



# Climate Change (Scotland) Act 2009

## 2009 asp 12

### PART 5

#### OTHER CLIMATE CHANGE PROVISIONS

### CHAPTER 4

#### THE SCOTTISH CIVIL ESTATE

#### **75 Energy performance of buildings procured for the Scottish civil estate**

- (1) The Scottish Ministers must, in so far as reasonably practicable, ensure that the energy performance of any building that becomes part of the civil estate in Scotland falls within the top quartile of energy performance.
- (2) For the purposes of subsection (1), a building becomes part of the civil estate if it is procured or constructed by or on behalf of the Scottish Ministers.
- (3) The Scottish Ministers may, by regulations, provide that the duty under subsection (1) does not apply in respect of specified buildings or categories of buildings.

#### **76 Report on the Scottish civil estate**

- (1) The Scottish Ministers must, in respect of each financial year beginning with 2010–2011, lay before the Scottish Parliament a report containing an assessment of the progress made in the year towards improving—
  - (a) the efficiency; and
  - (b) the contribution to sustainability,of buildings that are part of the civil estate in Scotland.
- (2) If the energy performance of a building mentioned in subsection (3) does not fall within the top quartile of energy performance, the report must state the reasons why the building has become part of the civil estate.
- (3) That building is a building—
  - (a) to which section 75 applies; and

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*Status: This is the original version (as it was originally enacted).*

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- (b) which becomes part of the civil estate in the financial year to which the report relates.
- (4) The report under this section must be laid before the Parliament no later than 31 October next following the end of the financial year to which the report relates.

## **77 Scottish civil estate: supplementary**

- (1) For the purposes of this section and sections 75 and 76—
  - (a) “building” means a building that uses energy for heating or cooling the whole or any part of its interior; and
  - (b) a building is part of the civil estate in Scotland if it—
    - (i) is used for the purposes of Scottish central government administration; and
    - (ii) is of a description of buildings for which the Scottish Ministers have responsibilities in relation to efficiency and sustainability.
- (2) The Scottish Ministers may, by order, provide—
  - (a) for buildings of a description specified in the order to be treated as being, or as not being, part of the civil estate;
  - (b) for uses specified in the order to be treated as being, or as not being, uses for the purposes of Scottish central government administration.