
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Building Regulations 2010 (S.I. 2010/2214) and the Building (Approved Inspectors etc.) Regulations 2010 (S.I. 2010/2215) as they apply in relation to England. The amendments made by these Regulations provide for a new metric for the measurement of energy efficiency in the form of the target primary energy rate and introduce new regulation for on-site electricity generation and in relation to overheating (in particular by virtue of the introduction of paragraph L2 into part L of Schedule 1 to S.I. 2010/2214, and a new Part O). Amendments are made to S.I. 2010/2215 in consequence of these changes.

They also make transitional provision in respect of building work on a particular building where a building notice or an initial notice has been given to, or full plans have been deposited with, a local authority before 15th June 2022, provided that the building work on that building is started before 15th June 2023.

Schedule 3 to S.I. 2010/2214 is amended to reflect changes to bodies participating in self-certification schemes, and Schedule 3A to that instrument is amended to reflect a change to the bodies that may participate in third-party certification schemes.

The Building Act 1984 (c. 55) gives the Secretary of State power to approve and issue documents containing practical guidance with respect to the requirements contained in the Building Regulations 2010. Approved Document L Volumes 1 and 2, 2021 editions, Approved Document F Volumes 1 and 2, 2021 editions and Approved Document O, 2021 edition contain practical guidance on meeting the new requirements inserted into the Building Regulations 2010 by this instrument. The Approved Documents are published by the Department for Levelling Up, Housing and Communities and may be accessed at <https://www.gov.uk/guidance/building-regulations-and-approved-documents-index> or from the Department for Levelling Up, Housing and Communities, 2nd Floor NW, Fry Building, 2 Marsham Street, London SW1P 4DF.

An impact assessment is available with the explanatory memorandum for these Regulations at www.legislation.gov.uk.

Changes to legislation:

There are currently no known outstanding effects for the The Building Regulations etc. (Amendment) (England) Regulations 2021.