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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 MARCH 2021

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

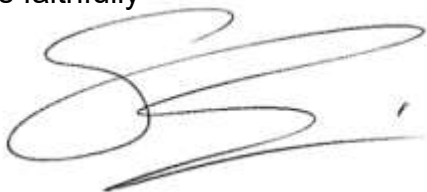
I am writing to advise you that the Building (Scotland) Amendment Regulations 2020 will come into force on 1 March 2021. There are also significant changes to the Building Standards Technical Handbooks that come into force on 1 March 2021. A summary of the changes is attached in **Annex A**.

The Technical Handbooks are currently only available electronically in html format. A pdf version will be made available when access to centralised IT equipment becomes available. 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 2020 Technical Handbooks for domestic and non-domestic buildings apply from 1 March 2021 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 MARCH 2021

Legislation
The Building (Scotland) Amendment Regulations 2020 (SSI 2020 No. 275).
These Regulations amend the Building (Scotland) Regulations 2004 which set out functional standards for buildings. https://www.legislation.gov.uk/ssi/2020/275/contents/made The purpose of this instrument is to extend the application of mandatory functional standard 2.15 which requires buildings to 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. Amendment of standard 2.15 extends the requirement for automatic fire suppression systems to be installed on construction of new flats and maisonettes, new social housing dwellings and new shared multi-occupancy residential buildings.

Guidance (new/updated)	Description
Building Standards Technical Handbook – Domestic 2020	Revised and updated 2020 handbook - https://www.gov.scot/policies/building-standards/monitoring-improving-building-regulations/ .
Building Standards Technical Handbook – Non-Domestic 2020	Revised and updated 2020 handbook - https://www.gov.scot/policies/building-standards/monitoring-improving-building-regulations/ .
Building Standards Technical Handbook – Summary of March 2021 Changes	Summary of the changes made in the 2020 Technical Handbooks and information on planned events - https://www.gov.scot/publications/building-standards-technical-handbooks-2020-summary-of-changes/ .

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 2020 No. 275) come into force on 1 March 2021.

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 March 2021, the following revised documents are guidance documents for the purpose of building regulations:

- The Scottish Building Standards Technical Handbooks – Domestic 2020; and
- The Scottish Building Standards Technical Handbooks – Non-Domestic 2020

The guidance documents are issued with respect to the provisions of the Building (Scotland) Regulations 2004, as amended to 9 September 2020.

Withdrawal of guidance documents

As provided for by Section 4(3) and 4(4) of the Act, the previous 2019 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 28 February 2021.

