



The Commercial Landlord's Statutory Compliance Guide

Document Purpose: To provide Commercial Landlords, Managing Agents, and Duty Holders with a clear roadmap of their statutory electrical, fire, and energy compliance obligations under Scottish and UK Law.

1. The Compliance Landscape for Landlords

Managing a commercial property portfolio is no longer just about yield; it is about mitigating extreme legal and financial risk. As a Commercial Landlord, you are the primary "Duty Holder" for the building's core infrastructure.

Failure to maintain statutory compliance can result in:

- **Voided Buildings Insurance:** Insurers will routinely deny claims for fire or electrical damage if statutory testing (like an EICR or Fire Alarm service) is out of date.
- **Criminal Prosecution:** Under the Fire (Scotland) Act 2005 and the Health and Safety at Work Act 1974.
- **Unlettable Assets:** Properties failing to meet Scottish Energy Performance standards cannot legally be leased to new tenants.

2. Demarcation: What are you actually responsible for?

The line between Landlord and Tenant responsibility is often blurred. Generally, your compliance obligations cover the "Landlord's Supply" and Common Areas, which typically include:

- Main electrical intake rooms and distribution switchgear.
- Stairwells, lobbies, lifts, and shared plant rooms.
- The primary Building Fire Alarm Panel and common escape route detection.
- Exterior security, car park lighting, and EV charging infrastructure.

(Note: Tenants are responsible for the electrical safety and fire risk assessments within their own demised areas, though you should mandate proof of their compliance within the lease).

3. Core Statutory Obligations

A. Electrical Safety (BS 7671 & Electricity at Work Regulations 1989)

- **EICR (Electrical Installation Condition Report):** The fixed wiring in your common areas and landlord supplies must be inspected and tested at least every 5 years.
- **Change of Tenancy:** It is highly recommended to commission a new EICR before a new tenant takes occupancy to baseline the electrical safety and protect yourself from liability regarding their future alterations.
- **Thermographic Surveys:** Annual thermal imaging of your main intake switchboards is increasingly demanded by Tier-1 commercial insurers to detect loose connections before they cause electrical fires.

B. Fire & Life Safety (Fire (Scotland) Act 2005)

- **Fire Alarm Systems (BS 5839-1):** The landlord's communal fire alarm system requires a minimum of a 6-monthly inspection and service by a BAFE-accredited contractor.
- **Emergency Lighting (BS 5266-1):** Required in all common escape routes. It mandates a monthly functional flick-test and an Annual 3-Hour Full Discharge Test to prove the batteries can safely illuminate the building during a power cut.

C. Energy Efficiency (The Scottish Context)

- **Section 63 Action Plans:** In Scotland, the Assessment of Energy Performance of Non-domestic Buildings (Scotland) Regulations 2016 dictates that if your building is over 1,000 square meters and fails to meet the 2002 building standards, you must generate a "Section 63 Action Plan" to improve its energy efficiency (or defer by reporting operational ratings).
- **Lighting Upgrades:** Upgrading communal areas to smart LED systems is one of the fastest ways to improve your EPC rating and satisfy Section 63 requirements.

4. The GreenTech "Single-Vendor" Solution

Coordinating separate electrical, fire, and solar contractors is a logistical nightmare for Property Managers. GreenTech Scotland acts as your single, Tier-1 compliance partner.

We offer Consolidated PPM (Planned Preventative Maintenance) Contracts that cover:

- 1. Aligned Testing: We schedule your EICR, Fire Alarm, and Emergency Lighting testing simultaneously to minimize tenant disruption and reduce call-out costs.**
- 2. BAFE & NICEIC Certification: Bulletproof documentation that satisfies your insurers and local authorities instantly.**
- 3. Proactive Upgrades: We identify areas where LED retrofits or Commercial Solar can turn your building from a compliance burden into a high-yield, Net-Zero-ready asset.**