

SCHEDULE 1

Regulation 11(3)

REMOVAL OR ALTERATION OF PHYSICAL FEATURES: DESIGN STANDARDS

Definition of “relevant design standard”

1.—(1) Subject to sub-paragraph (2), a physical feature, in relation to a building situated in Northern Ireland, satisfied the relevant design standard for the purposes of regulation 11(2) where it accords with the relevant provisions set out in Technical Booklet R, Technical Booklet V: 2000 and Technical Booklet H: 2006.

(2) However, a physical feature does not satisfy the relevant design standard where more than 10 years have elapsed since—

- (a) the day on which the construction or installation of the feature was completed; or
- (b) in the case of a physical feature provided as part of a larger building project, the day on which the works in relation to that project were completed.

2.—(1) For the purposes of this paragraph and paragraph 1(1)—

- (a) “Technical Booklet R” means—
 - (i) the booklet of that title prepared by the Department of the Environment for Northern Ireland which sets out provisions which, if followed, will satisfy the requirements of Part R of the Building Regulations, first published by Her Majesty’s Stationery Office in 1994 (ISBN 0 337 08328 2); or
 - (ii) the booklet of that title prepared by the Department of Finance and Personnel which sets out provisions which, if followed, will satisfy the requirements of Part R of the Building Regulations, first published by The Stationery Office Limited in 2001 (ISBN 0 337 23709 3); or
 - (iii) the booklet of that title prepared by the Department of Finance and Personnel which sets out provisions which, if followed, will satisfy the requirements of Part R of the Building Regulations, first published by The Stationery Office Limited in 2006 (ISBN 0 337 08826 8);
- (b) “Technical Booklet V: 2000” means the booklet of that title prepared by the Department of Finance and Personnel which sets out provisions which, if followed, will satisfy the requirements of Part V of the Building Regulations, first published by The Stationery Office Limited in 2001 (ISBN 0 337 23710 7) as amended by DFP Amendments Booklet AMD 3 – 2006 first published by The Stationery Office Limited in 2006 (ISBN 0 337 08828 4);
- (c) “Technical Booklet H: 2006” means the booklet of that title prepared by the Department of Finance and Personnel which sets out provisions which, if followed, will satisfy the requirements of Part H of the Building Regulations, first published by The Stationery Office Limited in 2006 (ISBN 0 337 08825 X);
- (d) “the Building Regulations” means the Building Regulations (Northern Ireland) 1994(1) or the Building Regulations (Northern Ireland) 2000(2).

(2) In the case of a physical feature provided as part of building works to which the Building Regulations applied, for the purposes of paragraph 1(1) any reference to Technical Booklet R is a reference to whichever edition sets out the provisions which were relevant in relation to satisfying the requirements of the Building Regulations which applied to those building works.

(1) S.R. 1994 No. 243; revoked by S.R. 2000 No. 389

(2) S.R. 2000 No. 389; amended by S.R. 2006 No.355

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) In any other case, for the purposes of paragraph 1(1) Technical Booklet R is whichever edition was the last edition published at the time when the physical feature was provided in or in connection with the building.

(4) For the purposes of sub-paragraph (3), a physical feature is deemed to be provided in or in connection with the building on—

- (a) the day upon which the works to install or construct the feature were commenced; or
- (b) in the case of a physical feature provided as part of a larger building project, the day upon which the works in relation to that project were commenced.

(5) Where in relation to the physical feature in question any provision of Technical Booklet R, Technical Booklet V: 2000 or Technical Booklet H 2006 refers to a standard or specification (in whole or in part), that standard or specification shall be construed as referring to any equivalent standard or specification recognised for use in any member state of the European Community or European Economic Area.