4(3) and 4(4) of the Act, the previous April 2024 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 31 December 2024.