
DRAFT STATUTORY INSTRUMENTS

2009 No.

The Welsh Ministers (Transfer of Functions) (No. 2) Order 2009

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Welsh Ministers (Transfer of Functions) (No. 2) Order 2009.

(2) This Order shall come into force on 31st December 2011.

(3) In this Order—

“the 1984 Act” means the Building Act 1984(1);

“the 2000 Regulations” means the Building Regulations 2000(2)003B

“the 2007 Regulations” means the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007(3);

“the construction EPC provisions” means—

(a) regulation 17E of the 2000 Regulations (energy performance certificates);

(b) regulation 12 of the Building (Approved Inspectors etc.) Regulations 2000(4) (energy performance certificates); and

(c) regulation 9 of the 2007 Regulations (construction of Crown and statutory undertakers’ buildings);

“excepted energy building” is defined by the Schedule.

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- (1) 1984 c. 55. Amendments relevant to this Order include those made by the Building Act 1984 (Appointed Day and Repeal) Order 1985 (S.I. 1985/1603), article 2; the [Deregulation and Contracting Out Act 1994 \(c. 40\)](#), section 32; the Deregulation (Building) (Initial Notices and Final Certificates) Order 1996 (S.I. 1996/1905), articles 2 to 4; the [Sustainable and Secure Buildings Act 2004 \(c. 22\)](#) sections 1 to 5 and 7 to 9 (some of which are not yet in force); and the [Climate Change and Sustainable Energy Act 2006 \(c. 19\)](#), sections 11 and 13.
- (2) S.I. 2000/2531. There have been numerous amending instruments. Those which are most relevant to this Order include the Building (Amendment) (No. 2) Regulations 2002 (S.I. 2002/2871); the Building (Amendment) Regulations 2004 (S.I. 2004/1465); the Building and Approved Inspectors (Amendment) Regulations 2006 (S.I. 2006/652), Part 2; the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007 (S.I. 2007/991), regulation 8 and Schedule 2, paragraph 1; the Building and Approved Inspectors (Amendment) Regulations 2007 (S.I. 2007/3384), regulation 2; and the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) (Amendment No. 2) Regulations 2008 (S.I. 2008/2363), regulation 3.
- (3) S.I. 2007/991, amended by S.I. 2007/1669, S.I. 2007/3302, S.I. 2008/647 and S.I. 2008/2363.
- (4) S.I. 2000/2532. There have been numerous amending instruments. Regulation 12 was substituted by the 2007 Regulations, regulation 8 and Schedule 2, paragraph 2; and amended by the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) (Amendment No. 2) Regulations 2008 (S.I. 2008/2363), regulation 4(1) and (2).