
STATUTORY INSTRUMENTS

2010 No. 2214

The Building Regulations 2010

PART 1

General

Citation and commencement

1. These Regulations may be cited as the Building Regulations 2010 and shall come into force on 1st October 2010.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the Act” means the Building Act 1984;

[^{F1}“Green Deal Framework Regulations” means the Green Deal Framework (Disclosure, Acknowledgment, Redress etc.) Regulations 2012;]

“amendment notice” means a notice given under section 51A of the Act ^{M1};

“building” means any permanent or temporary building but not any other kind of structure or erection, and a reference to a building includes a reference to part of a building;

“building notice” means a notice given in accordance with regulations 12(2)(a) and 13;

“building work” has the meaning given in regulation 3(1);

“change to a building's energy status” means any change which results in a building becoming a building to which the energy efficiency requirements of these Regulations apply, where previously it was not;

“controlled service or fitting” means a service or fitting in relation to which Part G, H, J, L or P of Schedule 1 imposes a requirement;

“day” means any period of 24 hours commencing at midnight and excludes any Saturday, Sunday, Bank holiday or public holiday;

“dwelling” includes a dwelling-house and a flat;

“dwelling-house” does not include a flat or a building containing a flat;

“electrical installation” means fixed electrical cables or fixed electrical equipment located on the consumer's side of the electricity supply meter;

“energy efficiency requirements” means the requirements of regulations 23, ^{F2}[^{F3}25A, 25B] 26, ^{F4}[^{F5}26A, 26B,]^{F6}[^{F7}26A][^{F7}, 26C], 28 [^{F8}... ^{F9}^{F10}^{F11}[^{F12}and 40][^{F12}, 40 and 43]] and Part L of Schedule 1;

^{F13}^{F14}
...

^{F15}[^{F16}“excepted energy building” has the meaning given in the Schedule to The Welsh Ministers (Transfer of Functions) (No. 2) Order 2009]

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

“extra-low voltage” means voltage not exceeding—

- (a) in relation to alternating current, 50 volts between conductors and earth; or
- (b) in relation to direct current, 120 volts between conductors;

“final certificate” means a certificate given under section 51 of the Act ^{M2};

^{F17}^{F18}“fixed building services” means any part of, or any controls associated with—

- (a) fixed internal or external lighting systems (but not including emergency escape lighting or specialist process lighting);
- (b) fixed systems for heating, hot water, air conditioning or mechanical ventilation; or
- (c) any combination of systems of the kinds referred to in paragraph (a) or (b);]

“flat” means separate and self-contained premises constructed or adapted for use for residential purposes and forming part of a building from some other part of which it is divided horizontally;

“floor area” means the aggregate area of every floor in a building or extension, calculated by reference to the finished internal faces of the walls enclosing the area, or if at any point there is no such wall, by reference to the outermost edge of the floor;

“full plans” means plans deposited with a local authority for the purposes of section 16 of the Act ^{M3} in accordance with regulations 12(2)(b) and 14;

^{F19}“green deal disclosure obligations” means the obligations to provide an energy performance certificate in section 12 of the Energy Act 2011 and Part 7 of the Green Deal Framework Regulations;

“green deal property” has the meaning given in section 12(5)(b) of the Energy Act 2011;]

“height” means the height of the building measured from the mean level of the ground adjoining the outside of the external walls of the building to the level of half the vertical height of the roof of the building, or to the top of the walls or of the parapet, if any, whichever is the higher;

“independent access” means, in relation to a part of a building (including any extension to that building), a route of access to that part which does not require the user to pass through any other part of the building;

“initial notice” means a notice given under section 47 of the Act ^{M4};

“institution” means an institution (whether described as a hospital, home, school or other similar establishment) which is used as living accommodation for, or for the treatment, care or maintenance of persons—

- (a) suffering from disabilities due to illness or old age or other physical or mental incapacity, or
- (b) under the age of five years,

where such persons sleep on the premises;

“low voltage” means voltage not exceeding—

- (a) in relation to alternating current, 1000 volts between conductors or 600 volts between conductors and earth; or
- (b) in relation to direct current, 1500 volts between conductors or 900 volts between conductors and earth;

“material alteration” has the meaning given in regulation 3(2);

“material change of use” has the meaning given in regulation 5;

“microgeneration” means the use for the generation of electricity or the production of heat or cooling of any plant (which for this purpose includes any equipment, apparatus or appliance) which, in generating electricity or (as the case may be) producing heat or cooling, relies wholly or mainly on a source of energy or a technology mentioned in section 26(2) of the Climate Change and Sustainable Energy Act 2006 ^{M5};

^{F15}^{F20}“new dwelling” includes, except in Parts 6 and 7, a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(a), (b) or (g);

“optional requirement” means an optional requirement as described in regulation 4(1A)(b) or in regulation 36(2)(b);]

[^{F21}“payment period” has the meaning given in regulation 2(1) of the Green Deal Framework Regulations;]

^{F15}^{F22}“planning permission” has the meaning given in section 336(1) (interpretation) of the Town and Country Planning Act 1990;]

“public body's final certificate” means a certificate given under paragraph 3 of Schedule 4 to the Act;

“public body's notice” means a notice given under section 54 of the Act;

“renovation” in relation to a thermal element means the provision of a new layer in the thermal element [^{F23}(other than where that new layer is provided solely as a means of repair to a flat roof)] or the replacement of an existing layer, but excludes decorative finishes, and “renovate” shall be construed accordingly;

“room for residential purposes” means a room, or a suite of rooms, which is not a dwelling-house or a flat and which is used by one or more persons to live and sleep and includes a room in a hostel, an hotel, a boarding house, a hall of residence or a residential home, but does not include a room in a hospital, or other similar establishment, used for patient accommodation;

“shop” includes premises—

- (a) used for the sale to members of the public of food or drink for consumption on or off the premises,
- (b) used for retail sales by auction to members of the public,
- (c) used by members of the public as a barber or hairdresser, or for the hiring of any item, and
- (d) where members of the public may take goods for repair or other treatment;

“softened wholesome water” means water which would be regarded as wholesome for the purposes of regulations made under section 67 of the Water Industry Act 1991 ^{M6} (standards of wholesomeness) as they apply for the purposes of Part G of Schedule 1 in accordance with paragraph (5) but for the presence of sodium in excess of the level specified in those regulations if it is caused by a water softener or water softening process which reduces the concentrations of calcium and magnesium [^{F24};

“system for on-site electricity generation” means a system that produces electricity and has a direct electrical connection to the building in question].

(2) In these Regulations “public building” means a building consisting of or containing—

- (a) a theatre, public library, hall or other place of public resort;
- (b) a school or other educational establishment not exempted from the operation of building regulations by virtue of section 4(1)(a) of the Act ^{M7}; or
- (c) a place of public worship;

but a building is not to be treated as a place of public resort because it is, or it contains, a shop, storehouse or warehouse, or is a dwelling to which members of the public are occasionally admitted.

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(3) In these Regulations “thermal element” means a wall, floor or roof (but does not include windows, doors, roof windows or roof-lights) which separates a thermally conditioned part of the building (“the conditioned space”) from—

- (a) the external environment (including the ground); or
- (b) in the case of floors and walls, another part of the building which is—
 - (i) unconditioned;
 - (ii) an extension falling within class 7 of Schedule 2; or
 - (iii) where this paragraph applies, conditioned to a different temperature,

and includes all parts of the element between the surface bounding the conditioned space and the external environment or other part of the building as the case may be.

(4) Paragraph (3)(b)(iii) only applies to a building which is not a dwelling, where the other part of the building is used for a purpose which is not similar or identical to the purpose for which the conditioned space is used.

(5) Section 67 of the Water Industry Act 1991 and such regulations as have been made under that section apply for the purposes of Part G of Schedule 1 as they apply for the purposes of Chapter 3 of Part 3 of that Act.

^{F25}^{F26}(6) In these Regulations—

- (a) any reference to an “external wall” of a building includes a reference to—
 - (i) anything located within any space forming part of the wall;
 - (ii) any decoration or other finish applied to any external (but not internal) surface forming part of the wall;
 - (iii) any windows and doors in the wall; and
 - (iv) any part of a roof pitched at an angle of more than 70 degrees to the horizontal if that part of the roof adjoins a space within the building to which persons have access, but not access only for the purpose of carrying out repairs or maintenance; and
- (b) “specified attachment” means—
 - (i) a balcony attached to an external wall;
 - (ii) a device for reducing heat gain within a building by deflecting sunlight which is attached to an external wall; or
 - (iii) a solar panel attached to an external wall.]

^{F25}(b) “specified attachment” means—

- (i) a balcony attached to an external wall; or
- (ii) a solar panel attached to an external wall.]

Textual Amendments

- F1** Words in [reg. 2\(1\)](#) inserted (27.1.2013) by [The Energy Performance of Buildings \(England and Wales\) etc. \(Amendment\) Regulations 2013 \(S.I. 2013/10\)](#), [regs. 1\(1\), 4\(2\)](#)
- F2** Words in [reg. 2\(1\)](#) inserted (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), [regs. 1\(4\), 3\(a\)](#) (with [reg. 1\(2\)\(3\)](#))
- F3** Words in [reg. 2\(1\)](#) inserted (E., but only in relation to excepted energy buildings in W.) (9.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), [reg. 3\(a\)](#), [Sch. 1](#) (with [regs. 1\(3\), 45-47](#))

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- F4** Word “26B,” in reg. 2(1) inserted (W. in relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **3(a)(i)** (with reg. 29)
- F5** Words "26A, 26B," in reg. 2(1) inserted (W. but not in relation to excepted energy buildings) (31.7.2014) by [The Building \(Amendment\) \(Wales\) Regulations 2014 \(S.I. 2014/110\)](#), regs. 1(3), **3** (with reg. 1(2))
- F6** Word "26A" in reg. 2(1) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by [The Building Regulations &c. \(Amendment\) \(No.2\) Regulations 2013 \(S.I. 2013/1959\)](#), regs. 1(5), **3** (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F7** Word in reg. 2(1) inserted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/1391\)](#), regs. 1(1), **3(a)** (with regs. 1(2), 17) (as amended (5.6.2023) by S.I. 2023/520, regs. 1(2), **3**)
- F8** Words in reg. 2(1) substituted (15.7.2011) by [The Building \(Amendment\) Regulations 2011 \(S.I. 2011/1515\)](#), regs. 1(2), **3(2)(a)**
- F9** Words in reg. 2(1) omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(2)(a)** (with reg. 1(3))
- F10** Word in reg. 2(1) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(2)(a)** (with reg. 1(3))
- F11** Words “and 40” in reg. 2(1) substituted for “40 and 43” (W. in relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **3(a)(ii)** (with reg. 29)
- F12** Words ", 40 and 43" in reg. 2 substituted for "and 40" (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by [The Building Regulations &c. \(Amendment\) Regulations 2014 \(S.I. 2014/579\)](#), regs. 1(4), **2(2)** (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F13** Words in reg. 2(1) omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(2)(b)** (with reg. 1(3))
- F14** Words in reg. 2(1) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(2)(b)** (with reg. 1(3))
- F15** Definitions of “excepted energy building”, “new dwelling”, “optional requirement” and “planning permission” in reg. 2(1) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **3(b)** (with reg. 29)
- F16** Words in reg. 2(1) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2012) by [The Building \(Amendment\) Regulations 2012 \(S.I. 2012/718\)](#), regs. 1(2), **3(2)** (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F17** Words in reg. 2(1) substituted (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **3(c)** (with reg. 1(2)(3))
- F18** Words in reg. 2(1) substituted (E., but only in relation to excepted energy buildings in W.) (9.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 3(c)**, Sch. 1 (with regs. 1(3), 45-47)
- F19** Words in reg. 2(1) inserted (27.1.2013) by [The Energy Performance of Buildings \(England and Wales\) etc. \(Amendment\) Regulations 2013 \(S.I. 2013/10\)](#), regs. 1(1), **4(3)**
- F20** Words in reg. 2(1) inserted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), regs. 1(4)(b), **2(2)(a)** (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

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- F21** Words in reg. 2(1) inserted (27.1.2013) by [The Energy Performance of Buildings \(England and Wales\) etc. \(Amendment\) Regulations 2013 \(S.I. 2013/10\)](#), regs. 1(1), **4(4)**
- F22** Words in reg. 2(1) inserted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), regs. 1(4)(b), **2(2)(b)** (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F23** Words in reg. 2(1) added (15.7.2011) by [The Building \(Amendment\) Regulations 2011 \(S.I. 2011/1515\)](#), regs. 1(2), **3(2)(b)**
- F24** Words in reg. 2(1) inserted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/1391\)](#), regs. 1(1), **3(b)** (with regs. 1(2), 17) (as amended (5.6.2023) by S.I. 2023/520, regs. 1(2), **3**)
- F25** Reg. 2(6) inserted (with a difference in the wording of reg. 2(6)(b)) (W.) (13.1.2020) by [The Building \(Amendment\) \(Wales\) Regulations 2019 \(S.I. 2019/1499\)](#), regs. 1(4), **2(2)** (with reg. 3)
- F26** Reg. 2(6) inserted (E.) (21.12.2018) by [The Building \(Amendment\) Regulations 2018 \(S.I. 2018/1230\)](#), regs. 1(4), **2(2)** (with regs. 1(3), 3)

Marginal Citations

- M1** Section 51A was inserted by [S.I. 1996/1905](#).
- M2** Section 51 was amended by [S.I. 1996/1905](#).
- M3** Section 16 was amended by Part 13 of Schedule 1 to the [Statute Law \(Repeals\) Act 1993 \(c.50\)](#).
- M4** Section 47 was amended by section 8 of the Sustainable and Secure Buildings Act 2004 and [S.I. 1996/1905](#).
- M5** [2006 c. 19](#); section 26(2) was amended by [S.I. 2008/1767](#).
- M6** [1991 c. 56](#); regulations made under section 67 of that Act are [S.I. 2000/3184](#), 2009/3101, 2010/66 and 2010/994.
- M7** Section 4(1)(a) was amended by paragraph 59 of Schedule 37 to the [Education Act 1996 \(c.56\)](#), [Schedule 31](#) to the [School Standards and Framework Act 1998 \(c.31\)](#) and paragraph 6 of Schedule 21 to the [Education Act 2002 \(c.32\)](#), and is prospectively repealed by section 5(a) of and the Schedule to the Sustainable and Secure Buildings Act 2004.

PART 2

Control of Building Work

Meaning of building work

- 3.—**(1) In these Regulations “building work” means—
- (a) the erection or extension of a building;
 - (b) the provision or extension of a controlled service or fitting in or in connection with a building;
 - (c) the material alteration of a building, or a controlled service or fitting, as mentioned in paragraph (2);
 - (d) work required by regulation 6 (requirements relating to material change of use);
 - (e) the insertion of insulating material into the cavity wall of a building;
 - (f) work involving the underpinning of a building;
 - (g) work required by regulation 22 (requirements relating to a change of energy status);
 - (h) work required by regulation 23 (requirements relating to thermal elements);
 - (i) work required by regulation 28 (consequential improvements to energy performance).

(2) An alteration is material for the purposes of these Regulations if the work, or any part of it, would at any stage result—

- (a) in a building or controlled service or fitting not complying with a relevant requirement where previously it did; or
- (b) in a building or controlled service or fitting which before the work commenced did not comply with a relevant requirement, being more unsatisfactory in relation to such a requirement.

(3) In paragraph (2) “relevant requirement” means any of the following applicable requirements of Schedule 1, namely—

- Part A (structure)
- paragraph B1 (means of warning and escape)
- paragraph B3 (internal fire spread—structure)
- paragraph B4 (external fire spread)
- paragraph B5 (access and facilities for the fire service)
- Part M (access to and use of buildings).

Requirements relating to building work

4.—(1) Subject to paragraph (2) building work shall be carried out so that—

- (a) it complies with the applicable requirements contained in Schedule 1; and
- (b) in complying with any such requirement there is no failure to comply with any other such requirement ^{F27}[^{F28}, except as may be provided for in paragraphs (1C) and (1D)].

^{F29}[^{F30}(1A) The applicable requirements contained in Schedule 1 are—

- (a) the applicable requirements contained in Schedule 1 that apply in all cases, subject to paragraph (1C); and
- (b) any applicable requirement contained in Schedule 1, and described in the first column of that Schedule as an optional requirement, that applies in relation to the building work in question by virtue of paragraphs (1B), (1C) and (1D).

(1B) An optional requirement as described in paragraph (1A)(b) shall apply to building work in any case where the planning permission under which the building work is carried out—

- (a) specifies that optional requirement by reference to these Regulations; and
- (b) makes it a condition that the requirement must be complied with.

(1C) An optional requirement shall apply in substitution for a requirement of Schedule 1 to the extent that the terms of the optional requirement in the second column of Schedule 1 so provide.

(1D) An optional requirement shall apply, and another optional requirement shall not apply, to the extent that the terms of the first-mentioned optional requirement in the second column of Schedule 1 so provide.]

(2) Where—

- (a) building work is of a kind described in regulation 3(1)(g), (h) or (i); and
- (b) the carrying out of that work does not constitute a material alteration,

that work need only comply with the applicable requirements of Part L of Schedule 1 ^{F31}[^{F32}(in addition to the requirements of regulation 7)].

(3) Building work shall be carried out so that, after it has been completed—

- (a) any building which is extended or to which a material alteration is made; or

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- (b) any building in, or in connection with, which a controlled service or fitting is provided, extended or materially altered; or
- (c) any controlled service or fitting,

complies with the applicable requirements of Schedule 1 or, where it did not comply with any such requirement, is no more unsatisfactory in relation to that requirement than before the work was carried out.

[^{F33}(4) This paragraph applies in relation to a building where—

- (a) building work is undertaken in respect of that building (“relevant work”); and
- (b) Part L of Schedule 1 imposes a requirement in respect of the relevant work.

(5) Notwithstanding paragraph (3), upon completion of the relevant work, any building to which paragraph (4) applies must—

- (a) comply with Part F of Schedule 1; or
- (b) where the building did not comply with Part F of Schedule 1 before the relevant work was begun, be no more unsatisfactory in relation to it than before the work was begun.]

Textual Amendments

- F27** Words from “, except as may” to the end in [reg. 4\(1\)\(b\)](#) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\)](#), [4\(1\)\(a\)](#) (with [reg. 29](#))
- F28** Words in [reg. 4\(1\)\(b\)](#) inserted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), [regs. 1\(4\)\(b\)](#), [2\(3\)\(a\)](#) (with [regs. 1\(3\)](#), [4](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F29** [Reg. 4\(1A\)-\(1D\)](#) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\)](#), [4\(1\)\(b\)](#) (with [reg. 29](#))
- F30** [Reg. 4\(1A\)-\(1D\)](#) inserted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), [regs. 1\(4\)\(b\)](#), [2\(3\)\(b\)](#) (with [regs. 1\(3\)](#), [4](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F31** Words in [reg. 4\(2\)](#) inserted (W.) (13.1.2020) by [The Building \(Amendment\) \(Wales\) Regulations 2019 \(S.I. 2019/1499\)](#), [regs. 1\(4\)](#), [2\(3\)](#) (with [reg. 3](#))
- F32** Words in [reg. 4\(2\)](#) inserted (E.) (21.12.2018) by [The Building \(Amendment\) Regulations 2018 \(S.I. 2018/1230\)](#), [regs. 1\(4\)](#), [2\(3\)](#) (with [regs. 1\(3\)](#), [3](#))
- F33** [Reg. 4\(4\)\(5\)](#) inserted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/1391\)](#), [regs. 1\(1\)](#), [4](#) (with [regs. 1\(2\)](#), [17](#)) (as amended (5.6.2023) by [S.I. 2023/520](#), [regs. 1\(2\)](#), [3](#))

Meaning of material change of use

5. For the purposes of paragraph 8(1)(e) of Schedule 1 to the Act and for the purposes of these Regulations, there is a material change of use where there is a change in the purposes for which or the circumstances in which a building is used, so that after that change—

- (a) the building is used as a dwelling, where previously it was not;
- (b) the building contains a flat, where previously it did not;
- (c) the building is used as an hotel or a boarding house, where previously it was not;
- (d) the building is used as an institution, where previously it was not;

- (e) the building is used as a public building, where previously it was not;
- (f) the building is not a building described in classes 1 to 6 in Schedule 2, where previously it was;
- (g) the building, which contains at least one dwelling, contains a greater or lesser number of dwellings than it did previously;
- (h) the building contains a room for residential purposes, where previously it did not;
- (i) the building, which contains at least one room for residential purposes, contains a greater or lesser number of such rooms than it did previously; ^{F34F35} ...
- (j) the building is used as a shop, where previously it was not ^{F36}[^{F37}; or
- (k) the building is a building described in regulation 7(4)(a), where previously it was not].

Textual Amendments

- F34** Word in [reg. 5](#) omitted (W.) (13.1.2020) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2019 \(S.I. 2019/1499\)](#), [regs. 1\(4\), 2\(4\)\(a\)](#) (with [reg. 3](#))
- F35** Word in [reg. 5](#) omitted (E.) (21.12.2018) by virtue of [The Building \(Amendment\) Regulations 2018 \(S.I. 2018/1230\)](#), [regs. 1\(4\), 2\(4\)\(a\)](#) (with [regs. 1\(3\), 3](#))
- F36** [Reg. 5\(k\)](#) and word inserted (W.) (13.1.2020) by [The Building \(Amendment\) \(Wales\) Regulations 2019 \(S.I. 2019/1499\)](#), [regs. 1\(4\), 2\(4\)\(b\)](#) (with [reg. 3](#))
- F37** [Reg. 5\(k\)](#) and word inserted (E.) (21.12.2018) by [The Building \(Amendment\) Regulations 2018 \(S.I. 2018/1230\)](#), [regs. 1\(4\), 2\(4\)\(b\)](#) (with [regs. 1\(3\), 3](#))

Requirements relating to material change of use

6.—(1) Where there is a material change of use of the whole of a building, such work, if any, shall be carried out as is necessary to ensure that the building complies with the applicable requirements of the following paragraphs of Schedule 1—

- (a) in all cases, B1 (means of warning and escape)
 - B2 (internal fire spread—linings)
 - B3 (internal fire spread—structure)
 - B4(2) (external fire spread—roofs)
 - B5 (access and facilities for the fire service)
 - C2(c) (interstitial and surface condensation)
 - F1 (ventilation)
 - G1 (cold water supply)
 - G3(1) to (3) (hot water supply and systems)
 - G4 (sanitary conveniences and washing facilities)
 - G5 (bathrooms)
 - G6 (kitchens and food preparation areas)
 - ^{F38} ...
 - H1 (foul water drainage)
 - H6 (solid waste storage)
 - J1 to J4 (combustion appliances)
 - L1 (conservation of fuel and power)

Status: Point in time view as at 15/06/2022.

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- P1 (electrical safety);
- [^{F39}S2 (infrastructure for the charging of electric vehicles)]
- (b) in the case of a material change of use described in regulation 5(c), (d), (e) or (f), A1 to A3 (structure);
- (c) in the case of a building exceeding fifteen metres in height, B4(1) (external fire spread—walls);
- (d) in the case of a material change of use described in regulation 5(a), (b), (c), (d), (g), (h), (i) or, where the material change provides new residential accommodation, (f), C1(2) (resistance to contaminants);
- (e) in the case of a material change of use described in regulation 5(a), C2 (resistance to moisture);
- (f) in the case of a material change of use described in regulation 5(a), (b), (c), (g), (h) or (i), E1 to E3 (resistance to the passage of sound);
- (g) in the case of a material change of use described in regulation 5(e), where the public building consists of or contains a school, E4 (acoustic conditions in schools);
- (h) in the case of a material change of use described in regulation 5(a) or (b), G2 (water efficiency) and G3(4) (hot water supply and systems: hot water supply to fixed baths);
- (i) in the case of a material change of use described in regulation 5(c), (d), (e) or (j), ^{F40}[^{F41}M1 (access and use)][^{F41}M1 (access to and use of buildings other than dwellings)];
- ^{F42}[^{F43}(j) in the case of a material change of use described in regulation 5(a), (b) or (g), Q1 (security)].
- (2) Where there is a material change of use of part only of a building, such work, if any, shall be carried out as is necessary to ensure that—
- (a) that part complies in all cases with any applicable requirements referred to in paragraph (1) (a);
- (b) in a case in which sub-paragraphs (b), (e), (f), (g) or (h) of paragraph (1) apply, that part complies with the requirements referred to in the relevant sub-paragraph;
- (c) in a case to which sub-paragraph (c) of paragraph (1) applies, the whole building complies with the requirement referred to in that sub-paragraph; ^{F44}[^{F45}and]
- (d) in a case to which sub-paragraph (i) of paragraph (1) applies—
- (i) that part and any sanitary conveniences provided in or in connection with that part comply with the requirements referred to in that sub-paragraph; and
- (ii) the building complies with requirement M1(a) of Schedule 1 to the extent that reasonable provision is made to provide either suitable independent access to that part or suitable access through the building to that part;
- ^{F46}[^{F47}(e) in a case to which subparagraph (j) applies in respect of a material change of use described in regulation 5(b) or (g), that part complies with the requirement referred to in that subparagraph].

[^{F48}(3) Subject to paragraph (4), where there is a material change of use described in regulation 5(k), such work, if any, shall be carried out as is necessary to ensure that any external wall, or specified attachment, of the building only contains materials of European Classification A2-s1, d0 or A1, classified in accordance with BS EN 13501-1:2007+A1:2009 entitled “Fire classification of construction products and building elements. Classification using test data from reaction to fire tests” (ISBN 978 0 580 59861 6) published by the British Standards Institution on 30th March 2007 and amended in November 2009.]

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[^{F49}(3) Subject to paragraph (4), where there is a material change of use described in regulation 5(k), such work, if any, must be carried out as is necessary to ensure that any external wall, or specified attachment, of the building only contains materials of a minimum European Classification A2-s1, d0 or A1, classified in accordance with BS EN 13501-1:2018 entitled “Fire classification of construction products and building elements. Classification using test data from reaction to fire tests” (ISBN 978 0 580 95726 0) published by the British Standards Institution on 14th January 2019.]

^{F49}[^{F48}(4) Paragraph (3) does not apply to the items listed in regulation 7(3).]

Textual Amendments

- F38** Words in reg. 6(1)(a) omitted (15.7.2011) by virtue of [The Building \(Amendment\) Regulations 2011 \(S.I. 2011/1515\)](#), regs. 1(2), **3(3)**
- F39** Words in reg. 6(1)(a) inserted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) \(No. 2\) Regulations 2021 \(S.I. 2021/1392\)](#), regs. 1(2), **2(2)** (with regs. 1(4), 4)
- F40** Words “M1 (access and use)” in reg. 6(1)(i) substituted for “M1 (access to and use of buildings other than dwellings)” (W. in relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **4(2)(a)(i)** (with reg. 29)
- F41** Words in reg. 6(1)(i) substituted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), regs. 1(4)(b), **2(4)(a)** (with regs. 1(3), 5) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F42** Reg. 6(1)(j) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **4(2)(a)(ii)** (with reg. 29)
- F43** Reg. 6(1)(j) inserted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), regs. 1(4)(b), **2(4)(b)** (with regs. 1(3), 5) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F44** Word in reg. 6(2) omitted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), regs. 1(4)(b), **2(4)(c)(i)** (with regs. 1(3), 5) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F45** Word in reg. 6(2)(c) inserted (W. in relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **4(2)(b)(i)** (with reg. 29)
- F46** Reg. 6(2)(e) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **4(2)(b)(ii)** (with reg. 29)
- F47** Reg. 6(2)(e) inserted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), regs. 1(4)(b), **2(4)(c)(ii)** (with regs. 1(3), 5) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F48** Reg. 6(3)(4) inserted (E.) (21.12.2018) by [The Building \(Amendment\) Regulations 2018 \(S.I. 2018/1230\)](#), regs. 1(4), **2(5)** (with regs. 1(3), 3)
- F49** Reg. 6(3)(4) inserted (with a difference in the wording of reg. 6(3)) (W.) (13.1.2020) by [The Building \(Amendment\) \(Wales\) Regulations 2019 \(S.I. 2019/1499\)](#), regs. 1(4), **2(5)** (with reg. 3)

Materials and workmanship

7.—^{F50}[^{F51}(1)] Building work shall be carried out—

Status: Point in time view as at 15/06/2022.

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- (a) with adequate and proper materials which—
 - (i) are appropriate for the circumstances in which they are used,
 - (ii) are adequately mixed or prepared, and
 - (iii) are applied, used or fixed so as adequately to perform the functions for which they are designed; and
- (b) in a workmanlike manner.

[^{F52}(2) Subject to paragraph (3), building work shall be carried out so that materials which become part of an external wall, or specified attachment, of a relevant building are of European Classification A2-s1, d0 or A1, classified in accordance with BS EN 13501-1:2007+A1:2009 entitled “Fire classification of construction products and building elements. Classification using test data from reaction to fire tests” (ISBN 978 0 580 59861 6) published by the British Standards Institution on 30th March 2007 and amended in November 2009.]

[^{F53}(2) Subject to paragraph (3), building work must be carried out so that materials which become part of an external wall, or specified attachment, of a relevant building are of a minimum European Classification A2-s1, d0 or A1, classified in accordance with BS EN 13501-1:2018 entitled “Fire classification of construction products and building elements. Classification using test data from reaction to fire tests” (ISBN 978 0 580 95726 0) published by the British Standards Institution on 14th January 2019.]

^{F53}[^{F52}(3) Paragraph (2) does not apply to—

- (a) cavity trays when used between two leaves of masonry;
 - (b) any part of a roof (other than any part of a roof which falls within paragraph (iv) of regulation 2(6)) if that part is connected to an external wall;
 - (c) door frames and doors;
 - (d) electrical installations;
 - (e) insulation and water proofing materials used below ground level;
 - (f) intumescent and fire stopping materials where the inclusion of the materials is necessary to meet the requirements of Part B of Schedule 1;
 - (g) membranes;
 - (h) seals, gaskets, fixings, sealants and backer rods;
 - (i) thermal break materials where the inclusion of the materials is necessary to meet the thermal bridging requirements of Part L of Schedule 1; or
 - (j) window frames and glass.
- (4) In this regulation—
- (a) a “relevant building” means a building with a storey (not including roof-top plant areas or any storey consisting exclusively of plant rooms) at least 18 metres above ground level and which—
 - (i) contains one or more dwellings;
 - (ii) contains an institution; or
 - (iii) contains a room for residential purposes (excluding any room in a hostel, hotel or boarding house); [^{F53}and]
 - (b) “above ground level” in relation to a storey means above ground level when measured from the lowest ground level adjoining the outside of a building to the top of the floor surface of the storey.]

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Textual Amendments

- F50** Reg. 7 renumbered as reg. 7(1) (W.) (13.1.2020) by [The Building \(Amendment\) \(Wales\) Regulations 2019 \(S.I. 2019/1499\)](#), regs. 1(4), **2(6)(a)** (with reg. 3)
- F51** Reg. 7 renumbered as reg. 7(1) (E.) (21.12.2018) by [The Building \(Amendment\) Regulations 2018 \(S.I. 2018/1230\)](#), regs. 1(4), **2(6)** (with regs. 1(3), 3)
- F52** Reg. 7(2)-(4) inserted (E.) (21.12.2018) by [The Building \(Amendment\) Regulations 2018 \(S.I. 2018/1230\)](#), regs. 1(4), **2(7)** (with regs. 1(3), 3)
- F53** Reg. 7(2)-(4) inserted (with changes in reg. 7(2) and (4)(a)(iii)) (W.) (13.1.2020) by [The Building \(Amendment\) \(Wales\) Regulations 2019 \(S.I. 2019/1499\)](#), regs. 1(4), **2(6)(b)** (with reg. 3)

Limitation on requirements

8. Parts A to D, F to K, ^{F54}[^{F55}, N] and P (except for paragraphs G2, H2 and J7) of Schedule 1 shall not require anything to be done except for the purpose of securing reasonable standards of health and safety for persons in or about buildings (and any others who may be affected by buildings, or matters connected with buildings).

Textual Amendments

- F54** Word in reg. 8 omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 4, Sch. 1** (with regs. 1(3), 45-47) (as amended by [S.I. 2013/181](#), reg. 5, Sch.) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F55** Word ", N" in reg. 8 inserted (W. in relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **4(3)** (with reg. 29)

Exempt buildings and work

9.—(1) Subject to paragraphs (2) ^{F56}[^{F57}, (3) and (4)] and regulation 21(1), these Regulations do not apply to—

- (a) the erection of any building or extension of a kind described in Schedule 2; or
 - (b) the carrying out of any work to or in connection with such a building or extension, if after the carrying out of that work it is still a building or extension of a kind described in that Schedule.
- (2) The requirements of paragraphs G1 and G3(2) and (3) of Schedule 1 apply—
- (a) to any greenhouse which receives a cold or hot water supply from a source shared with or located inside a dwelling; and
 - (b) to—
 - (i) any small detached building falling within class 6 in Schedule 2; and
 - (ii) any extension of a building falling within class 7 in Schedule 2,
 which in either case receives a cold or hot water supply from a source shared with or located inside any building other than a building or extension of a kind described in Schedule 2.

(3) The requirements of Part P of Schedule 1 apply to—

- (a) any greenhouse ^{F58}[^{F59}used for domestic purposes];

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- (b) any small detached building falling within class 6 in Schedule 2; and
- (c) any extension of a building falling within class 7 in Schedule 2,

which in any case receives its electricity from a source shared with or located inside a dwelling.

^{F60}^{F61}(4) The requirements of paragraph R1 of Schedule 1 apply to buildings controlled under other legislation falling within class 1 in Schedule 2.]

^{F62}(4) The requirements of paragraph R1 of Schedule 1 apply to buildings falling within paragraphs 1 and 2 of Class 1 (buildings controlled under other legislation) in Schedule 2.]

Textual Amendments

- F56** Words in [reg. 9\(1\)](#) substituted (E., but only in relation to excepted energy buildings in W.) (9.5.2016) by [The Building \(Amendment\) Regulations 2016 \(S.I. 2016/490\)](#), [regs. 1\(4\), 2\(2\)\(a\)](#) (with [regs. 1\(3\), 3](#))
- F57** Words in [reg. 9\(1\)](#) substituted (W. but not in relation to excepted energy buildings) (8.4.2016) by [The Building \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/361\)](#), [regs. 1\(4\), 2\(2\)\(a\)](#) (with [regs. 1\(3\), 3](#))
- F58** Words “used for domestic purposes” in [reg. 9\(3\)\(a\)](#) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\), 4\(4\)\(a\)](#) (with [reg. 29](#))
- F59** Words in [reg. 9\(3\)\(a\)](#) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), [reg. 5](#), [Sch. 1](#) (with [regs. 1\(3\), 45-47](#)) (as amended by [S.I. 2013/181](#), [reg. 5](#), [Sch.](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F60** [Reg. 9\(4\)](#) substituted (W. for remaining purposes) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\), 4\(4\)\(b\)](#) (with [reg. 29](#))
- F61** [Reg. 9\(4\)](#) inserted (W. but not in relation to excepted energy buildings) (8.4.2016) by [The Building \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/361\)](#), [regs. 1\(4\), 2\(2\)\(b\)](#) (with [regs. 1\(3\), 3](#))
- F62** [Reg. 9\(4\)](#) inserted (E., but only in relation to excepted energy buildings in W.) (9.5.2016) by [The Building \(Amendment\) Regulations 2016 \(S.I. 2016/490\)](#), [regs. 1\(4\), 2\(2\)\(b\)](#) (with [regs. 1\(3\), 3](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

Exemption of the ^{F63}Mayor’s Office for Policing and Crime] from procedural requirements

10.—(1) The ^{F63}Mayor’s Office for Policing and Crime] is hereby prescribed for the purposes of section 5 of the Act (exemption of public bodies from the procedural requirements and enforcement of building regulations).

(2) The ^{F63}Mayor’s Office for Policing and Crime] is exempt from compliance with these Regulations ^{F64}^{F65}... in so far as the requirements in these Regulations are not substantive requirements.

Textual Amendments

- F63** Words in [reg. 10](#) substituted (16.1.2012) by [The Local Policing Bodies \(Consequential Amendments\) Regulations 2011 \(S.I. 2011/3058\)](#), [regs. 1\(2\), 26\(2\)](#)
- F64** Words in [reg. 10\(2\)](#) omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), [regs. 1\(4\), 2\(3\)](#) (with [reg. 1\(3\)](#))

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F65 Words in [reg. 10\(2\)](#) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), [regs. 1\(4\), 2\(3\)](#) (with [reg. 1\(3\)](#))

Power to dispense with or relax requirements

11.—(1) Subject to paragraph (3), the power under section 8(1) of the Act to dispense with or relax any requirement contained in these Regulations shall be exercisable by the local authority.

(2) Any notification by the local authority to an applicant that they have refused the applicant's application to dispense with or relax any requirement of these Regulations shall inform the applicant of the effect of section 39(1) and (3) of the Act (appeal against refusal etc. to relax building regulations).

^{F66}^{F67}(3) Sub-sections (1) to (5) of section 8 of the Act (relaxation of building regulations) do not apply to regulations 23(1)(a), 25A, 25B, ^{F68}^{F69}and] 26 ^{F70}^{F71}... ^{F72}^{F73}and paragraph R1 [^{F74}(in-building physical infrastructure for high-speed electronic communications networks)] of Schedule 1].]

Textual Amendments

- F66** [Reg. 11\(3\)](#) substituted (W. but not in relation to excepted energy buildings) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), [regs. 1\(4\), 4](#) (with [reg. 1\(2\)\(3\)](#))
- F67** [Reg. 11\(3\)](#) substituted (E., but only in relation to educational buildings and buildings of statutory undertakers in W., Crown buildings in W., building work carried out or proposed to be carried out by Crown authorities in W., and excepted energy buildings in W.) (3.6.2013) by [The Building \(Amendment\) Regulations 2013 \(S.I. 2013/1105\)](#), [regs. 1\(2\), 3\(2\)](#) (with [reg. 1\(3\)\(4\)](#))
- F68** Word "and" in [reg. 11\(3\)](#) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\), 4\(5\)\(a\)](#) (with [reg. 29](#))
- F69** Word in [reg. 11\(3\)](#) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), [regs. 1\(4\), 2\(4\)](#) (with [reg. 1\(3\)](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F70** Words in [reg. 11\(3\)](#) omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), [regs. 1\(4\), 2\(4\)](#) (with [reg. 1\(3\)](#))
- F71** Words in [reg. 11\(3\)](#) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), [regs. 1\(4\), 2\(4\)](#) (with [reg. 1\(3\)](#))
- F72** Words in [reg. 11\(3\)](#) substituted (W. but not in relation to excepted energy buildings) (8.4.2016) by [The Building \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/361\)](#), [regs. 1\(4\), 2\(3\)](#) (with [regs. 1\(3\), 3](#))
- F73** Words in [reg. 11\(3\)](#) inserted (E., but only in relation to excepted energy buildings in W.) (9.5.2016) by [The Building \(Amendment\) Regulations 2016 \(S.I. 2016/490\)](#), [regs. 1\(4\), 2\(3\)](#) (with [regs. 1\(3\), 3](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F74** Words in [reg. 11\(3\)](#) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\), 4\(5\)\(b\)](#) (with [reg. 29](#))

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PART 3

Notices, Plans and Certificates

Giving of a building notice or deposit of plans

12.—(1) This regulation applies to a person who intends to—

- (a) carry out building work;
- (b) replace or renovate a thermal element in a building to which the energy efficiency requirements apply;
- (c) make a change to a building's energy status; or
- (d) make a material change of use.

(2) Subject to the following provisions of this regulation, a person to whom this regulation applies shall—

- (a) give to the local authority a building notice in accordance with regulation 13; or
- (b) deposit full plans with the local authority in accordance with regulation 14.

(3) A person intending to carry out building work in relation to a building to which the Regulatory Reform (Fire Safety) Order 2005^{M8} applies, or will apply after the completion of the building work, shall deposit full plans.

(4) A person intending to carry out building work which includes the erection of a building fronting onto a private street shall deposit full plans.

(5) A person intending to carry out building work in relation to which paragraph H4 of Schedule 1 imposes a requirement shall deposit full plans.

(6) A person intending to carry out building work is not required to give a building notice or deposit full plans where the work consists only of work—

- (a) described in column 1 of the Table in Schedule 3 if the work is to be carried out by a person described in the corresponding entry in column 2 of that Table; ^{F75}[^{F76}or]
- (b) described in Schedule 4 ^{F77}[^{F78}; or
- (c) described in column 1 of the Table in Schedule 3A if the work is to be inspected by a person described in the corresponding entry in column 2 of that Table (a “third party certifier”) who has been appointed by the person intending to carry out the building work before the commencement of that work].

^{F79}[^{F80}(6A) A person intending to carry out building work in relation to which Part P of Schedule 1 imposes a requirement is required to give a building notice or deposit full plans where the work consists of—

- (a) the installation of a new circuit;
- (b) the replacement of a consumer unit; or
- (c) any addition or alteration to existing circuits in a special location.]

(7) Where regulation 19 of the Building (Approved Inspectors etc) Regulations 2010^{M9} (local authority powers in relation to partly completed work) applies, the owner shall comply with the requirements of that regulation instead of with this regulation.

(8) Where—

- (a) a person proposes to carry out building work which consists of emergency repairs;
- (b) it is not practicable to comply with paragraph (2) before commencing the work; and
- (c) paragraph (6) does not apply,

the person shall give a building notice to the local authority as soon as reasonably practicable after commencement of the work.

(9) In this regulation—

“fronting” has the meaning given in section 203(3) of the Highways Act 1980^{M10}, F81^[F82]and]

“private street” has the meaning given in section 203(2) of the Highways Act 1980^{M11F83} ...
[F84]; and

[F85 “special location” means—

- (a) within a room containing a bath or shower, the space surrounding a bath tap or shower head, where the space extends—
 - (i) vertically from the finished floor level to—
 - (aa) a height of 2.25 metres; or
 - (bb) the position of the shower head where it is attached to a wall or ceiling at a point higher than 2.25 metres from that level; and
 - (ii) horizontally—
 - (aa) where there is a bath tub or shower tray, from the edge of the bath tub or shower tray to a distance of 0.6 metres; or
 - (bb) where there is no bath tub or shower tray, from the centre point of the shower head where it is attached to the wall or ceiling to a distance of 1.2 metres; or
- (b) a room containing a swimming pool or sauna heater.]]

Textual Amendments

- F75** Word in [reg. 12\(6\)](#) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2014 \(S.I. 2014/579\)](#), [regs. 1\(4\), 2\(3\)\(a\)\(i\)](#) (with [reg. 1\(3\)](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F76** Word "or" in [reg. 12\(6\)\(a\)](#) inserted (W. in relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\), 5\(1\)\(a\)\(i\)](#) (with [reg. 29](#))
- F77** [Reg. 12\(6\)\(c\)](#) and word "; or" omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\), 5\(1\)\(a\)\(ii\)\(iii\)](#) (with [reg. 29](#))
- F78** [Reg. 12\(6\)\(c\)](#) and word inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by [The Building Regulations &c. \(Amendment\) Regulations 2014 \(S.I. 2014/579\)](#), [regs. 1\(4\), 2\(3\)\(a\)\(ii\)](#) (with [reg. 1\(3\)](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F79** [Reg. 12\(6A\)](#) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\), 5\(1\)\(b\)](#) (with [reg. 29](#))
- F80** [Reg. 12\(6A\)](#) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), [reg. 6\(a\), Sch. 1](#) (with [regs. 1\(3\), 45-47](#)) (as amended by [S.I. 2013/181](#), [reg. 5, Sch.](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F81** Word in [reg. 12\(9\)](#) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), [reg. 6\(b\)\(i\), Sch. 1](#) (with [regs. 1\(3\), 45-47](#)) (as amended by [S.I. 2013/181](#), [reg. 5, Sch.](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

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- F82** Word "and" in [reg. 12\(9\)](#) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\)](#), [5\(1\)\(c\)\(i\)](#) (with [reg. 29](#))
- F83** [Reg. 12\(9\)](#): full stop omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), [reg. 6\(b\)\(ii\)](#), [Sch. 1](#) (with [regs. 1\(3\)](#), 45-47) (as amended by [S.I. 2013/181](#), [reg. 5](#), [Sch.](#))
- F84** Words in [reg. 12\(9\)](#) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), [reg. 6\(b\)\(ii\)](#), [Sch. 1](#) (with [regs. 1\(3\)](#), 45-47) (as amended by [S.I. 2013/181](#), [reg. 5](#), [Sch.](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F85** Definition of "special location" in [reg. 12\(9\)](#) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\)](#), [5\(1\)\(c\)\(ii\)](#) (with [reg. 29](#))

Marginal Citations

- M8** [S.I. 2005/1541](#).
- M9** [S.I. 2010/2215](#).
- M10** [1980 c. 66](#).
- M11** Section 203(2) was amended by paragraph 45(11) of Schedule 2 to the [Planning \(Consequential Provisions\) Act 1990 \(c.11\)](#) and Part 5 of Schedule 19 to the [Planning and Compensation Act 1991 \(c.34\)](#).

Particulars and plans where a building notice is given

13.—(1) A building notice shall state the name and address of the person intending to carry out the work and shall be signed by that person or on that person's behalf, and shall contain or be accompanied by—

- (a) a statement that it is given for the purpose of [regulation 12\(2\)\(a\)](#);
- (b) a description of the proposed building work, renovation or replacement of a thermal element, change to the building's energy status or material change of use; ^{F86}[^{F87}and]
- (c) particulars of the location of the building to which the proposal relates and the use or intended use of that building ^{F88}[^{F89}; and
- (d) in the case of a new dwelling—
 - (i) a statement whether or not any optional requirement applies to the building work, and if so which, or
 - (ii) a statement that planning permission has not yet been granted for the work, and that the information required by subparagraph (i) will be supplied before the end of a period of twenty eight days beginning on the day after that permission is granted].

^{F90}[^{F91}(1A) In the case of a new dwelling, where a statement under paragraph (1)(d)(ii) has accompanied the building notice, a statement in the terms required by paragraph (1)(d)(i) must be provided to the local authority before the end of a period of twenty eight days beginning on the day after planning permission is granted for the building work, and the statement must state that it is supplementary to the information given in respect of the work pursuant to paragraph (1)(d).]

(2) In the case of the erection or extension of a building, a building notice shall be accompanied by—

- (a) a plan to a scale of not less than 1:1250 showing—
 - (i) the size and position of the building, or the building as extended, and its relationship to adjoining boundaries;

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- (ii) the boundaries of the curtilage of the building, or the building as extended, and the size, position and use of every other building or proposed building within that curtilage;
 - (iii) the width and position of any street on or within the boundaries of the curtilage of the building or the building as extended;
- (b) a statement specifying the number of storeys (each basement level being counted as one storey), in the building to which the proposal relates; and
- (c) particulars of—
- (i) the provision to be made for the drainage of the building or extension; and
 - (ii) the steps to be taken to comply with any local enactment which applies.
- (3) Where a building notice has been given, a person carrying out building work, renovation or replacement of a thermal element, change to the building's energy status or making a material change of use shall give the local authority, within such time as they specify, such plans as are, in the particular case, necessary for the discharge of their functions in relation to building regulations and are specified by them in writing.
- (4) Neither a building notice nor plans which accompany it or are given under paragraph (3) are to be treated for the purposes of section 16 of the Act as having been deposited in accordance with building regulations.
- (5) A building notice shall cease to have effect on the expiry of three years from the date on which that notice was given to the local authority, unless before the expiry of that period—
- (a) the building work to which the notice related was commenced; or
 - (b) the change to the building's energy status or the material change of use described in the notice was made.

Textual Amendments

- F86** Word in [reg. 13\(1\)](#) omitted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), [regs. 1\(4\)\(b\), 2\(5\)\(a\)\(i\)](#) (with [regs. 1\(3\), 4](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F87** Word in [reg. 13\(1\)\(b\)](#) inserted (W. in relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\), 5\(2\)\(a\)\(i\)](#) (with [reg. 29](#))
- F88** [Reg. 13\(1\)\(d\)](#) and word "; or" omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\), 5\(2\)\(a\)\(ii\)\(iii\)](#) (with [reg. 29](#))
- F89** [Reg. 13\(1\)\(d\)](#) and word inserted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), [regs. 1\(4\)\(b\), 2\(5\)\(a\)\(ii\)](#) (with [regs. 1\(3\), 4](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F90** [Reg. 13\(1A\)](#) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\), 5\(2\)\(b\)](#) (with [reg. 29](#))
- F91** [Reg. 13\(1A\)](#) inserted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), [regs. 1\(4\)\(b\), 2\(5\)\(b\)](#) (with [regs. 1\(3\), 4](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

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Full plans

14.—(1) Full plans shall be accompanied by a statement that they are deposited for the purpose of regulation 12(2)(b).

- (a) (2) (a) Full plans shall be deposited in duplicate, of which the local authority may retain one copy; and
- (b) where Part B of Schedule 1 (fire safety) imposes a requirement in relation to proposed building work, an additional two copies of any such plans as demonstrate compliance with that requirement shall be deposited, both of which may be retained by the local authority.

(3) Full plans shall consist of—

- (a) a description of the proposed building work, renovation or replacement of a thermal element, change to the building's energy status or material change of use, and the plans, particulars and statements required by paragraphs (1) ^{F92}[^{F93}, (1A)] and (2) of regulation 13;
- (b) where paragraph H4 of Schedule 1 imposes a requirement, particulars of the precautions to be taken in building over a drain, sewer or disposal main to comply with the requirements of that paragraph; and
- (c) any other plans which are necessary to show that the work would comply with these Regulations.

(4) Full plans shall be accompanied by a statement as to whether the building is a building in relation to which the Regulatory Reform (Fire Safety) Order 2005 applies, or will apply after the completion of the building work.

^{F94}^{F95}(5)

(6) Paragraph (2)(b) shall not require the deposit of additional copies of plans where the proposed building work relates to the erection, extension or material alteration of a dwelling-house or flat.

Textual Amendments

F92 Word in reg. 14(3)(a) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **5(3)** (with reg. 29)

F93 Word in reg. 14(3)(a) inserted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), regs. 1(4)(b), **2(6)** (with regs. 1(3), 4) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

F94 Reg. 14(5) omitted (E., but only in relation to excepted energy buildings in W.) (9.1.2013) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 7**, Sch. 1 (with regs. 1(3), 45-47)

F95 Reg. 14(5) omitted (W. for remaining purposes) (19.4.2013) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **5** (with reg. 1(2)(3))

Consultation with sewerage undertaker

15.—(1) This regulation applies where full plans have been deposited with the local authority and paragraph H4 of Schedule 1 imposes requirements in relation to the building work which is the subject of those plans.

- (2) Where this regulation applies the local authority shall consult the sewerage undertaker—
 - (a) as soon as practicable after the plans have been deposited; and

- (b) before issuing any completion certificate in relation to the building work in accordance with regulation 17 ^{F96}[^{F97} or 17A].
- (3) Where a local authority are required by paragraph (2) to consult the sewerage undertaker they shall—
- (a) give to the sewerage undertaker, in a case where the authority are consulting them following the deposit of full plans, sufficient plans to show whether the work would, if carried out in accordance with those plans, comply with the applicable requirements of paragraph H4 of Schedule 1;
- (b) have regard to any views expressed by the sewerage undertaker; and
- (c) not pass plans or issue a completion certificate until 15 days have elapsed from the date on which they consulted the sewerage undertaker, unless the sewerage undertaker has expressed its views to them before the expiry of that period.

Textual Amendments

- F96** Words in reg. 15(2)(b) substituted (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), 6 (with reg. 1(2)(3))
- F97** Words in reg. 15(2)(b) substituted (E., but only in relation to excepted energy buildings in W.) (9.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 8**, Sch. 1 (with regs. 1(3), 45-47)

Notice of commencement and completion of certain stages of work

16.—(1) Subject to paragraphs (8) and (9), a person who proposes to carry out building work shall not commence that work unless—

- (a) that person has given the local authority notice of intention to commence work; and
- (b) at least two days have elapsed since the end of the day on which the notice was given.

^{F98}[^{F99}(2) Subject to paragraph (8), a person carrying out building work shall not—

- (a) cover up any excavation for a foundation, any foundation, any damp-proof course or any concrete or other material laid over a site; or
- (b) cover up in any way any drain or sewer to which these Regulations apply, unless that person has given the local authority notice of intention to commence that work, and at least one day has elapsed since the end of the day on which the notice was given.

(3) Subject to paragraph (8), a person who has laid, haunched or covered any drain or sewer in respect of which Part H of Schedule 1 (drainage and waste disposal) imposes a requirement shall give notice to that effect to the local authority not more than five days after the completion of the work.]

[^{F99}(2) Subject to paragraph (8), a person carrying out building work must notify the local authority as required by the authority in accordance with paragraph (3).

(3) Subject to the conditions in paragraphs (3A) and (3B), where a local authority receives notice of intention to commence building work under paragraph (1) they may give the person carrying out the work a notice in writing which—

- (a) requires that person to notify the authority that a specified stage of the work (other than a stage specified in paragraphs (4) and (5)) has been reached; and
- (b) may specify one or more periods of time, applying to each such required notification, which may be either or both of the following—

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- (i) a period before or after the work has been carried out within which the notification must be made; and
- (ii) a period during which the work concerned must not be covered up.

^{F100}(3A) A local authority may only specify a stage of the building work in accordance with paragraph (3)(a) if at the time they do so they intend to carry out an inspection of that stage.]

^{F100}(3B) For the purposes of paragraph (3A) the local authority's intention to carry out an inspection of a stage of building work must be based on their assessment of the risk of breach of these Regulations if they do not inspect the work.]]

(4) Subject to paragraph (8), a person carrying out building work shall, not more than five days after that work has been completed, give the local authority notice to that effect.

(5) Where a building is being erected ^{F101}^{F102}to which the Regulatory Reform (Fire Safety) Order 2005 ^{M12} applies, or will apply after the completion of the work], and that building (or any part of it) is to be occupied before completion, the person carrying out that work shall give the local authority at least five days notice before the building or any part of it is occupied.

(6) A person who fails to comply with paragraphs (1) ^{F103}^{F104}to (3)]^{F104} or (2)] shall comply within a reasonable time with any notice given by the local authority requiring that person to cut into, lay open or pull down so much of the work as prevents them from ascertaining whether these Regulations have been complied with.

(7) If the local authority have given notice specifying the manner in which any work contravenes the requirements in these Regulations, a person who has carried out any further work to secure compliance with these Regulations shall within a reasonable time after the completion of such further work give notice to the local authority of its completion.

(8) Paragraphs (1) to (4) apply only to a person who is required by regulation 12 to give a building notice or deposit full plans.

(9) Paragraph (1) does not apply where regulation 12(8) applies.

Textual Amendments

- F98** Reg. 16(2)(3) substituted (W. in relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **5(4)(a)** (with reg. 29)
- F99** Reg. 16(2)-(3B) substituted for reg. 16(2)(3) (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), reg. 9(a), Sch. 1 (with regs. 1(3), 45-47) (as amended by [S.I. 2013/181](#), reg. 5, [Sch.](#))
- F100** Reg. 16(3A)(3B) omitted (W. in relation to excepted energy buildings to match the form in which those sub-provisions apply in relation to W. otherwise) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **5(4)(b)** (with reg. 29)
- F101** Words in reg. 16(5) added (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **7** (with regs. 1(2)(3), 35, 36)
- F102** Words in reg. 16(5) added (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 9(b)**, Sch. 1 (with regs. 1(3), 45-47) (as amended by [S.I. 2013/181](#), reg. 5, Sch.)
- F103** Words in reg. 16(6) substituted (W. in relation to excepted energy buildings to match the form in which the text applies in relation to W. otherwise) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **5(4)(c)** (with reg. 29)

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F104 Words in reg. 16(6) substituted (E., but only in relation to excepted energy buildings in W.) (6.4.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 9(c)**, Sch. 1 (with [regs. 1\(3\), 45-47](#)) (as amended by [S.I. 2013/181](#), reg. 5, Sch.)

Marginal Citations

M12 S.I 2005/1541.

Completion certificates

17.—^{F105}^{F106}(1) A local authority shall within the specified period give a completion certificate in all cases (including a case where a certificate has already been given under regulation 17A) where they are satisfied, after taking all reasonable steps, that, following completion of building work carried out on it, a building complies with the relevant provisions.

(2) The specified period referred to in paragraph (1) is eight weeks starting from the date on which the person carrying out the building work notifies the local authority that the work has been completed.

(2A) The relevant provisions referred to in paragraph (1) are any applicable requirements of the following provisions—

(a) regulation 25A (high-efficiency alternative systems for new buildings);

(b) regulation 26 (target CO² emission rates for new buildings);

^{F107}(c) regulation 26A (target fabric energy efficiency requirements for new dwellings);]

^{F108}^{F109}(c) regulation 26A (primary energy consumption rates for new buildings),

(ca) regulation 26B (fabric performance values for new dwellings),]

(d) regulation 36 (water efficiency of new dwellings);

(e) regulation 38 (fire safety information); ^{F110}^{F111} ...

(f) Schedule 1] ^{F112}^{F113},

(g) regulation 7A (energy performance certificates on construction) of the Energy Performance of Buildings (England and Wales) Regulations 2012.]

(4) A certificate given in accordance with this regulation shall be evidence (but not conclusive evidence) that the requirements specified in the certificate have been complied with.

^{F114}^{F115}(5) The certificate must include a statement describing its evidentiary effect, in terms substantially the same as paragraph (4).]

Textual Amendments

F105 Reg. 17(1)-(2A) substituted for reg. 17(1)-(3) (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), **regs. 1(4), 8(a)** (with [reg. 1\(2\)\(3\)](#))

F106 Reg. 17(1)-(2A) substituted for reg. 17(1)-(3) (E., but only in relation to excepted energy buildings in W.) (9.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 10(a)**, Sch. 1 (with [regs. 1\(3\), 45-47](#))

F107 [Reg. 17\(2A\)\(c\)](#) substituted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), **regs. 1(4), 2(5)(a)** (with [reg. 1\(3\)](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

F108 Words “(primary energy consumption rates for new buildings)” substituted for “(target fabric energy efficiency requirements for new dwellings)” in [reg. 17\(2A\)\(c\)](#) and [reg. 17\(2A\)\(ca\)](#) inserted (W. in

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- relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **5(5)** (with reg. 29)
- F109** Reg. 17(2A)(c)(ca) substituted for reg. 17(2A)(c) (W. but not in relation to excepted energy buildings) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(5)(a)** (with reg. 1(3))
- F110** Word in reg. 17(2A)(e) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(5)(b)** (with reg. 1(3))
- F111** Word in reg. 17(2A)(e) omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(5)(b)** (with reg. 1(3))
- F112** Reg. 17(2A)(g) added (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(5)(c)** (with reg. 1(3))
- F113** Reg. 17(2A)(g) and comma substituted for full stop (W. for remaining purposes) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(5)(c)** (with reg. 1(3))
- F114** Reg. 17(5) inserted (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **8(b)** (with reg. 1(2)(3))
- F115** Reg. 17(5) inserted (E., but only in relation to excepted energy buildings in W.) (9.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 10(b)**, Sch. 1 (with regs. 1(3), 45-47)

[^{F116}Certificate for building occupied before work is completed

17A.—(1) A local authority shall within the specified period give a completion certificate in respect of part or all of a building where building work is being carried out and where all of the following circumstances apply—

- (a) part or all of the building is to be occupied before the work is completed;
- (b) the building is subject to the Regulatory Reform (Fire Safety) Order 2005; and
- (c) the authority is satisfied, after taking all reasonable steps, that, regardless of completion of the current building work, those parts of the building which are to be occupied before completion of the work currently comply with regulation 38 and Part B of Schedule 1.

(2) The specified period referred to in paragraph (1) is four weeks starting from the date that notice is received by the local authority in accordance with regulation 16(5).

(3) A certificate given in accordance with this regulation shall be evidence (but not conclusive evidence) that the requirements specified in the certificate have been complied with, and the certificate shall contain this wording.

(4) The certificate must include a statement describing its evidentiary effect, in terms substantially the same as paragraph (3).]

Textual Amendments

- F116** Reg. 17A inserted (E., but only in relation to excepted energy buildings in W.) (9.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 11**, Sch. 1 (with regs. 1(3), 45-47)
- Reg. 17A inserted (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **9** (with reg. 1(2)(3))

Unauthorised building work

18.—(1) This regulation applies where it appears to a local authority that unauthorised building work has been carried out on or after 11th November 1985.

(2) Where this regulation applies, the owner (in this regulation referred to as “the applicant”) may apply in writing to the local authority for a regularisation certificate in accordance with this regulation, and shall send with the application—

- (a) a statement that the application is made in accordance with this regulation,
- (b) a description of the unauthorised work,
- (c) so far as is reasonably practicable, a plan of the unauthorised work, and
- (d) so far as is reasonably practicable, a plan showing any additional work required to be carried out to secure that the unauthorised work complies with the requirements relating to building work in the building regulations which were applicable to that work when it was carried out (in this regulation referred to as “the relevant requirements”).

(3) Where a local authority receive an application in accordance with this regulation, they may require the applicant to take such reasonable steps, including laying open the unauthorised work for inspection by the authority, making tests and taking samples, as the authority think appropriate to ascertain what work, if any, is required to secure that the relevant requirements are met.

(4) When the applicant has taken any such steps required by the local authority as are described in paragraph (3), and having had regard to any direction given in accordance with sections 8 and 9 of, and Schedule 2 to, the Act dispensing with or relaxing a requirement in building regulations which applies to the unauthorised work, the local authority shall notify the applicant—

- (a) of the work which in their opinion is required to comply with the relevant requirements or those requirements as dispensed with or relaxed, or
- (b) that they cannot determine what work is required to comply with the relevant requirements or those requirements as dispensed with or relaxed, or
- (c) that no work is required to secure compliance with the relevant requirements or those requirements as dispensed with or relaxed.

(5) Where the local authority have been able to satisfy themselves, after taking all reasonable steps for that purpose that—

- (a) the relevant requirements have been satisfied (taking account of any work carried out and any dispensation or relaxation given in accordance with sections 8 and 9 of, and Schedule 2 to, the Act), or
- (b) no work is required to secure that the unauthorised work satisfies the relevant requirements (taking account of any such dispensation or relaxation),

they may give a certificate to that effect (in this regulation referred to as “a regularisation certificate”).

(6) A regularisation certificate shall be evidence (but not conclusive evidence) that the relevant requirements specified in the certificate have been complied with.

(7) Where this regulation applies, regulations 12 and 14 shall not apply, and neither the supply of plans nor the taking of any other action in accordance with this regulation is to be treated for the purposes of section 16 of the Act as the deposit of plans in accordance with building regulations.

(8) In this regulation, “unauthorised building work” means building work other than work in relation to which an initial notice, an amendment notice or a public body's notice has effect, which is done without—

- (a) a building notice being given to the local authority;
- (b) full plans of the work being deposited with the local authority; or

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (c) a notice of commencement of work being given, in accordance with regulation 16(1), where a building notice has been given or full plans have been deposited.

PART 4

Supervision of Building Work Otherwise than by Local Authorities

Supervision of building work otherwise than by local authorities

19.—(1) Regulations 12 (giving of a building notice or deposit of plans), 16 (notice of commencement and completion of certain stages of work), 17 (completion certificates), ^{F117}[^{F118}17A (Certificate for building occupied before work is completed)] 20 (provisions applicable to self-certification schemes), 27 (CO₂ emission rate calculations), ^{F119}^{F120}... 37 (wholesome water consumption calculation), 41 (sound insulation testing), 42 (mechanical ventilation air flow rate testing), 43 (pressure testing), 44 (commissioning), 45 (testing of building work) and 46 (sampling of material) shall not apply in respect of any work specified in an initial notice, an amendment notice or a public body's notice, which is in force.

(2) Regulations 45 and 46 shall not apply in respect of any work in relation to which a final certificate or a public body's final certificate has been accepted by the local authority.

Textual Amendments

- F117** Words in reg. 19(1) inserted (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **10** (with reg. 1(2)(3))
- F118** Words in reg. 19(1) inserted (E., but only in relation to excepted energy buildings in W.) (9.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 12**, Sch. 1 (with regs. 1(3), 45-47)
- F119** Words in [reg. 19\(1\)](#) omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(6)** (with reg. 1(3))
- F120** Words in [reg. 19\(1\)](#) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(6)** (with reg. 1(3))

PART 5

^{F121}Self-certification schemes [^{F122}and third party certification schemes]

Textual Amendments

- F121** Pt. 5 heading substituted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by [The Building Regulations &c. \(Amendment\) Regulations 2014 \(S.I. 2014/579\)](#), regs. 1(4), **2(4)** (with reg. 1(3))
- F122** Words in Pt. 5 heading omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **6(1)** (with reg. 29)

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Provisions applicable to self-certification schemes

20.—(1) This regulation applies to the extent that the building work consists only of work of a type described in column 1 of the Table in Schedule 3 and the work is carried out by a person who is described in the corresponding entry in column 2 of that Table in respect of that type of work.

(2) Where this regulation applies, the local authority are authorised to accept, as evidence that the requirements of regulations 4 and 7 have been satisfied, a certificate to that effect by the person carrying out the work.

(3) Where this regulation applies, the person carrying out the work shall, not more than 30 days after the completion of the work—

- (a) give to the occupier a copy of the certificate referred to in paragraph (2); and
- (b) give to the local authority—
 - (i) notice to that effect, or
 - (ii) the certificate referred to in paragraph (2).

^{F123}^{F124}(3A) A local authority shall store in a retrievable form copies of the notices and certificates given to it in accordance with paragraph (3)(b).

(3B) If the whole or part of the work was paid for using a green deal plan, the person carrying out the work must include—

- (a) in the certificate referred to in paragraph (2); and
- (b) in the notice given to the local authority referred to in paragraph (3)(b)(i),

a statement to that effect.

^{F125}^{F126}(3C) Such a statement that relates to a part of the work must specify which part was paid for using the green deal plan.]

(3D) In this regulation, “green deal plan” has the meaning given in section 1 of the Energy Act 2011.]^{M13}

(4) Paragraph (3) of this regulation does not apply where a person carries out any building work described in Schedule 4.

^{F127}^{F128}(5) A certificate given in accordance with this regulation shall be evidence (but not conclusive evidence) that the requirements specified in the certificate have been complied with ^{F129}^{F130}, and the certificate shall contain this wording].

(6) The certificate must include a statement describing its evidentiary effect, in terms substantially the same as paragraph (5).]

Textual Amendments

F123 Reg. 20(3A)-(3D) inserted (W. for remaining purposes) (19.4.2013 for specified purposes, 1.10.2013 in so far as not already in force) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **11(a)** (with reg. 1(2)(3))

F124 Reg. 20(3A)-(3D) inserted (E., but only in relation to excepted energy buildings in W.) (28.1.2013 for specified purposes, 1.10.2013 in so far as not already in force) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 13(a)**, Sch. 1 (with regs. 1(3), 45-47) (as amended by S.I. 2013/181, reg. 5, Sch.)

F125 Reg. 20(3C) inserted (W. in relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **6(2)(a)** (with reg. 29)

F126 Reg. 20(3C) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2014 \(S.I. 2014/579\)](#), regs. 1(4), **2(5)**

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(a) (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

- F127** Reg. 20(5)(6) inserted (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **11(b)** (with reg. 1(2)(3))
- F128** Reg. 20(5)(6) inserted (E., but only in relation to excepted energy buildings in W.) (28.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 13(b)**, Sch. 1 (with regs. 1(3), 45-47)
- F129** Words “, and the certificate shall contain this wording” in reg. 20(5) inserted (W. in relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **6(2)(b)** (with reg. 29)
- F130** Words in reg. 20(5) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2014 \(S.I. 2014/579\)](#), regs. 1(4), **2(5)(b)** (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

Modifications etc. (not altering text)

- C1** [Reg. 20](#) applied (with modifications) (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), regs. 1, **20(1)** (as amended (W.) (25.4.2024) by [S.I. 2024/447](#), regs. 1(1), **3(h)** (with reg. 6))

Marginal Citations

- M13** [2011 c.16.](#)

^{F131}^{F132} Provisions applicable to third party certification schemes

20A.—(1) This regulation applies to the extent that the building work consists only of work of a type described in column 1 of the Table in Schedule 3A and the work is inspected by a third party certifier described in column 2 of that Table and appointed in accordance with regulation 12(6)(c).

(2) Where this regulation applies, the local authority are authorised to accept, as evidence that the requirements of regulations 4 and 7 have been complied with, a certificate to that effect by the third party certifier.

(3) Where this regulation applies, the person carrying out the building work must, not more than 7 days after the completion of the work, notify the third party certifier that the work has been completed.

(4) Where the third party certifier, having taken all reasonable steps to ascertain that it is the case, is satisfied within the limits of professional skill and care that the requirements of regulation 4 and 7 have been complied with, the third party certifier must, not more than 30 days after receiving notification of completion of the work under paragraph (3)—

- (a) give the occupier a copy of the certificate referred to in paragraph (2); and
- (b) give to the local authority—
 - (i) notice to that effect, or
 - (ii) the certificate referred to in paragraph (2).

(5) If the third party certifier is unable to certify that the requirements of regulations 4 and 7 have been complied with and therefore cannot provide the certificate referred to in paragraph (2), the third party certifier must notify the local authority to that effect.

(6) A certificate given in accordance with this regulation shall be evidence (but not conclusive evidence) that the requirements specified in the certificate have been complied with.

(7) The certificate shall include a statement describing its evidentiary effect, in terms substantially the same as paragraph (6).]

Textual Amendments

- F131** Reg. 20A omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018](#) (S.I. 2018/558), regs. 1(2), **6(3)** (with reg. 29)
- F132** Reg. 20A inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by [The Building Regulations &c. \(Amendment\) Regulations 2014](#) (S.I. 2014/579), regs. 1(4), **2(6)** (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

Modifications etc. (not altering text)

- C2** Reg. 20A applied (with modifications) by [The Building \(Approved Inspectors etc.\) Regulations 2010](#) (S.I. 2010/2215), **reg. 20(1)** (as amended: (6.4.2014) by [S.I. 2014/579](#), regs. 1(4), **3(3)(b)** (with reg. 1(3); and (8.6.2013) by [S.I. 2018/558](#), regs. 1(2), **21(b)(i)** (with reg. 29))

PART 6

Energy Efficiency Requirements

Application of energy efficiency requirements

- 21.**—(1) The energy efficiency requirements apply to—
- (a) the erection of any building of a kind falling within this paragraph;
 - (b) the extension of any such building, other than an extension to which paragraph (4) applies; and
 - (c) the carrying out of any work to or in connection with any such building or extension.
- (2) A building falls within paragraph (1) if it—
- (a) is a roofed construction having walls;
 - (b) uses energy to condition the indoor climate; and
 - (c) does not fall within one or more of the categories listed in paragraph (3).
- (3) The categories referred to in paragraph (2)(c) are—
- (a) buildings which are—
 - (i) listed in accordance with section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ^{M14};
 - (ii) in a conservation area designated in accordance with section 69 of that Act; or
 - (iii) included in the schedule of monuments maintained under section 1 of the Ancient Monuments and Archaeological Areas Act 1979 ^{M15},where compliance with the energy efficiency requirements would unacceptably alter their character or appearance;
 - (b) buildings which are used primarily or solely as places of worship;
 - (c) temporary buildings with a planned time of use of two years or less, industrial sites, workshops and non-residential agricultural buildings with low energy demand;
 - (d) stand-alone buildings other than dwellings with a total useful floor area of less than 50m².
- (4) This paragraph applies to any extension of a building falling within class 7 in Schedule 2 except a conservatory or porch—

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) where any wall, door or window separating the conservatory or porch from that building has been removed and not replaced with a wall, door or window; ^{F133F134}...
 - (b) into which the building's heating system has been extended ^{F135}[^{F136} to heat the conservatory or porch; or
 - (c) in which a fixed heating appliance has been provided to heat the conservatory or porch.]
- (5) In this regulation, the following terms have the same meaning as in ^{F137}[^{F138} European Parliament and Council Directive 2010/31/EU of 19 May 2010 on the energy performance of buildings (recast)] —
- (i) “industrial sites”;
 - (ii) “low energy demand”;
 - (iii) “non-residential agricultural buildings”;
 - (iv) “places of worship”;
 - (v) “stand-alone”;
 - (vi) “total useful floor area”;
 - (vii) “workshops”.

Textual Amendments

- F133** Word in reg. 21(4)(a) omitted (W. for remaining purposes) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **7(1)(a)** (with reg. 29)
- F134** Word in reg. 21(4)(a) omitted (W. but not in relation to excepted energy buildings) (31.7.2014) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2014 \(S.I. 2014/110\)](#), regs. 1(3), **4(a)** (with reg. 1(2))
- F135** Reg. 21(4)(c) and words inserted (W. for remaining purposes) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **7(1)(b)(c)** (with reg. 29)
- F136** Reg. 21(4)(c) and words inserted (W. but not in relation to excepted energy buildings) (31.7.2014) by [The Building \(Amendment\) \(Wales\) Regulations 2014 \(S.I. 2014/110\)](#), regs. 1(3), **4(b)** (with regs. 1(2), 10)
- F137** Words in reg. 21(5) substituted (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **12** (with reg. 1(2)(3))
- F138** Words in reg. 21(5) substituted (E., but only in relation to educational buildings and buildings of statutory undertakers in W., Crown buildings in W., building work carried out or proposed to be carried out by Crown authorities in W., and excepted energy buildings in W.) (9.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 14**, Sch. 1 (with reg. 1(3)(4), 45-47)

Marginal Citations

- M14** 1990 c.9.
- M15** 1979 c.46; section 1 was amended by Schedule 4 to the [National Heritage Act 1983 \(c.47\)](#).

Requirements relating to a change to energy status

22. Where there is a change to a building's energy status, such work, if any, shall be carried out as is necessary to ensure that the building complies with the applicable requirements of Part L of Schedule 1.

^{F139}^{F140} **Requirements for the renovation or replacement of thermal elements**

23.—(1) Where the renovation of an individual thermal element—

- (a) constitutes a major renovation; or
- (b) amounts to the renovation of more than 50% of the element’s surface area;

the renovation must be carried out so as to ensure that the whole of the element complies with paragraph L1(a)(i) of Schedule 1, in so far as that is technically, functionally and economically feasible.

(2) Where the whole or any part of an individual thermal element is proposed to be replaced and the replacement—

- (a) constitutes a major renovation; or
- (b) (in the case of part replacement) amounts to the replacement of more than 50% of the thermal element’s surface area;

the whole of the thermal element must be replaced so as to ensure that it complies with paragraph L1(a)(i) of Schedule 1, in so far as that is technically, functionally and economically feasible.]

Textual Amendments

F139 Reg. 23 substituted (W. for remaining purposes) (19.4.2013 for specified purposes, 9.7.2013 in so far as not already in force) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), [regs. 1\(4\), 13](#) (with [regs. 1\(2\)\(3\), 35, 36](#))

F140 Reg. 23 substituted (E., but only in relation to educational buildings and buildings of statutory undertakers in W., Crown buildings in W., building work carried out or proposed to be carried out by Crown authorities in W., and excepted energy buildings in W.) (9.1.2013 for specified purposes, 9.7.2013 in so far as not already in force) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), [reg. 15, Sch. 1](#) (with [reg. 1\(3\)\(4\), 45-47](#)) (as amended by [S.I. 2013/181, reg. 5, Sch.](#))

Methodology of calculation and expression of energy performance

24.—(1) The Secretary of State shall approve—

- (a) a methodology of calculation of the energy performance of buildings, including methods for calculating asset ratings and operational ratings of buildings; and
- (b) ways in which the energy performance of buildings, as calculated in accordance with the methodology, shall be expressed.

(2) In this regulation—

“asset rating” means ^{F141}^{F142} [an energy performance indicator determined from] the amount of energy estimated to meet the different needs associated with a standardised use of the building; and

^{F143}^{F144} “operational rating” means an energy performance indicator determined from the amount of energy consumed during the occupation of a building over a period of time and the energy demand associated with a typical use of the building over that period.]

Textual Amendments

F141 Words in [reg. 24\(2\)](#) substituted (W. for remaining purposes) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), [regs. 1\(4\), 2\(7\)\(a\)](#) (with [reg. 1\(3\)](#))

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F142** Words in [reg. 24\(2\)](#) substituted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(7)(a)** (with [reg. 1\(3\)](#))
- F143** Words in [reg. 24\(2\)](#) substituted (W. for remaining purposes) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(7)(b)** (with [reg. 1\(3\)](#))
- F144** Words in [reg. 24\(2\)](#) substituted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(7)(b)** (with [reg. 1\(3\)](#))

Minimum energy performance requirements for new buildings **E**

^{F145}25. Minimum energy performance requirements shall be approved by the Secretary of State, [^{F146}calculated and expressed] in accordance with the methodology approved pursuant to regulation 24, for—

- (a) new buildings (which shall include new dwellings), in the form of target CO₂ emission rates; ^{F147} ...
- (b) new dwellings, in the form of target fabric energy efficiency rates][^{F148}; and
- (c) new buildings in the form of target primary energy rates].

Extent Information

- E1** This version of this provision applies to England only; a separate version has been created for Wales only

Textual Amendments

- F145** [Reg. 25](#) substituted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by [The Building Regulations &c. \(Amendment\) \(No.2\) Regulations 2013 \(S.I. 2013/1959\)](#), regs. 1(5), **4** (with [reg. 1\(3\)](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F146** Words in [reg. 25](#) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(8)** (with [reg. 1\(3\)](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F147** Word in [reg. 25\(a\)](#) omitted (E.) (15.6.2022) by virtue of [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/1391\)](#), regs. 1(1), **5(a)** (with regs. 1(2), 17) (as amended (5.6.2023) by [S.I. 2023/520](#), regs. 1(2), **3**)
- F148** [Reg. 25\(c\)](#) and word inserted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/1391\)](#), regs. 1(1), **5(b)** (with regs. 1(2), 17) (as amended (5.6.2023) by [S.I. 2023/520](#), regs. 1(2), **3**)

Minimum energy performance requirements for new buildings **W**

^{F262}25. The Welsh Ministers shall approve minimum energy performance requirements for new buildings, in the form of target CO₂ emission rates, which shall be calculated and expressed in accordance with the methodology approved pursuant to regulation 24.]

Extent Information

- E8** This version of this provision applies to Wales only; a separate version has been created for England only

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F262 [Reg. 25](#) substituted (with corresponding changes to match the amendments previously made by S.I. 2012/3119, reg. 16, Sch. 1 and S.I. 2013/747, regs. 1(4), 14 but with a reference to "The Welsh Ministers" rather than to "The Secretary of State") (W. for remaining purposes) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018](#) (S.I. 2018/558), regs. 1(2), **7(2)** (with reg. 29)

^{F149}^{F150} Consideration of high-efficiency alternative systems for new buildings

^{F149}**25A.**—(1) Before construction of a new building starts, the person who is to carry out the work must analyse and take into account the technical, environmental and economic feasibility of using high-efficiency alternative systems (such as the following systems) in the construction, if available—

- (a) decentralised energy supply systems based on energy from renewable sources;
 - (b) cogeneration;
 - (c) district or block heating or cooling, particularly where it is based entirely or partially on energy from renewable sources; and
 - (d) heat pumps.
- (2) The person carrying out the work must—
- (a) not later than the beginning of the day before the day on which the work starts, give the local authority a notice which states that the analysis referred to in paragraph (1)—
 - (i) has been undertaken;
 - (ii) is documented; and
 - (iii) the documentation is available to the authority for verification purposes; and
 - (b) ensure that a copy of the analysis is available for inspection at all reasonable times upon request by an officer of the local authority.
- (3) An authorised officer of the local authority may require production of the documentation in order to verify that this regulation has been complied with.
- (4) The analysis referred to in paragraph (1)—
- (a) may be carried out for individual buildings or for groups of similar buildings or for common typologies of buildings in the same area; and
 - (b) in so far as it relates to collective heating and cooling systems, may be carried out for all buildings connected to the system in the same area.
- (5) In this regulation—
- (a) “cogeneration” means simultaneous generation in one process of thermal energy and one or both of the following—
 - (i) electrical energy;
 - (ii) mechanical energy;
 - (b) “district or block heating or cooling” means the distribution of thermal energy in the form of steam, hot water or chilled liquids, from a central source of production through a network of multiple buildings or sites, for the use of space or process heating or cooling;
 - (c) “energy from renewable sources” means energy from renewable non-fossil sources, namely wind, solar, aerothermal, geothermal, hydrothermal and ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas and biogases; and
 - (d) “heat pump” means a machine, a device or installation that transfers heat from natural surroundings such as air, water or ground to buildings or industrial applications by

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reversing the natural flow of heat such that it flows from a lower to a higher temperature. (For reversible heat pumps, it may also move heat from the building to the natural surroundings.)]

Textual Amendments

- F149** Regs. 25A, 25B inserted (E., but only in relation to educational buildings and buildings of statutory undertakers in W., Crown buildings in W., building work carried out or proposed to be carried out by Crown authorities in W., and excepted energy buildings in W.) (9.1.2013 for specified purposes, 9.7.2013 for specified purposes, 1.1.2019 for specified purposes, 31.12.2020 in so far as not already in force) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), [reg. 17](#), [Sch. 1](#) (with [regs. 1\(3\)\(4\)](#), [45-47](#)) (as amended by [S.I. 2013/181](#), [reg. 5](#), [Sch.](#))
- F150** Regs. 25A, 25B inserted (W. for remaining purposes) (19.4.2013 for specified purposes, 9.7.2013 for specified purposes, 1.1.2019 for specified purposes, 31.12.2020 in so far as not already in force) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), [regs. 1\(4\)](#), [15](#) (with [regs. 1\(2\)\(3\)](#), [35](#), [36](#))

^{F149}[^{F150}Nearly zero-energy requirements for new buildings

^{F149}**25B.** Where a building is erected, it must be a nearly zero-energy building.]

Textual Amendments

- F149** Regs. 25A, 25B inserted (E., but only in relation to educational buildings and buildings of statutory undertakers in W., Crown buildings in W., building work carried out or proposed to be carried out by Crown authorities in W., and excepted energy buildings in W.) (9.1.2013 for specified purposes, 9.7.2013 for specified purposes, 1.1.2019 for specified purposes, 31.12.2020 in so far as not already in force) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), [reg. 17](#), [Sch. 1](#) (with [regs. 1\(3\)\(4\)](#), [45-47](#)) (as amended by [S.I. 2013/181](#), [reg. 5](#), [Sch.](#))
- F150** Regs. 25A, 25B inserted (W. for remaining purposes) (19.4.2013 for specified purposes, 9.7.2013 for specified purposes, 1.1.2019 for specified purposes, 31.12.2020 in so far as not already in force) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), [regs. 1\(4\)](#), [15](#) (with [regs. 1\(2\)\(3\)](#), [35](#), [36](#))

^{F151}[^{F152}New buildings: minimum energy performance requirements

25C. Minimum energy performance requirements ^{F151}[^{F153}must] be approved by the Welsh Ministers, ^{F151}[^{F154}calculated and expressed] in accordance with the methodology approved pursuant to regulation 24, for—

- (a) new buildings (other than new dwellings), in the form of target primary energy consumption rates; and
- (b) new dwellings, in the form of target fabric performance values.]

Textual Amendments

- F151** [Reg. 25C](#) inserted (with corresponding changes to match the amendments previously made by [S.I. 2014/110](#), [reg. 5](#) and [S.I. 2016/611](#), [reg. 2\(9\)](#)) (with [reg. 1\(3\)](#))(W. for remaining purposes) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\)](#), [7\(3\)](#) (with [reg. 29](#))

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- F152** Reg. 25C inserted (W. but not in relation to excepted energy buildings) (31.7.2014) by [The Building \(Amendment\) \(Wales\) Regulations 2014 \(S.I. 2014/110\)](#), regs. 1(3), **5** (with reg. 1(2))
- F153** Word in reg. 25C substituted (W. but not in relation to excepted energy buildings) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(9)(a)** (with reg. 1(3))
- F154** Words in reg. 25C inserted (W. but not in relation to excepted energy buildings) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(9)(b)** (with reg. 1(3))

CO₂ emission rates for new buildings

26. Where a building is erected, it shall not exceed the target CO₂ emission rate for the building that has been approved pursuant to regulation 25^{F155}^{F156}, applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24].

Textual Amendments

- F155** Words in reg. 26 inserted (W. for remaining purposes) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(10)** (with reg. 1(3))
- F156** Words in reg. 26 inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(9)** (with reg. 1(3))

^{F157}Fabric energy efficiency rates] **E**

^{F158}**26A.** Where a dwelling is erected, it shall not exceed the target fabric energy efficiency rate for the dwelling ^{F159}that has been approved pursuant to regulation 25, applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24].]

Extent Information

- E2** This version of this provision applies to England only; a separate version has been created for Wales only

Textual Amendments

- F157** Reg. 26A heading inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(10)(a)** (with reg. 1(3))
- F158** Reg. 26A inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by [The Building Regulations &c. \(Amendment\) \(No.2\) Regulations 2013 \(S.I. 2013/1959\)](#), regs. 1(5), **5** (with regs. 1(3), 9)
- F159** Words in reg. 26A substituted (E., but only in relation to excepted energy buildings in W.) ((6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(10)(b)** (with reg. 1(3))

^{F263}Primary energy consumption rates for new buildings **W**

26A. Where a building (other than a dwelling) is erected, it must not exceed the target primary energy consumption rate for the building which has been approved pursuant to regulation 25C(a),

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applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24.]

Extent Information

E9 This version of this provision applies to Wales only; a separate version has been created for England only

Textual Amendments

F263 Reg. 26A (as previously amended by S.I. 2014/110, regs. 1(3), 6 and S.I. 2016/611, regs. 1(4), 2(11)) substituted (W. for remaining purposes) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **7(4)** (with reg. 29)

^{F160}^{F161} Fabric performance values for new dwellings

26B. Where a dwelling is erected, it must not exceed the target fabric performance values for the dwelling which have been approved pursuant to regulation 25C(b) ^{F160}^{F162}, applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24].]

Textual Amendments

- F160** Reg. 26B inserted (with corresponding changes to match the amendments previously made by S.I. 2014/110, reg. 6 and S.I. 2016/611, reg. 2(12)) (W. for remaining purposes) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **7(5)** (with reg. 29)
- F161** Regs. 26A, 26B inserted (W. but not in relation to excepted energy buildings) (31.7.2014) by [The Building \(Amendment\) \(Wales\) Regulations 2014 \(S.I. 2014/110\)](#), regs. 1(3), **6** (with regs. 1(2), 10)
- F162** Words in reg. 26B inserted (W. but not in relation to excepted energy buildings) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(12)** (with reg. 1(3))

^{F163} Target primary energy rates for new buildings

26C. Where a building is erected it must not exceed the target primary energy rate for the building which has been approved pursuant to regulation 25(c), applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24.]

Textual Amendments

F163 Reg. 26C inserted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/1391\)](#), regs. 1(1), **6** (with regs. 1(2), 17) (as amended (5.6.2023) by [S.I. 2023/520](#), regs. 1(2), **3**)

CO₂ emission rate calculations

27.—(1) This regulation applies where a building is erected and regulation 26 applies.

(2) Not later than the day before the work starts, the person carrying out the work shall give the local authority a notice which specifies—

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- (a) the target CO₂ emission rate for the building ^{F164}[^{F165}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24],
- (b) the ^{F166}[^{F167} ... CO₂ emission rate for the building as designed ^{F168}[^{F169}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24], and
- (c) a list of specifications to which the building is to be constructed.
- (3) Not later than five days after the work has been completed, the person carrying out the work shall give the local authority—
- (a) a notice which specifies—
- (i) the target CO₂ emission rate for the building ^{F170}[^{F171}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24],
- (ii) the ^{F172}[^{F173} ... CO₂ emission rate for the building as constructed ^{F174}[^{F175}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24], and
- (iii) whether the building has been constructed in accordance with the list of specifications referred to in paragraph (2)(c), and if not a list of any changes to those specifications; or
- (b) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraph (a).
- (4) A local authority are authorised to accept, as evidence that the requirements of regulation 26 have been satisfied, a certificate to that effect by an energy assessor who is accredited to produce ^{F176}[^{F177} energy performance certificates] for that category of building.
- (5) In this regulation, “specifications” means specifications used for the calculation of the CO₂ emission rate.

Textual Amendments

- F164** Words in reg. 27(2)(a) inserted (W. for remaining purposes) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(13)(a)** (with reg. 1(3))
- F165** Words in reg. 27(2)(a) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(11)(a)** (with reg. 1(3))
- F166** Word in reg. 27(2)(b) omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(13)(b)** (with reg. 1(3))
- F167** Word in reg. 27(2)(b) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(11)(b)** (with reg. 1(3))
- F168** Words in reg. 27(2)(b) inserted (W. for remaining purposes) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(13)(b)** (with reg. 1(3))
- F169** Words in reg. 27(2)(b) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(11)(b)** (with reg. 1(3))
- F170** Words in reg. 27(3)(a)(i) inserted (W. for remaining purposes) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(13)(c)** (with reg. 1(3))
- F171** Words in reg. 27(3)(a)(i) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(11)(c)** (with reg. 1(3))

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- F172** Word in reg. 27(3)(a)(ii) omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(13)(d)** (with reg. 1(3))
- F173** Word in reg. 27(3)(a)(ii) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(11)(d)** (with reg. 1(3))
- F174** Words in reg. 27(3)(a)(ii) inserted (W. for remaining purposes) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(13)(d)** (with reg. 1(3))
- F175** Words in reg. 27(3)(a)(ii) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(11)(d)** (with reg. 1(3))
- F176** Words in reg. 27(4) substituted (W. for remaining purposes) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(13)(e)** (with reg. 1(3))
- F177** Words in reg. 27(4) substituted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(11)(e)** (with reg. 1(3))

Modifications etc. (not altering text)

- C3** Reg. 27 applied (with modifications) (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), regs. 1, **20(1)(2)**
- C4** Reg. 27(3) modified (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), regs. 1, **20(2)**

^{F178}Fabric energy efficiency rate calculations **E**

27A.—(1) This regulation applies where a dwelling is erected and regulation 26A applies.

(2) Not later than the day before the work starts, the person carrying out the work shall give the local authority a notice which specifies—

- (a) the target fabric energy efficiency rate for the dwelling [^{F179}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24];
- (b) the ^{F180}... fabric energy efficiency rate for the dwelling as designed [^{F181}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24]; and
- (c) a list of specifications to which the dwelling is to be constructed.

(3) Not later than five days after the work has been completed, the person carrying out the work shall give the local authority—

- (a) a notice which specifies—
 - (i) the target fabric energy efficiency rate for the dwelling [^{F182}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24];
 - (ii) the ^{F183}... fabric energy efficiency rate for the dwelling as constructed [^{F184}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24]; and
 - (iii) whether the dwelling has been constructed in accordance with the list of specifications referred to in paragraph (2)(c), and if not a list of any changes to those specifications; or
- (b) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraph (a).

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(4) A local authority is authorised to accept, as evidence that the requirements of regulation 26A have been satisfied, a certificate to that effect by an energy assessor who is accredited to produce [^{F185}energy performance certificates] for that category of building.

(5) In this Regulation, “specifications” means specifications used for the calculation of the fabric energy efficiency rate.]

Extent Information

E3 This version of this provision applies to England only; a separate version has been created for Wales only

Textual Amendments

F178 Reg. 27A inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by [The Building Regulations &c. \(Amendment\) \(No.2\) Regulations 2013 \(S.I. 2013/1959\)](#), regs. 1(5), 6 (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

F179 Words in reg. 27A(2)(a) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), 2(12)(a) (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

F180 Word in reg. 27A(2)(b) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), 2(12)(b) (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

F181 Words in reg. 27A(2)(b) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), 2(12)(b) (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

F182 Words in reg. 27A(3)(a)(i) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), 2(12)(c) (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

F183 Word in reg. 27A(3)(a)(ii) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), 2(12)(d) (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

F184 Words in reg. 27A(3)(a)(ii) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), 2(12)(d) (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

F185 Words in reg. 27A(4) substituted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), 2(12)(e) (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

Modifications etc. (not altering text)

C5 Reg. 27A(3) applied (with modifications) (6.4.2014) by S.I. 2010/2215, reg. 20(2A) (as inserted by [The Building Regulations &c. \(Amendment\) Regulations 2014 \(S.I. 2014/579\)](#), regs. 1(4), 3(3)(c) (with reg. 1(3)))

Status: Point in time view as at 15/06/2022.

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^{F264}^{F187} Primary energy consumption rate calculations **W**

27A.—(1) This regulation applies where a building (other than a dwelling) is erected and regulation 26A applies.

(2) Not later than the day before the work starts, the person carrying out the work must give the local authority a notice which specifies—

- (a) the target primary energy consumption rate for the building ^{F265}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24];
- (b) the ^{F266} ... primary energy consumption rate for the building as designed ^{F267}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24]; and
- (c) a list of specifications to which the building is to be constructed.

(3) Not later than five days after the work has been completed, the person carrying out the work must give the local authority—

- (a) a notice which specifies—
 - (i) the target primary energy consumption rate for the building ^{F268}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24];
 - (ii) the ^{F269} ... primary energy consumption rate for the building as constructed ^{F270}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24]; and
 - (iii) whether the building has been constructed in accordance with the list of specifications referred to in paragraph 2(c), and if not a list of any changes to those specifications; or
- (b) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraph (a).

(4) A local authority is authorised to accept, as evidence that the requirements of regulation 26A have been satisfied, a certificate to that effect by an energy assessor who is accredited to produce ^{F271}energy performance certificates] for that category of building.

(5) In this regulation, “specifications” means specifications used for the calculation of the primary energy consumption rate.]

Extent Information

E10 This version of this provision applies to Wales only; a separate version has been created for England only

Textual Amendments

F187 Regs. 27A, 27B inserted (W. but not in relation to excepted energy buildings) (31.7.2014) by [The Building \(Amendment\) \(Wales\) Regulations 2014 \(S.I. 2014/110\)](#), regs. 1(3), 7 (with reg. 1(2))

F264 [Reg. 27A](#) textually amended to match the amendments previously made by S.I. 2014/110, reg. 7 and S.I. 2016/611, reg. 2(14) (W. in relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), 7(6) (with reg. 29)

F265 Words in [reg. 27A\(2\)\(a\)](#) inserted (W. but not in relation to excepted energy buildings) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), 2(14)(a) (with reg. 1(3))

F266 Word in [reg. 27A\(2\)\(b\)](#) omitted (W. but not in relation to excepted energy buildings) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), 2(14)(b) (with reg. 1(3))

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- F267** Words in reg. 27A(2)(b) inserted (W. but not in relation to excepted energy buildings) (17.6.2016) by The Building Regulations &c. (Amendment) (Wales) Regulations 2016 (S.I. 2016/611), regs. 1(4), **2(14)(b)** (with reg. 1(3))
- F268** Words in reg. 27A(3)(a)(i) inserted (W. but not in relation to excepted energy buildings) (17.6.2016) by The Building Regulations &c. (Amendment) (Wales) Regulations 2016 (S.I. 2016/611), regs. 1(4), **2(14)(c)** (with reg. 1(3))
- F269** Word in reg. 27A(3)(a)(ii) omitted (W. but not in relation to excepted energy buildings) (17.6.2016) by virtue of The Building Regulations &c. (Amendment) (Wales) Regulations 2016 (S.I. 2016/611), regs. 1(4), **2(14)(d)** (with reg. 1(3))
- F270** Words in reg. 27A(3)(a)(ii) inserted (W. but not in relation to excepted energy buildings) (17.6.2016) by The Building Regulations &c. (Amendment) (Wales) Regulations 2016 (S.I. 2016/611), regs. 1(4), **2(14)(d)** (with reg. 1(3))
- F271** Words in reg. 27A(4) substituted (W. but not in relation to excepted energy buildings) (17.6.2016) by The Building Regulations &c. (Amendment) (Wales) Regulations 2016 (S.I. 2016/611), regs. 1(4), **2(14)(e)** (with reg. 1(3))

Modifications etc. (not altering text)

- C17** Reg. 27A(3) applied (with modifications) (31.7.2014) by S.I. 2010/2215, reg. 20(2A) (as inserted by The Building (Amendment) (Wales) Regulations 2014 (S.I. 2014/110), regs. 1(3), **13(c)** (with reg. 1(2)))

^{F186}^{F187} Fabric performance values calculations

- 27B.**—(1) This regulation applies where a dwelling is erected and regulation 26B applies.
- (2) Not later than the day before the work starts, the person carrying out the work must give the local authority a notice which specifies—
- the target fabric performance values for the dwelling ^{F186}^{F188}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24];
 - the ^{F186}^{F189}... fabric performance values for the dwelling as designed ^{F186}^{F190}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24]; and
 - a list of specifications to which the dwelling is to be constructed.
- (3) Not later than five days after the work has been completed, the person carrying out the work must give the local authority—
- a notice which specifies—
 - the target fabric performance values for the dwelling ^{F186}^{F191}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24];
 - the ^{F186}^{F192}... fabric performance values for the dwelling as constructed ^{F186}^{F193}, calculated and expressed in accordance with the methodology approved pursuant to regulation 24]; and
 - whether the dwelling has been constructed in accordance with the list of specifications referred to in paragraph 2(c), and if not a list of any changes to those specifications; or
 - a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraph (a).
- (4) A local authority is authorised to accept, as evidence that the requirements of regulation 26B have been satisfied, a certificate to that effect by an energy assessor who is accredited to produce ^{F186}^{F194}energy performance certificates] for that category of building.

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(5) In this regulation, “specifications” means specifications used for the calculation of the fabric performance values.]

Textual Amendments

- F186** Reg. 27B inserted (W. for remaining purposes) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), 7(7) (with reg. 29)
- F187** Regs. 27A, 27B inserted (W. but not in relation to excepted energy buildings) (31.7.2014) by [The Building \(Amendment\) \(Wales\) Regulations 2014 \(S.I. 2014/110\)](#), regs. 1(3), 7 (with reg. 1(2))
- F188** Words in reg. 27B(2)(a) inserted (W. but not in relation to excepted energy buildings) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), 2(15)(a) (with reg. 1(3))
- F189** Word in reg. 27B(2)(b) omitted (W. but not in relation to excepted energy buildings) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), 2(15)(b) (with reg. 1(3))
- F190** Words in reg. 27B(2)(b) inserted (W. but not in relation to excepted energy buildings) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), 2(15)(b) (with reg. 1(3))
- F191** Words in reg. 27B(3)(a)(i) inserted (W. but not in relation to excepted energy buildings) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), 2(15)(c) (with reg. 1(3))
- F192** Word in reg. 27B(3)(a)(ii) omitted (W. but not in relation to excepted energy buildings) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), 2(15)(d) (with reg. 1(3))
- F193** Words in reg. 27B(3)(a)(ii) inserted (W. but not in relation to excepted energy buildings) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), 2(15)(d) (with reg. 1(3))
- F194** Words in reg. 27B(4) substituted (W. but not in relation to excepted energy buildings) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), 2(15)(e) (with reg. 1(3))

Modifications etc. (not altering text)

- C6** Reg. 27B applied (with modifications) by S.I. 2010/2215, [reg. 20\(1\)\(2B\)](#) (as inserted (W.) (31.7.2014) by [The Building \(Amendment\) \(Wales\) Regulations 2014 \(S.I. 2014/110\)](#), regs. 1(3), 13 (with reg. 1(2))) (as amended: (W.) (8.6.2018) by S.I. 2018/558, regs. 1(2), 21 (with reg. 29); and (W.) (25.4.2024) by S.I. 2024/447, regs. 1(1), 3(h) (with reg. 6))
- C7** Reg. 27B(3) applied (with modifications) (8.6.2018) by S.I. 2010/2215, reg. 20(2B) (as inserted by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), 21(b)(iv) (with reg. 29))

[^{F195}Target primary energy rate calculations for new buildings

27C.—(1) This regulation applies where a building is erected.

(2) Not later than the day before the work starts, the person carrying out the work must give the local authority a notice which specifies—

- (a) the target primary energy rate for the building calculated and expressed in accordance with the methodology approved pursuant to regulation 24;
- (b) the calculated target primary energy rate for the building as designed, calculated and expressed in accordance with the methodology approved pursuant to regulation 24; and
- (c) a list of specifications to which the building is to be constructed.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(3) Not later than five days after the work has been completed, the person carrying out the work must give the local authority—

(a) a notice which specifies—

- (i) the target primary energy rate for the building calculated and expressed in accordance with the methodology approved pursuant to regulation 24;
- (ii) the calculated target primary energy rate for the building as constructed, calculated and expressed in accordance with the methodology approved pursuant to regulation 24; and
- (iii) whether the building has been constructed in accordance with the list of specifications referred to in paragraph (2)(c), and if not a list of any changes to those specifications; or

(b) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraph (a).

(4) A local authority is authorised to accept, as evidence that the requirements of regulation 26C have been satisfied, a certificate to that effect by an energy assessor who is accredited to produce energy performance certificates for that category of building.

(5) In this regulation, “specifications” means specifications used for the calculation of the target primary energy rate.]

Textual Amendments

F195 Reg. 27C inserted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/1391\)](#), regs. 1(1), 7 (with [regs. 1\(2\), 17](#)) (as amended (5.6.2023) by [S.I. 2023/520](#), [regs. 1\(2\), 3](#))

Modifications etc. (not altering text)

C8 Reg. 27C applied (with modifications) by [S.I. 2010/2215](#), [reg. 20\(1\)\(2C\)](#) (as inserted (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/1391\)](#), [regs. 1\(1\), 16\(b\)\(c\)](#) (with [regs. 1\(2\), 17](#))) (as amended (5.6.2023) by [S.I. 2023/520](#), [regs. 1\(2\), 3](#))

Consequential improvements to energy performance **E**

28.—(1) Paragraph (2) applies to an existing building with a total useful floor area over 1,000m² where the proposed building work consists of or includes—

- (a) an extension;
- (b) the initial provision of any fixed building services; or
- (c) an increase to the installed capacity of any fixed building services.

(2) Subject to paragraph (3), where this paragraph applies, such work, if any, shall be carried out as is necessary to ensure that the building complies with the requirements of Part L of Schedule 1.

(3) Nothing in paragraph (2) requires work to be carried out if it is not technically, functionally and economically feasible.

Extent Information

E4 This version of this provision applies to England only; a separate version has been created for Wales only

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Consequential improvements to energy performance **W**

^{F272}^{F273}**28.**—(1) Paragraph (3) applies to an existing building with a total useful floor area over 1000m² where the proposed building work consists of or includes—

- (a) the initial provision of any fixed building services; or
- (b) an increase to the installed capacity of any fixed building services.

(2) Paragraph (3) applies to an existing building where the proposed building work consists of or includes—

- (a) an extension; or
- (b) the extension of the building’s heating system or the provision of a fixed heating appliance, to heat a previously unheated space.

(3) Subject to paragraph (4), where this paragraph applies, such work, if any, shall be carried out as is necessary to ensure that the building complies with the requirements of Part L of Schedule 1.

(4) Nothing in paragraph (3) requires work to be carried out if it is not technically, functionally and economically feasible.]

Extent Information

E11 This version of this provision applies to Wales only; a separate version has been created for England only

Textual Amendments

F272 Reg. 28 substituted (W. for remaining purposes) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), 7(8) (with reg. 29)

F273 Reg. 28 substituted (W. but not in relation to excepted energy buildings) (31.7.2014) by [The Building \(Amendment\) \(Wales\) Regulations 2014 \(S.I. 2014/110\)](#), regs. 1(3), 8 (with regs. 1(2), 10)

Energy performance certificates

^{F196}^{F197}**29.**

Textual Amendments

F196 Reg. 29 omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), 2(13) (with reg. 1(3))

F197 Reg. 29 omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), 2(16) (with reg. 1(3))

Recommendation reports

^{F198}^{F199}**29A.**

Textual Amendments

F198 Regs. 29A-33 omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), 2(14) (with reg. 1(3))

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F199 Regs. 29A-33 omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(17)** (with reg. 1(3))

Energy assessors

F198F199 **30.**

Textual Amendments

F198 Regs. 29A-33 omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(14)** (with reg. 1(3))

F199 Regs. 29A-33 omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(17)** (with reg. 1(3))

Related party disclosures

F198F199 **31.**

Textual Amendments

F198 Regs. 29A-33 omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(14)** (with reg. 1(3))

F199 Regs. 29A-33 omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(17)** (with reg. 1(3))

Duty of care

F198F199 **32.**

Textual Amendments

F198 Regs. 29A-33 omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(14)** (with reg. 1(3))

F199 Regs. 29A-33 omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(17)** (with reg. 1(3))

Right to copy documents

F198F199 **33.**

Textual Amendments

F198 Regs. 29A-33 omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(14)** (with reg. 1(3))

Status: Point in time view as at 15/06/2022.

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F199 Regs. 29A-33 omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(17)** (with reg. 1(3))

^{F200} **Application of building regulations to educational buildings, buildings of statutory undertakers and Crown Buildings**

34.—(1) Regulations [^{F201}11(3),] 21, 23(1)(a), ^{F202}[^{F203}25][^{F202}25(a)], 25A, 25B, 26 ^{F204}^{F205} ... and 35(1) apply (in so far as applicable by virtue of regulation 21) to—

- (a) educational buildings and buildings of statutory undertakers (notwithstanding section 4(1) of the Act);
- (b) Crown buildings; and
- (c) building work carried out or proposed to be carried out by Crown authorities.

(2) In this regulation “educational buildings and buildings of statutory undertakers” means buildings which fall within paragraphs (a), (b) or (c) of section 4(1) of the Act.]

Textual Amendments

F200 Reg. 34 substituted (6.2.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2013 \(S.I. 2013/181\)](#), regs. 1(3), **7**

F201 Word in reg. 34(1) inserted (E., but only in relation to educational buildings and buildings of statutory undertakers in W., Crown buildings in W., building work carried out or proposed to be carried out by Crown authorities in W., and excepted energy buildings in W.) (3.6.2013) by [The Building \(Amendment\) Regulations 2013 \(S.I. 2013/1105\)](#), regs. 1(2), **3(3)** (with reg. 1(3)(4))

F202 Word “25(a)” in reg. 34 substituted for “25” (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by [The Building Regulations &c. \(Amendment\) \(No.2\) Regulations 2013 \(S.I. 2013/1959\)](#), regs. 1(5), **7** (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

F203 Word “25” in reg. 34 substituted for “25(a)” (W. in relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **7(9)** (with reg. 29)

F204 Words in reg. 34(1) omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(18)** (with reg. 1(3))

F205 Words in reg. 34(1) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(15)** (with reg. 1(3))

Interpretation of Part 6

35.—(1) In this Part—

“building” means the building as a whole or parts of it that have been designed or altered to be used separately;

^{F206}[^{F207}“building envelope” in relation to a building means the walls, floor, roof, windows, doors, roof windows and roof-lights;

“Crown authority” means the Crown Estate Commissioners, a Minister of the Crown, a government department, any other person or body whose functions are performed on behalf of the Crown (not being a person whose functions are performed on behalf of Her Majesty in her private capacity), or a person acting in right of the Duchy of Lancaster or the Duchy of Cornwall;

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“Crown interest” means an interest belonging to Her Majesty in right of the Crown, or belonging to a Government Department, or held in trust for Her Majesty for the purposes of a government department;

“Crown building” means a building in which there is a Crown interest or a Duchy interest;

“Duchy interest” means an interest belonging to her Majesty in right of the Duchy of Lancaster, or belonging to the Duchy of Cornwall;]

“energy assessor” means an individual who is a member of an accreditation scheme approved by the Secretary of State in accordance with ^{F208}[^{F209}regulation 22 (accreditation schemes) of the Energy Performance of Buildings (England and Wales) Regulations 2012]; ^{F210}^{F211} ...

^{F212}[^{F213}“energy performance certificate” means a certificate which complies with the requirements of regulation 9 (energy performance certificates) or 9A (energy performance certificates in respect of excluded buildings) of the Energy Performance of Buildings (England and Wales) Regulations 2012;”;

“energy performance of a building” means the calculated or measured amount of energy needed to meet the energy demand associated with a typical use of the building, which includes, inter alia, energy used for heating, cooling, ventilation, hot water and lighting;]

^{F214}[^{F215}“fabric energy efficiency” means the space heating and cooling requirements per square metre of floor area of a new dwelling;]

^{F216}[^{F217}“major renovation” means the renovation of a building where more than 25% of the surface area of the building envelope undergoes renovation; ^{F218} ...

“nearly zero-energy building” means a building that has a very high energy performance, as determined in accordance with a methodology approved under regulation 24, where the nearly zero or very low amount of energy required should be covered to a very significant extent by energy from renewable sources, including energy from renewable sources produced on-site or nearby];

^{F214}[^{F219}“new dwelling” does not include a dwelling that is formed by a material change of use of a building].

^{F220}^{F221} ...

^{F222}^{F223} (2)

Textual Amendments

- F206** Words in reg. 35(1) inserted (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **20(a)** (with reg. 1(2)(3))
- F207** Words in reg. 35(1) inserted (E., but only in relation to educational buildings and buildings of statutory undertakers in W., Crown buildings in W., building work carried out or proposed to be carried out by Crown authorities in W., and excepted energy buildings in W.) (9.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 23(a)**, Sch. 1 (with reg. 1(3)(4), 45-47)
- F208** Words in reg. 35(1) substituted (W. for remaining purposes) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(19)(a)(i)** (with reg. 1(3))
- F209** Words in reg. 35(1) substituted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(16)(a)(i)** (with reg. 1(3))
- F210** Word in reg. 35(1) omitted (E., but only in relation to educational buildings and buildings of statutory undertakers in W., Crown buildings in W., building work carried out or proposed to be carried out by Crown authorities in W., and excepted energy buildings in W.) (9.1.2013) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 23(b)(i)**, Sch. 1 (with reg. 1(3)(4), 45-47)

Status: Point in time view as at 15/06/2022.

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- F211** Word in reg. 35(1) omitted (W. for remaining purposes) (19.4.2013) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **20(b)(i)** (with reg. 1(2)(3))
- F212** Words in reg. 35(1) inserted (W. for remaining purposes) (17.6.2016) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(19)(a)(ii)** (with reg. 1(3))
- F213** Words in reg. 35(1) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(16)(a)(ii)** (with reg. 1(3))
- F214** Definitions of “fabric energy efficiency” and “new dwelling” in reg. 35 omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **7(10)** (with reg. 29)
- F215** Words in reg. 35 inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by [The Building Regulations &c. \(Amendment\) \(No.2\) Regulations 2013 \(S.I. 2013/1959\)](#), regs. 1(5), **8** (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F216** Words in reg. 35(1) inserted (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **20(b)(ii)** (with reg. 1(2)(3))
- F217** Words in reg. 35(1) inserted (E., but only in relation to educational buildings and buildings of statutory undertakers in W., Crown buildings in W., building work carried out or proposed to be carried out by Crown authorities in W., and excepted energy buildings in W.) (9.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 23(b)(ii)**, Sch. 1 (with reg. 1(3)(4), 45-47)
- F218** Word in reg. 35 omitted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), regs. 1(4)(b), **2(7)(a)** (with reg. 1(3))
- F219** Words in reg. 35 inserted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), regs. 1(4)(b), **2(7)(b)** (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F220** Words in reg. 35(1) omitted (E., but only in relation to educational buildings and buildings of statutory undertakers in W., Crown buildings in W., building work carried out or proposed to be carried out by Crown authorities in W., and excepted energy buildings in W.) (9.1.2013) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 23(c)**, Sch. 1 (with reg. 1(3)(4), 45-47)
- F221** Words in reg. 35(1) omitted (W. for remaining purposes) (19.4.2013) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **20(b)(iii)** (with reg. 1(2)(3))
- F222** Reg. 35(2) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(16)(b)** (with reg. 1(3))
- F223** Reg. 35(2) omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(19)(b)** (with reg. 1(3))

PART 7

Water Efficiency

Water efficiency of new dwellings **E**

[^{F224}**36**—(1) The potential consumption of wholesome water by persons occupying a new dwelling must not exceed the requirement in paragraph (2).

(2) The requirement referred to in paragraph (1) is either—

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) 125 litres per person per day; or
- (b) in a case to which paragraph (3) applies, the optional requirement of 110 litres per person per day,

as measured in either case in accordance with a methodology approved by the Secretary of State.

(3) This paragraph applies where the planning permission under which the building work is carried out—

- (a) specifies the optional requirement in paragraph (2)(b); and
- (b) makes it a condition that that requirement must be complied with.

(4) In this Part, “new dwelling” does not include a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(g).]

Extent Information

E5 This version of this provision applies to England only; a separate version has been created for Wales only

Textual Amendments

F224 Reg. 36 substituted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), regs. 1(4)(b), **2(8)** (with regs. 1(3), 4) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

Water efficiency of new dwellings **W**

[^{F274}**36.**—(1) This regulation applies where a dwelling is—

- (a) erected; or
- (b) formed by a material change of use of a building within the meaning of regulation 5(a) or (b).

(2) The potential consumption of wholesome water by persons occupying a dwelling to which this regulation applies must not exceed the requirement in paragraph (3).

(3) The requirement referred to in paragraph (2) is—

- (a) where a dwelling is erected, 110 litres per person per day; or
- (b) where a dwelling is formed by a material change of use of a building within the meaning of regulation 5(a) or (b), 125 litres per person per day,

as measured in either case in accordance with a methodology approved by the Welsh Ministers.]

Extent Information

E12 This version of this provision applies to Wales only; a separate version has been created for England only

Textual Amendments

F274 Reg. 36 substituted (W.) (1.11.2018) by [The Building \(Amendment\) \(Wales\) Regulations 2018 \(S.I. 2018/552\)](#), regs. 1(3), **3(1)** (with reg. 6)

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Wholesome water consumption calculation **E**

[^{F225}37.—(1) Where regulation 36 applies, the person carrying out the work must give the local authority a notice which specifies—

- (a) which of the requirements in regulation 36(2)(a) or (b) applies to the dwelling; and
- (b) the potential consumption of wholesome water per person per day in relation to the completed dwelling.]

(2) The notice shall be given to the local authority not later than five days after the work has been completed.

Extent Information

E6 This version of this provision applies to England only; a separate version has been created for Wales only

Textual Amendments

F225 Reg. 37(1) substituted (E., but only in relation to excepted energy buildings in W.) (1.10.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), regs. 1(4)(b), **2(9)** (with regs. 1(3), 4) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

Modifications etc. (not altering text)

C9 Reg. 37 applied (with modifications) (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), regs. 1, **20(1)(4)**

Wholesome water consumption calculation **W**

[^{F275}37.—(1) Where regulation 36 applies, the person carrying out the work must give the local authority a notice which specifies the potential consumption of wholesome water per person per day in relation to the completed dwelling.]

(2) The notice shall be given to the local authority not later than five days after the work has been completed.

Extent Information

E13 This version of this provision applies to Wales only; a separate version has been created for England only

Textual Amendments

F275 Reg. 37(1) substituted (W.) (1.11.2018) by [The Building \(Amendment\) \(Wales\) Regulations 2018 \(S.I. 2018/552\)](#), regs. 1(3), **3(2)** (with reg. 6)

Modifications etc. (not altering text)

C18 Reg. 37 applied (with modifications) (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), regs. 1, **20(1)** (as amended (8.6.2018) by [S.I. 2018/558](#), regs. 1(2), **21** (with reg. 29))

F226[F227] PART 7A

Automatic fire suppression systems

Textual Amendments

F226 Pt. 7A inserted (with minor changes to the text of reg. 37A(1)(a) and matching text for substituted reg. 37A(1)(b)(i)) (W. for remaining purposes) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **9** (with reg. 29)

F227 Pt. 7A inserted (W., but not in relation to excepted energy buildings) (30.4.2014 for specified purposes, 1.1.2016 in so far as not already in force) by [The Building Regulations &c. \(Amendment No. 3\) and Domestic Fire Safety \(Wales\) Regulations 2013 \(S.I. 2013/2730\)](#), regs. 1(2), **4(2)** (with regs. 1(3), 6)

Provision of automatic fire suppression systems

37A.—(1) This regulation applies where building work consists of the erection or material change of use of a building in relation to—

- (a) care homes [F228, which][F229] means places at which a care home service, within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016, [F230:is] provided wholly or mainly to persons aged 18 or over];
- (b) rooms for residential purposes other than rooms in—
 - F226[F231](i) a hostel providing temporary accommodation to those who are ordinarily resident elsewhere;]
 - (ii) an hotel;
 - (iii) a prison or young offender institution; and
 - (iv) a hospital;

(c) dwelling-houses and flats,
subject to paragraphs (4) and (5).

(2) For the purposes of this regulation a material change of use comprises or includes a change of use within regulation 5 (a), (b), (c), (d), (g), (h) or (i).

(3) A building to which this regulation applies must be provided with an automatic fire suppression system which is installed and operates in accordance with the requirements set in regulation 37B.

(4) This regulation does not apply to buildings which are—

- (a) listed in accordance with section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- (b) in a conservation area designated in accordance with section 69 of that Act; or
- (c) included in the schedule of monuments maintained under section 1 of the Ancient Monuments and Archaeological Areas Act 1979,

where installation of a fire suppression system would unacceptably alter their character or appearance.

(5) This regulation does not apply to temporary buildings with a planned time of use of two years or less.

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F228** Word in reg. 37A(1)(a) inserted (W.) (13.1.2020) by [The Building \(Amendment\) \(Wales\) Regulations 2019 \(S.I. 2019/1499\)](#), regs. 1(4), **2(7)(a)** (with regs. 1(3), 3)
- F229** Words in reg. 37A(1)(a) substituted (W., but not in relation to excepted energy buildings) (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments to Secondary Legislation\) Regulations 2018 \(S.I. 2018/48\)](#), reg. 1(2), **Sch. 1 para. 23(2)**
- F230** Word in reg. 37A(1)(a) substituted (W.) (13.1.2020) by [The Building \(Amendment\) \(Wales\) Regulations 2019 \(S.I. 2019/1499\)](#), regs. 1(4), **2(7)(b)** (with regs. 1(3), 3)
- F231** Reg. 37A(1)(b)(i) substituted (W., but not in relation to excepted energy buildings) (1.4.2018) by [The Building \(Amendment\) \(Wales\) Regulations 2017 \(S.I. 2017/1274\)](#), regs. 1(2)(c), **2(2)** (with regs. 1(3), 3)

Requirements of automatic fire suppression systems

37B. For the purposes of regulation 37A(3), the requirements of an automatic fire suppression system are the requirements set out in any document approved and issued under section 6 of the Building Act 1984 for the purpose of providing practical guidance as to the requirements of regulation 37A.]

PART 8

Information to be Provided by the Person Carrying Out Work

Fire safety information

38.—(1) This regulation applies where building work—

- (a) consists of or includes the erection or extension of a relevant building; or
- (b) is carried out in connection with a relevant change of use of a building,

and Part B of Schedule 1 imposes a requirement in relation to the work.

(2) The person carrying out the work shall give fire safety information to the responsible person not later than the date of completion of the work, or the date of occupation of the building or extension, whichever is the earlier.

(3) In this regulation—

- (a) “fire safety information” means information relating to the design and construction of the building or extension, and the services, fittings and equipment provided in or in connection with the building or extension which will assist the responsible person to operate and maintain the building or extension with reasonable safety;
- (b) a “relevant building” is a building to which the Regulatory Reform (Fire Safety) Order 2005 applies, or will apply after the completion of building work;
- (c) a “relevant change of use” is a material change of use where, after the change of use takes place, the Regulatory Reform (Fire Safety) Order 2005 will apply, or continue to apply, to the building; and
- (d) “responsible person” has the meaning given by article 3 of the Regulatory Reform (Fire Safety) Order 2005.

Information about ventilation

39.—(1) This regulation applies where paragraph F1(1) of Schedule 1 imposes a requirement in relation to building work.

(2) The person carrying out the work shall not later than five days after the work has been completed give sufficient information to the owner about the building's ventilation system and its maintenance requirements so that the ventilation system can be operated in such a manner as to provide adequate means of ventilation.

Information about use of fuel and power

40.—(1) This regulation applies where paragraph L1 of Schedule 1 imposes a requirement in relation to building work.

(2) The person carrying out the work shall not later than five days after the work has been completed provide to the owner sufficient information about the building, the fixed building services and their maintenance requirements so that the building can be operated in such a manner as to use no more fuel and power than is reasonable in the circumstances.

[^{F232}Information about systems for on-site generation of electricity

40A.—(1) This regulation applies to building work in respect of a building in relation to which paragraph L2 of Schedule 1 applies.

(2) The person carrying out the work must, not later than five days after the work has been completed, provide to the owner sufficient information about the system for on-site electricity generation in respect of its operation and maintenance requirements so that the system may be operated and maintained in such a manner as to produce the maximum electricity that is reasonable in the circumstances and delivers this electricity to the optimal place for use.

Textual Amendments

F232 Regs. 40A, 40B inserted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/1391\)](#), regs. 1(1), **8** (with regs. 1(2), 17)

Information about overheating

40B.—(1) This regulation applies to building work in respect of a building where Part O of Schedule 1 applies.

(2) The person carrying out the work must, not later than five days after the work has been completed, give sufficient information to the owner about the provision made in accordance with Part O so that the systems in place further to Part O can be operated in such a manner as to protect against overheating.]

Textual Amendments

F232 Regs. 40A, 40B inserted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/1391\)](#), regs. 1(1), **8** (with regs. 1(2), 17)

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART 9

Testing and Commissioning

Sound insulation testing

- 41.**—(1) Subject to paragraph (4) below, this regulation applies to—
- (a) building work in relation to which paragraph E1 of Schedule 1 imposes a requirement; and
 - (b) work which is required to be carried out to a building to ensure that it complies with paragraph E1 of Schedule 1 by virtue of regulation 6(1)(f) or 6(2)(b).
- (2) Where this regulation applies, the person carrying out the work shall, for the purpose of ensuring compliance with paragraph E1 of Schedule 1—
- (a) ensure that appropriate sound insulation testing is carried out in accordance with a procedure approved by the Secretary of State; and
 - (b) give a copy of the results of the testing referred to in sub-paragraph (a) to the local authority.
- (3) The results of the testing referred to in paragraph (2)(a) shall be—
- (a) recorded in a manner approved by the Secretary of State; and
 - (b) given to the local authority in accordance with paragraph (2)(b) not later than the date on which the notice required by regulation 16(4) is given.
- (4) Where building work consists of the erection of a dwelling-house or a building containing flats, this regulation does not apply to any part of the building in relation to which the person carrying out the building work notifies the local authority, not later than the date on which notice of commencement of the work is given under regulation 16(1), that, for the purpose of achieving compliance of the work with paragraph E1 of Schedule 1, the person is using one or more design details approved by Robust Details Limited^{M16}, provided that—
- (a) the notification specifies—
 - (i) the part or parts of the building in respect of which the person is using the design detail;
 - (ii) the design detail concerned; and
 - (iii) the unique number issued by Robust Details Limited in respect of the specified use of that design detail; and
 - (b) the building work carried out in respect of the part or parts of the building identified in the notification is in accordance with the design detail specified in the notification.

Modifications etc. (not altering text)

- C10** Reg. 41 modified (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), regs. 1, **20(5)** (as amended (1.10.2023) by [S.I. 2023/906](#), regs. 1(2), **13(1)(d)**)
- C11** Reg. 41 applied (with modifications) (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), regs. 1, **20(1)(5)**

Marginal Citations

- M16** A company formed and registered under the Companies Acts with the registration number 04980223.

Mechanical ventilation air flow rate testing

42.—(1) This regulation applies where paragraph F1(1) of Schedule 1 imposes a requirement in relation to the creation of a new dwelling by building work.

(2) The person carrying out the work shall, for the purpose of ensuring compliance with paragraph F1(1) of Schedule 1—

- (a) ensure that testing of the mechanical ventilation air flow rate is carried out in accordance with a procedure approved by the Secretary of State; and
 - (b) give notice of the results of the testing to the local authority.
- (3) The notice referred to in paragraph (2)(b) shall—
- (a) record the results and the data upon which they are based in a manner approved by the Secretary of State; and
 - (b) be given to the local authority not later than five days after the final test is carried out.

Modifications etc. (not altering text)

C12 Reg. 42 applied (with modifications) (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), [regs. 1, 20\(1\)](#) (as amended (8.6.2018) by [S.I. 2018/558](#), [regs. 1\(2\), 21](#) (with [reg. 29](#)))

Pressure testing

43.—(1) This regulation applies to the erection of a building in relation to which paragraph L1(a)(i) of Schedule 1 imposes a requirement.

(2) Where this regulation applies, the person carrying out the work shall, for the purpose of ensuring compliance with regulation 26 ^{F233}[^{F234}and regulation 26A] and paragraph L1(a)(i) of Schedule 1—

- (a) ensure that—
 - (i) pressure testing is carried out in such circumstances as are approved by the Secretary of State; and
 - (ii) the testing is carried out in accordance with a procedure approved by the Secretary of State; and
 - (b) subject to paragraph (5), give notice of the results of the testing to the local authority.
- (3) The notice referred to in paragraph (2)(b) shall—
- (a) record the results and the data upon which they are based in a manner approved by the Secretary of State; and
 - (b) be given to the local authority not later than seven days after the final test is carried out.

(4) A local authority are authorised to accept, as evidence that the requirements of paragraph (2)(a)(ii) have been satisfied, a certificate to that effect by a person who is registered by ^{F235}[^{F236}... ^{F237}[^{F238}, the Independent Air Tightness Testing Scheme Limited]] [^{F237}Elmhurst Energy Systems Limited] [^{F239}[^{F240}or the Air Tightness Testing and Measurement Association]] in respect of pressure testing for the air tightness of buildings.

(5) Where such a certificate contains the information required by paragraph (3)(a), paragraph (2)(b) does not apply.

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F233** Words “and regulation 26A” in [reg. 43\(2\)](#) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), [regs. 1\(2\)](#), **10** (with [reg. 29](#))
- F234** Words in [reg. 43\(2\)](#) inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by [The Building Regulations &c. \(Amendment\) Regulations 2014 \(S.I. 2014/579\)](#), [regs. 1\(4\)](#), **2(7)** (with [reg. 1\(3\)](#)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F235** Words in [reg. 43\(4\)](#) omitted (W. for remaining purposes) (31.12.2015) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2015 \(S.I. 2015/1486\)](#), [regs. 1\(3\)\(b\)](#), **4(b)** (with [reg. 1\(2\)](#))
- F236** Words in [reg. 43\(4\)](#) omitted (E., but only in relation to excepted energy buildings in W.) (31.12.2015) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), [regs. 1\(4\)\(c\)](#), **2(10)(b)** (with [reg. 1\(3\)](#))
- F237** Words in [reg. 43\(4\)](#) substituted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/1391\)](#), [regs. 1\(1\)](#), **9** (with [reg. 1\(2\)](#))
- F238** Words in [reg. 43\(4\)](#) added (E., but only in relation to excepted energy buildings in W.) (18.4.2015) by [The Building Regulations &c. \(Amendment\) Regulations 2015 \(S.I. 2015/767\)](#), [regs. 1\(4\)\(a\)](#), **2(10)(a)** (with [reg. 1\(3\)](#))
Words in [reg. 43\(4\)](#) inserted (W. for remaining purposes) (31.7.2015) by [The Building \(Amendment\) \(Wales\) Regulations 2015 \(S.I. 2015/1486\)](#), [regs. 1\(3\)\(a\)](#), **4(a)** (with [reg. 1\(2\)](#))
- F239** Words in [reg. 43\(4\)](#) inserted (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), [regs. 1\(4\)](#), **21** (with [reg. 1\(2\)\(3\)](#))
- F240** Words in [reg. 43\(4\)](#) inserted (E., but only in relation to excepted energy buildings in W.) (9.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), [reg. 24](#), [Sch. 1](#) (with [regs. 1\(3\)](#), 45-47)

Modifications etc. (not altering text)

- C13** [Reg. 43](#) applied (with modifications) (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), [regs. 1](#), **20(1)** as amended (W.) (25.4.2024) by [S.I. 2024/447](#), [regs. 1\(1\)](#), **3(h)** (with [reg. 6](#))

Commissioning

44.—(1) This regulation applies to building work in relation to which paragraph F1(2) of Schedule 1 imposes a requirement, but does not apply to the provision or extension of any fixed system for mechanical ventilation or any associated controls where testing and adjustment is not possible.

(2) This regulation also applies to building work in relation to which paragraph L1(b) of Schedule 1 imposes a requirement, but does not apply to the provision or extension of any fixed building service where testing and adjustment is not possible or would not affect the energy efficiency of that fixed building service.

(3) Where this regulation applies the person carrying out the work shall, for the purpose of ensuring compliance with paragraph F1(2) or L1(b) of Schedule 1, give to the local authority a notice confirming that the fixed building services have been commissioned in accordance with a procedure approved by the Secretary of State.

(4) The notice shall be given to the local authority—

- (a) not later than the date on which the notice required by regulation 16(4) is required to be given; or
- (b) where that regulation does not apply, not more than 30 days after completion of the work.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

- C14** Reg. 44 applied (with modifications) (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), regs. 1, **20(1)** (as amended (8.6.2018) by S.I. 2018/558, regs. 1(2), **21** (with reg. 29))
- C15** Reg. 44 modified (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), regs. 1, **20(6)**

[^{F241}Commissioning in respect of a system for on-site electricity generation

44ZA.—(1) This regulation applies to building work in respect of a building in relation to which paragraph L2 of Schedule 1 imposes a requirement, but does not apply to the provision or extension of any system for on-site electricity generation where testing and adjustment is not possible.

(2) Where this regulation applies the person carrying out the work must, for the purpose of ensuring compliance with paragraph L2 of Schedule 1, give to the local authority a notice confirming that the system for on-site electricity generation has been commissioned.

(3) The notice must be given to the local authority—

- (a) not later than the date on which the notice required by regulation 16(4) is required to be given; or
- (b) where that regulation does not apply, not more than 30 days after completion of the work.]

Textual Amendments

- F241** Reg. 44ZA inserted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/1391\)](#), regs. 1(1), **10** (with regs. 1(2), 17) (as amended (5.6.2023) by S.I. 2023/520, regs. 1(2), **3**)

Modifications etc. (not altering text)

- C16** Reg. 44ZA applied (with modifications) by S.I. 2010/2215, **reg. 20(1)(6A)** (as inserted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2021 \(S.I. 2021/1391\)](#), regs. 1(1), **16** (with regs. 1(2), 17)) (as amended (5.6.2023) by S.I. 2023/520, regs. 1(2), **3**)

^{F242}[^{F243}PART 9A

Physical infrastructure for high speed electronic communications networks

Textual Amendments

- F242** Pt. 9A inserted (with s. 44A(1)(2) and without s. 44B(a)(iii) and word) (E., but only in relation to excepted energy buildings in W.) (9.5.2016) by [The Building \(Amendment\) Regulations 2016 \(S.I. 2016/490\)](#), regs. 1(4), **2(4)** (with regs. 1(3), 3) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]
- F243** Pt. 9A inserted (W. but not in relation to excepted energy buildings) (8.4.2016) by [The Building \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/361\)](#), regs. 1(4), **2(4)** (with regs. 1(3), 3)

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Application of paragraph R1 of Schedule 1 to educational buildings, buildings of statutory undertakers and Crown buildings **E**

^{F242}44A.—(1) The requirements of paragraph R1 (in-building physical infrastructure for high-speed electronic communications networks) of Schedule 1 apply (insofar as applicable to other buildings) also to—

- (a) educational buildings and buildings of statutory undertakers (notwithstanding section 4(1) of the Act);
- (b) Crown buildings; and
- (c) building work carried out or proposed to be carried out by Crown authorities.

(2) In this regulation “educational buildings and buildings of statutory undertakers” means buildings that fall within paragraphs (a), (b) or (c) of section 4(1) of the Act]

Extent Information

E7 This version of this provision applies to England only; a separate version has been created for Wales only

^{F276}Application of paragraph R1 of Schedule 1 to educational buildings, buildings of statutory undertakers and Crown buildings **W**

^{F277}44A. The requirements of paragraph R1 (in-building physical infrastructure for high-speed electronic communications networks) of Schedule 1 apply to—

- (a) educational buildings and buildings of statutory undertakers, falling within paragraphs (a), (b) or (c) of section 4(1) of the Act (notwithstanding section 4(1) of the Act);
- (b) Crown buildings; and
- (c) building work carried out or proposed to be carried out by Crown authorities.]]

Extent Information

E14 This version of this provision applies to Wales only; a separate version has been created for England only

Textual Amendments

F276 Pt. 9A inserted (W. but not in relation to excepted energy buildings) (8.4.2016) by [The Building \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/361\)](#), regs. 1(4), **2(4)** (with regs. 1(3), 3)

F277 Reg. 44A substituted (W. for remaining purposes) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **11(1)** (with reg. 29)

Exemptions from paragraph R1 of Schedule 1

44B. The requirements of paragraph R1 (in-building physical infrastructure for high-speed electronic communications networks) of Schedule 1 do not apply to the following types of building or building work—

- (a) buildings which are—

- (i) listed in accordance with section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990, ^{F244}[^{F242}or]
 - (ii) in a conservation area designated in accordance with section 69 of that Act, ^{F245}[^{F242}or
 - (iii) included in the schedule of monuments maintained under section 1 of the Ancient Monuments and Archaeological Areas Act 1979,]
- where compliance with paragraph R1 of Schedule 1 would unacceptably alter their character or appearance;
- (b) buildings—
 - (i) occupied by the Ministry of Defence or the armed forces of the Crown, or
 - (ii) otherwise occupied for purposes connected to national security;
 - (c) buildings situated in isolated areas where the prospect of high-speed connection is considered too remote to justify equipping the building with high-speed ready in-building physical infrastructure or an access point;
 - (d) major renovation works in cases in which the cost of compliance with paragraph R1 of Schedule 1 would be disproportionate to the benefit gained.

Textual Amendments

- F244** Word "or" in reg. 44B(a)(i) omitted (W. in relation to excepted energy buildings) (8.6.2018) by virtue of [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **11(2)(a)** (with reg. 29)
- F245** Reg. 44B(a)(iii) and word "; or" inserted (W. in relation to excepted energy buildings) (8.6.2018) by [The Building Regulations &c. \(Amendment\) \(Excepted Energy Buildings\) \(Wales\) Regulations 2018 \(S.I. 2018/558\)](#), regs. 1(2), **11(2)(b)(c)** (with reg. 29)

Interpretation of Part R of Schedule 1

44C. In Part R of Schedule 1—

“access point” means a physical point, located inside or outside the building, accessible to undertakings providing or authorised to provide public communications networks, where connection to the high-speed ready in-building physical infrastructure is made available;

“high-speed electronic communications network” means an electronic communications network which is capable of delivering broadband access services at speeds of at least 30 Mbps;

“high-speed ready in-building physical infrastructure” means in-building physical infrastructure intended to host elements, or enable delivery, of high-speed electronic communications networks;

“in-building physical infrastructure” means physical infrastructure or installations at the end-user’s location, including elements under joint ownership, intended to host wired or wireless access networks, where such access networks are capable of delivering electronic communications services and connecting the building access point with the network termination point;

“major renovation works” means works at the end-user’s location encompassing structural modifications of the entire in-building physical infrastructure, or of a significant part of it;

“network termination point” means a physical point at which an occupier is provided with access to high-speed electronic communications networks.]

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

[^{F246}PART 9B

Infrastructure for the charging of electric vehicles

Textual Amendments

F246 Pt. 9B inserted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) \(No. 2\) Regulations 2021 \(S.I. 2021/1392\)](#), regs. 1(2), 2(3) (with regs. 1(4), 4)

Application of paragraph S1 of Schedule 1 (the erection of new residential buildings)

44D.—(1) The requirements of paragraph S1 of Schedule 1 apply in relation to the erection of a new residential building with associated parking as follows.

(2) The number of electric vehicle charge points that must be installed is the maximum number of electric vehicle charge points that it is possible to install at an average sum of £3600 or less for the connection cost of each electric vehicle charge point connection (“the £3600 cap”).

(3) If it is not possible to completely fulfil the requirements of paragraph S1(2) of Schedule 1 as a result of the operation of the £3600 cap, cable routes for electric vehicle charge points must be installed in the associated parking spaces that would otherwise be required to have electric vehicle charge points, but for the operation of the £3600 cap.

(4) Where the new residential building has, or will have, associated parking that is situated within a covered car park—

- (a) if there are or will be any associated parking spaces situated in a position other than in a covered car park—
 - (i) the requirements of paragraph S1 of Schedule 1 must first be applied in relation to those parking spaces; then
 - (ii) if the number of associated parking spaces, which are situated in a position other than in a covered car park, is insufficient to completely fulfil the requirements of paragraph S1(2) of Schedule 1, cable routes for electric vehicle charge points must be installed in—
 - (aa) the number of parking spaces in the covered car park which, when added to the number of associated parking spaces which are situated in a position other than in the covered car park, corresponds to the total number of dwellings with associated parking, where the total number of associated parking spaces is 10 or less;
 - (bb) all the associated parking spaces in the covered car park, where the total number of associated parking spaces is both less than the number of dwellings with associated parking and 10 or less; and
 - (cc) all the associated parking spaces in the covered car park, where the total number of associated parking spaces is more than 10;
- (b) if all the associated parking spaces are situated in a covered car park, cable routes for electric vehicle charge points must be installed—
 - (i) where there are 10 or fewer parking spaces—
 - (aa) in the number of associated parking spaces in the covered car park which corresponds to the total number of dwellings with associated parking;
 - (bb) in all the parking spaces where there are fewer parking spaces than there are dwellings;

- (ii) in all the parking spaces in the covered car park, where there are more than 10 parking spaces.

Application of paragraph S2 of Schedule 1 (dwellings resulting from a material change of use)

44E.—(1) The requirements of paragraph S2 of Schedule 1 apply to a building, or a part of a building, undergoing a material change of use to result in one or more dwellings as follows.

(2) The requirements of paragraph S2 of Schedule 1 apply—

(a) if—

- (i) the circumstances specified in regulation 5(a), (b) or (g) apply; and
- (ii) the material change of use involves building work being done which includes work being done to any of the following—

- (aa) to a car park that is located within the site boundary of the building, where the nature of the work is such that it would be reasonable to expect that work to include enabling the requirements of paragraph S2 of Schedule 1 to be fulfilled;

- (bb) the electrical infrastructure of a car park, where that car park is located within the site boundary of the building;

- (cc) the electrical infrastructure of the building, where a car park is located inside the building;

- (b) subject to paragraph (3), if an electric vehicle charge point for each dwelling resulting from a building, or a part of a building, undergoing a material change of use can be accommodated within the incoming electrical supply to the building without having to upgrade the capacity of the incoming electrical supply to the building; and

- (c) if the building is not one in relation to which paragraph (4) applies.

(3) If paragraph (2)(a) and (c) applies, but electric vehicle charge points for some but not all of the dwellings resulting from a building, or a part of a building, undergoing a material change of use can be accommodated within the incoming electrical supply to that building—

- (a) the requirements of paragraph S2 of Schedule 1 apply in respect of the maximum number of electric vehicle charge points that can be accommodated within the incoming electrical supply; and

- (b) cable routes for electric vehicle charge points must be installed in the associated parking spaces that would otherwise have been required under paragraph S2 of Schedule 1 to have had electric vehicle charge points installed.

(4) The requirements of paragraph S2 of Schedule 1 do not apply if a building, or a part of a building, is—

- (a) listed in accordance with section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990;

- (b) in a conservation area designated in accordance with section 69 of that Act; or

- (c) included in the schedule of monuments maintained under section 1 of the Ancient Monuments and Archaeological Areas Act 1979,

where compliance with the requirements of paragraph S2 of Schedule 1 would unacceptably alter the building's character or appearance.

(5) If the building, or a part of a building, undergoing a material change of use to result in one or more dwellings has, or will have, associated parking that is situated within a covered car park—

Status: Point in time view as at 15/06/2022.

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- (a) if there are or will be any associated parking spaces situated in a position other than in a covered car park—
 - (i) the requirements of paragraph S2 of Schedule 1 must first be applied in relation to those associated parking spaces; then
 - (ii) if the number of associated parking spaces, which are situated in a position other than in a covered car park, is insufficient to completely fulfil the requirements of paragraph S2 of Schedule 1, cable routes for electric vehicle charge points must be installed in—
 - (aa) all the associated parking spaces in the covered car park, where the total number of parking spaces is less than the number of such dwellings with associated parking; or
 - (bb) the number of associated parking spaces in the covered car park which, when added to the number of associated parking spaces which are situated in a position other than in a covered car park, corresponds to the total number of such dwellings with associated parking;
- (b) if all the associated parking spaces are situated in a covered car park, cable routes for electric vehicle charge points must be installed in—
 - (i) all those associated parking spaces, where there are fewer parking spaces than there are such dwellings with associated parking; or
 - (ii) the number of those associated parking spaces that corresponds to the total number of such dwellings with associated parking.

Application of paragraph S3 of Schedule 1 (residential buildings undergoing major renovation)

44F.—(1) The requirements of paragraph S3 of Schedule 1 apply to a residential building undergoing major renovation as follows.

- (2) The requirements of paragraph S3 of Schedule 1 apply if—
 - (a) the major renovation involves building work being done which includes work being done to any of the following—
 - (i) a car park that is located within the site boundary of the building, where the nature of the work is such that it would be reasonable to expect that work to include enabling the requirements of paragraph S3 of Schedule 1 to be fulfilled;
 - (ii) the electrical infrastructure of a car park, where the car park is located within the site boundary of the building;
 - (iii) the electrical infrastructure of the building, where a car park is located inside the building;
 - (b) the residential building will have more than 10 associated parking spaces upon completion of that work;
 - (c) subject to paragraph (3), all the required electric vehicle charge points can be accommodated within the incoming electrical supply to the building;
 - (d) the cost of installing all the required electric vehicle charge points and cable routes for electric vehicle charge points does not exceed 7% of the total cost of the major renovation; and
 - (e) the residential building is not one in relation to which paragraph (5) applies.
- (3) If paragraph (2)(a), (b) and (e) applies, but all the required electric vehicle charge points cannot be accommodated within the incoming electrical supply to the building—

- (a) the requirements of paragraph S3 of Schedule 1 apply in respect of the maximum number of electric vehicle charge points that can be accommodated within the incoming electrical supply to the building; and
 - (b) cable routes for electric vehicle charge points must be installed in all remaining associated parking spaces.
- (4) If the cost of installing the required electric vehicle charge points and cable routes for electric vehicle charge points exceeds 7% of the total cost of the major renovation—
- (a) the residential building is exempt from the requirement to install any electric vehicle charge point; and
 - (b) cable routes for electric vehicle charge points must be installed in all associated parking spaces, except where the cost of that installation exceeds 7% of the total cost of the major renovation.
- (5) The requirements of paragraph S3 of Schedule 1 do not apply to a residential building which is undergoing major renovation for the principal purpose of improving the fire safety of the external walls or roof of the building.
- (6) If a residential building undergoing major renovation has, or will have more than 10 associated parking spaces—
- (a) if there are or will be any associated parking spaces situated in a position other than in a covered car park—
 - (i) the requirements of paragraph S3 of Schedule 1 must first be applied in relation to those associated parking spaces; then
 - (ii) cable routes for electric vehicle charge points must be installed in all the associated parking spaces in the covered car park;
 - (b) if all the associated parking spaces are situated in a covered car park, cable routes for electric vehicle charge points must be installed in all the parking spaces in the covered car park.

Application of paragraph S4 of Schedule 1 (erection of new buildings which are not residential buildings or mixed-use buildings)

44G.—(1) The requirements of paragraph S4 of Schedule 1 apply to the erection of a new building which is not a residential building or a mixed-use building (“new building”) as follows.

- (2) If such a new building has, or will have, within its site boundary, more than 10 parking spaces—
- (a) if there are or will be any parking spaces situated in a position other than in a covered car park—
 - (i) the requirements of paragraph S4 of Schedule 1 must first be applied in relation to those parking spaces; then
 - (ii) if the number of parking spaces which are situated in a position other than in a covered car park is insufficient to completely fulfil the requirements of paragraph S4 of Schedule 1, cable routes for electric vehicle charge points must be installed in a sufficient number of parking spaces in the covered car park in order to ensure compliance with the requirements of paragraph S4(b) of Schedule 1;
 - (b) if all the parking spaces are situated in a covered car park, cable routes for electric vehicle charge points must be installed in a minimum of one fifth of the total number of those parking spaces.

Status: Point in time view as at 15/06/2022.

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Application of paragraph S5 of Schedule 1 (buildings undergoing major renovation which are not residential buildings or mixed-use buildings)

44H.—(1) The requirements of paragraph S5 of Schedule 1 apply to a building undergoing major renovation, which is not a residential building or a mixed-use building, as follows.

- (2) The requirements of paragraph S5 of Schedule 1 apply to such a building if—
- (a) the major renovation involves building work being done which includes work being done to any of the following—
 - (i) a car park that is located within the site boundary of the building, where the nature of the work is such that it would be reasonable to expect the requirements of paragraph S5 of Schedule 1 to be fulfilled;
 - (ii) the electrical infrastructure of a car park, where the car park is located within the site boundary of the building;
 - (iii) the electrical infrastructure of the building, where a car park is located inside the building;
 - (b) upon completion of that major renovation, the building will have more than 10 parking spaces situated within the site boundary of the building;
 - (c) the cost of installing the required electric vehicle charge point and cable routes for electric vehicle charge points does not exceed 7% of the total cost of the major renovation.
- (3) If the cost of installing the required electric vehicle charge point and cable routes for electric vehicle charge points exceeds 7% of the total cost of the major renovation—
- (a) such a building is exempt from the requirement to install the electric vehicle charge point; and
 - (b) cable routes for electric vehicle charge points must be installed in a minimum of one fifth of the total number of parking spaces, except where the cost of that installation exceeds 7% of the total cost of the major renovation.
- (4) If such a building has, or will have, within its site boundary, more than 10 parking spaces—
- (a) if there are or will be any parking spaces situated in a position other than in a covered car park—
 - (i) the requirements of paragraph S5 of Schedule 1 must first be applied in relation to those parking spaces; then
 - (ii) if the number of parking spaces which are situated in a position other than in a covered car park is insufficient to completely fulfil the requirements of paragraph S5 of Schedule 1, cable routes for electric vehicle charge points must be installed in the number of parking spaces in the covered car park in order to ensure compliance with the requirements of paragraph S5(b) of Schedule 1;
 - (b) if all the parking spaces are situated in a covered car park, cable routes for electric vehicle charge points must be installed in a minimum of one fifth of the total number of those parking spaces.

Application of paragraph S6 of Schedule 1 (the erection of new mixed-use buildings and mixed-use buildings undergoing major renovation)

44I.—(1) The requirements of paragraph S6 of Schedule 1 apply to the erection of a new mixed-use building and a mixed-use building undergoing major renovation as follows.

- (2) The requirements of paragraph S6 of Schedule 1 apply if, upon completion, such a mixed-use building will have at least one parking space situated within the site boundary of the building.
- (3) If such a mixed-use building has, or will have, within its site boundary, a covered car park—

- (a) if there are or will be any parking spaces situated in a position other than in a covered car park—
 - (i) the requirements of paragraph S6 of Schedule 1 must first be applied in relation to those parking spaces; then
 - (ii) if the number of parking spaces, which are situated in a position other than in a covered car park, is insufficient to completely fulfil the requirements of paragraph S6 of Schedule 1, cable routes for electric vehicle charge points must be installed in accordance with—
 - (aa) regulation 44D(4)(a), in relation to the associated parking spaces for one or more dwellings in a new mixed-use building;
 - (bb) regulation 44F(6)(a), in relation to the associated parking spaces for one or more dwellings in a mixed-use building undergoing major renovation;
 - (cc) regulation 44G(2)(a), in relation to the parking spaces for one or more premises that are not dwellings in a new mixed-use building;
 - (dd) regulation 44H(4)(a), in relation to the parking spaces for one or more premises that are not dwellings in a mixed-use building undergoing major renovation;
- (b) if all the parking spaces are situated in a covered car park, cable routes for electric vehicle charge points must be installed in accordance with—
 - (i) regulation 44D(4)(b), in relation to the associated parking spaces for one or more dwellings in a new mixed-use building;
 - (ii) regulation 44F(6)(b), in relation to the associated parking spaces for one or more dwellings in a mixed-use building undergoing major renovation;
 - (iii) regulation 44G(2)(b), in relation to the parking spaces for one or more new premises that are not dwellings in a new mixed-use building;
 - (iv) regulation 44H(4)(b), in relation to the parking spaces for one or more premises that are not dwellings in a mixed-use building undergoing major renovation.

Minimum standards of an electric vehicle charge point

44J.—(1) For the purposes of this Part and Part S of Schedule 1, an electric vehicle charge point must meet the following minimum standards.

- (2) It must be capable of providing a reasonable power output for each parking space for which it is intended to be used.
- (3) It must be run on a dedicated circuit.
- (4) It must be compatible with all vehicles which may require access to it.

Interpretation of this Part and Part S of Schedule 1

44K. In this Part and Part S of Schedule 1—

“associated parking”, or “associated parking space”, in relation to a building, means any parking space that is available within the site boundary of the building, for the use by the occupant of, or a visitor to, a dwelling in the building, including any parking space which is for the use of any occupant of, or any visitor to, any dwelling in a building containing more than one dwelling;

“building envelope” in relation to a building means the walls, floor, roof, windows, doors, roof windows and roof-lights;

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“cable route” means a safe, unobstructed route from the power supply to the envisaged electric vehicle charge point location, for electrical cabling to be installed in the future;

“carport” means a shelter for one or more vehicles that—

- (a) has a roof;
- (b) has one or more open sides; and
- (c) is not situated underneath or inside a building;

“connection cost” means the cost of upgrades needed to the electricity system in order to accommodate an electric vehicle charge point, excluding the cost of any building work or the cost of the electric vehicle charge point itself;

“covered car park” means one or more parking spaces which are situated beneath a roof, but it does not include a carport or a residential garage;

“electric vehicle” means a vehicle that is capable of being propelled by electrical power derived from a storage battery;

“electric vehicle charge point” means a device intended for charging a vehicle that is capable of being propelled by electrical power derived from a storage battery (or for discharging electricity stored in such a vehicle);

“major renovation” means the renovation of a building where more than 25% of the surface area of the building envelope undergoes renovation;

“mixed-use building” means a building which contains—

- (a) one or more dwellings; and
- (b) one or more premises that are not dwellings;

“residential building”—

- (a) means a building which contains one or more dwellings; and
- (b) does not include a mixed-use building;

“residential garage” means a structure with at least three enclosed sides and a roof for housing one or more vehicles, for the sole use of the occupant of, or a visitor to, a single dwelling;

“site boundary”, in relation to a building in respect of which building work is being carried out, means the boundary of the land, upon which that building is situated, that is controlled or owned by the same person who owns—

- (a) that building; or
- (b) in the case of the erection of a new building, the land upon which building work is being carried out;

“vehicle” means a vehicle that is intended or adapted for use on roads.]

PART 10

Miscellaneous

Testing of building work

45. The local authority may make such tests of any building work as may be necessary to establish whether it complies with regulation 7 or any of the applicable requirements contained in Schedule 1.

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Sampling of material

46. The local authority may take such samples of the material to be used in the carrying out of building work as may be necessary to enable them to ascertain whether such materials comply with the provisions of these Regulations.

Contravention of certain regulations not to be an offence

F247[F248] 47. The following regulations are designated as provisions to which section 35 of the Act (penalty for contravening building regulations) does not apply—

- (a) regulations 17, 17A, 25A, 27, F247[F249]27A,]F247F250 ... 37, 41, 42, 43 and 44; and
(b) regulations 23, 25B and 26, in so far as these Regulations apply to Crown buildings or to building work carried out or proposed to be carried out by Crown authorities.]

Textual Amendments

F247 Reg. 47 substituted (with corresponding changes to match the changes made for E. by S.I. 2012/3119, reg. 25, S.I. 2014/579, reg. 2(8) and S.I. 2016/285, reg. 2(17)) (W.) (1.11.2018) by The Building (Amendment) (Wales) Regulations 2018 (S.I. 2018/552), regs. 1(3), 4 (with reg. 6)

F248 Reg. 47 substituted (E., but only in relation to excepted energy buildings in W.) (9.1.2013) by The Building Regulations &c. (Amendment) Regulations 2012 (S.I. 2012/3119), reg. 25, Sch. 1 (with regs. 1(3), 45-47) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

F249 Word in reg. 47 inserted (E., but only in relation to excepted energy buildings in W.) (6.4.2014) by The Building Regulations &c. (Amendment) Regulations 2014 (S.I. 2014/579), regs. 1(4), 2(8) (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

F250 Word in reg. 47(a) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of The Building Regulations &c. (Amendment) Regulations 2016 (S.I. 2016/285), regs. 1(4), 2(17) (with reg. 1(3)) [Editorial note: This amendment no longer applies at all in relation to W. from 8.6.2018]

Electronic service of documents

48.—(1) Section 94A of the Act M17 (electronic service of documents) shall have effect as if the following documents were documents mentioned in subsection (7) of that section—

- (a) a building notice and any accompanying statement, description, particulars or plan under regulation 13;
(b) full plans and any accompanying statement under regulation 14;
(c) a notice under regulation 16;
(d) a completion certificate under regulation 17 F251[F252] or regulation 17A];
(e) an application for a regularisation certificate under regulation 18(2);
(f) a regularisation certificate under regulation 18(5);
(g) a certificate or notice under regulation 20;
F253[F254] (ga) a notice under regulation 25A;]
(h) a notice under regulation 27(2) or (3);
F255F256 (i)
F255F256 (j)
(k) a notice under regulation 37(1);

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- (l) results of sound insulation testing under regulation 41(2)(b);
 - (m) a notice under regulation 42(2)(b);
 - (n) a notice of the results of pressure testing under regulation 43(2)(b);
 - (o) a notice under regulation 44(3).
- (2) Where full plans are deposited by means of an electronic communication in accordance with section 94A of the Act, regulation 14 shall apply as if—
- (a) sub-paragraph (a) of paragraph (2) were omitted;
 - (b) in sub-paragraph (b) of that paragraph—
 - (i) the words “ a copy ” were substituted for the words “an additional two copies”;
 - (ii) the word “ and ” was substituted for the words “, both of which”;
 - (c) in paragraph (6) the words “ a copy ” were substituted for the words “additional copies”.

Textual Amendments

- F251** Words in reg. 48(1)(d) inserted (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **23(a)** (with reg. 1(2)(3))
- F252** Words in reg. 48(1)(d) inserted (E., but only in relation to excepted energy buildings in W.) (9.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 26(a)**, Sch. 1 (with regs. 1(3), 45-47)
- F253** Reg. 48(1)(ga) inserted (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), regs. 1(4), **23(b)** (with reg. 1(2)(3))
- F254** Reg. 48(1)(ga) inserted (E., but only in relation to excepted energy buildings in W.) (9.1.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), **reg. 26(b)**, Sch. 1 (with regs. 1(3), 45-47)
- F255** Reg. 48(1)(i)(j) omitted (E., but only in relation to excepted energy buildings in W.) (6.4.2016) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2016 \(S.I. 2016/285\)](#), regs. 1(4), **2(18)** (with reg. 1(3))
- F256** Reg. 48(1)(i)(j) omitted (W. for remaining purposes) (17.6.2016) by virtue of [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2016 \(S.I. 2016/611\)](#), regs. 1(4), **2(21)** (with reg. 1(3))

Marginal Citations

- M17** Section 94A was inserted by [S.I. 2008/2334](#).

Transitional provisions: interpretation

49. In regulations 50 to 53—

“the 2009 Regulations” means the Building (Amendment No. 2) Regulations 2009 ^{M18};

^{F257} ...

Textual Amendments

- F257** Words in reg. 49 omitted (15.7.2011) by virtue of [The Building \(Amendment\) Regulations 2011 \(S.I. 2011/1515\)](#), regs. 1(2), **3(4)**

Marginal Citations

- M18** [S.I. 2009/2397](#) amended by [S.I. 2009/2465](#) and 2010/719.

Transitional provisions: work already started before 1st October

50.—(1) Subject to paragraph (2), where before 1st October 2010 building work is started in accordance with—

- (a) a building notice given to, or full plans deposited with, a local authority under regulation 12(2A) of the Building Regulations 2000 ^{M19} (giving of a building notice or deposit of plans) and a notice given to the local authority under regulation 15(1) of those Regulations ^{M20} (notice of commencement and completion of certain stages of work);
- (b) an initial notice or an amendment notice given in accordance with section 47(1) (giving and acceptance of initial notice) or 51A(2) of the Act ^{M21} (variation of work to which initial notice relates);
- (c) a public body's notice given in accordance with section 54 (giving, acceptance and effect of public body's notice) of the Act,

the Building Regulations 2000 as last amended by the 2009 Regulations shall continue to apply to that building work.

(2) Where before 1st October 2010 building work is started in accordance with an initial notice which is varied by an amendment notice given on or after that date, the Building Regulations 2000 as last amended by the 2009 Regulations shall continue to apply to so much of the building work as could have been carried out under that initial notice if the amendment notice had not been given.

(3) Where before 1st October 2010 building work is started to which regulation 12(5)(a) or (b) ^{M22} of the Building Regulations applies, the Building Regulations 2000 as last amended by the 2009 Regulations shall continue to apply to that building work.

Marginal Citations

M19 [S.I. 2000/2531](#); regulation 12(2A) was inserted by [S.I. 2006/652](#).

M20 Regulation 15(1) was amended by [S.I. 2002/440](#) and [2006/652](#).

M21 Section 47(1) was amended by section 8 of the [Sustainable and Secure Buildings Act 2004 \(c.22\)](#) and [S.I. 1996/1905](#). Section 51A(2) was inserted by [S.I. 1996/1905](#).

M22 Regulation 12(5) was substituted by [S.I. 2004/3210](#) and amended by [S.I. 2008/671](#).

Transitional provisions: work for which notification is not required

51. Where before 1st October 2010 a contract is entered into for the provision of building work to which regulation 12(5)(a) or (b) of the Building Regulations 2000 applies, the Building Regulations 2000 as last amended by the 2009 Regulations shall continue to apply to that work.

Transitional provisions: notice given or plans deposited before 1st October 2010

52.—(1) Subject to paragraph (2), the Building Regulations 2000 as last amended by the 2009 Regulations shall continue to apply in relation to building work where—

- (a) before 1st October 2010 a building notice, an initial notice, a plans certificate, an amendment notice or a public body's notice has been given to, or full plans deposited with, a local authority; and
- (b) the work is carried out or is to be carried out in accordance with any such notice or plans, whether with or without any departure from such plans,

provided that the work is started before 1st October 2011.

(2) Where an initial notice given before 1st October 2010 is varied by an amendment notice given on or after that date, the Building Regulations 2000 as last amended by the 2009 Regulations

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shall continue to apply to so much of the building work as could have been carried out under that initial notice if the amendment notice had not been given, provided that the work is started before 1st October 2011.

Transitional and saving provisions: earlier Building Regulations

53.—(1) If immediately before 1st October 2010 any of the transitional provisions listed in paragraph (2) applied in relation to building work, the Regulations specified in Schedule 5 shall continue to apply in relation to that building work in accordance with that provision as if these Regulations had not been made.

(2) The provisions are—
 regulation 4 of the Building (Amendment) Regulations 2001^{M23}; regulation 3 of the Building (Amendment) Regulations 2002^{M24}; regulations 3 and 4 of the Building (Amendment) (No. 2) Regulations 2002^{M25}; regulation 3 of the Building (Amendment) Regulations 2003^{M26}; regulation 3 of the Building (Amendment) Regulations 2004^{M27}; regulation 3 of the Building (Amendment) (No. 3) Regulations 2004^{M28}; regulations 29 to 34 of the Building and Approved Inspectors (Amendment) Regulations 2006^{M29} in so far as they relate to the Building Regulations 2000; regulation 4 of the Building and Approved Inspectors (Amendment) (No. 2) Regulations 2006^{M30} in so far as it relates to the Building Regulations 2000; regulation 4 of the Building and Approved Inspectors (Amendment) Regulations 2007^{M31} in so far as it relates to the Building Regulations 2000; regulations 4 to 8 of the Building and Approved Inspectors (Amendment) Regulations 2009^{M32} in so far as they relate to the Building Regulations 2000.

(3) Regulation 22A of the Building Regulations 2000^{M33} (time limit for prosecution for contravention of certain regulations) shall continue to have effect in relation to contraventions of building regulations committed before 22nd September 2008 as if the 2009 Regulations had not been made.

(4) If immediately before 1st October 2010 regulation 23 of the Building Regulations 2000 applied in relation to building work, the Regulations specified in Schedule 3 to those Regulations shall continue to apply in relation to that building work in accordance with that transitional provision as if these Regulations had not been made.

Marginal Citations

M23 S.I. 2001/3335.

M24 S.I. 2002/440.

M25 S.I. 2002/2871 amended by S.I. 2003/3133.

M26 S.I. 2003/2692.

M27 S.I. 2004/1465.

M28 S.I. 2004/3210.

M29 S.I. 2006/652.

M30 S.I. 2006/3318.

M31 S.I. 2007/3384.

M32 S.I. 2009/1219 amended by S.I. 2009/2465 and 2010/719.

M33 Regulation 22A was inserted by S.I. 2008/671 and is revoked by S.I. 2009/2397.

Revocations and consequential amendments

54.—^{F258}(1) The Regulations specified in the first column of the table in Schedule 5 are revoked to the extent specified in relation to each in the third column of that table.]

[^{F259}(2) Schedule 6, which contains consequential amendments to the Building (Local Authority Charges) Regulations 2010^{M34} and the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007^{M35}, has effect.]

Textual Amendments

F258 Reg. 54(1) revoked in part (9.1.2013) by [The Energy Performance of Buildings \(England and Wales\) Regulations 2012 \(S.I. 2012/3118\)](#), reg. 1(4), **Sch. 3** (with reg. 44)

F259 Reg. 54(2) revoked in part (9.1.2013) by [The Energy Performance of Buildings \(England and Wales\) Regulations 2012 \(S.I. 2012/3118\)](#), reg. 1(4), **Sch. 3** (with reg. 44)

Marginal Citations

M34 [S.I. 2010/404](#).

M35 [S.I. 2007/991](#).

[^{F260}Review of Part 9A and Part R of Schedule 1

55.—(1) Before the end of each review period the Secretary of State must—

- (a) carry out a review of Part 9A and Part R of Schedule 1; and
- (b) publish a report setting out the conclusions of the review.

(2) In carrying out the review the Secretary of State must have regard to how Article 8 (in-building physical infrastructure) of [Directive 2014/61/EU](#) of the European Parliament and of the Council on measures to reduce the cost of deploying high-speed electronic communications networks is implemented in other Member States of the European Union.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by the regulatory provision in Part 9A and Part R of Schedule 1;
- (b) assess the extent to which those objectives have been achieved;
- (c) assess whether those objectives remain appropriate; and
- (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way that imposes less onerous regulatory provision.

(4) In this regulation, “review period” means—

- (a) the period of five years beginning on the 9th May 2016; and
- (b) subject to paragraph (5), each successive period of five years.

(5) If a report under this regulation is published before the last day of the review period to which it relates, the next review period will begin with the day on which that report is published.]

Textual Amendments

F260 [Reg. 55](#) added (E., but only in relation to excepted energy buildings in W.) (9.5.2016) by [The Building \(Amendment\) Regulations 2016 \(S.I. 2016/490\)](#), regs. 1(4), **2(5)** (with reg. 1(3))

[^{F261}Review of Part 9B and Part S of Schedule 1

56.—(1) The Secretary of State must from time to time—

Status: Point in time view as at 15/06/2022.

Changes to legislation: The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) carry out a review of the regulatory provision contained in Part 9B of, and Part S of Schedule 1 to, these Regulations; and
 - (b) publish a report setting out the conclusions of that review.
- (2) The first report must be published before 15th June 2027.
- (3) Subsequent reports must be published at intervals not exceeding 5 years.
- (4) Section 30(4) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this regulation must, in particular—
- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a);
 - (b) assess the extent to which those objectives are achieved;
 - (c) assess whether those objectives remain appropriate; and
 - (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.
- (5) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).]

Textual Amendments

F261 Reg. 56 inserted (E.) (15.6.2022) by [The Building Regulations etc. \(Amendment\) \(England\) \(No. 2\) Regulations 2021 \(S.I. 2021/1392\)](#), regs. 1(2), **2(4)** (with regs. 1(4), 4)

Signed by authority of the Secretary of State

Department for Communities and Local
Government

Andrew Stunell
Parliamentary Under Secretary of State

Status:

Point in time view as at 15/06/2022.

Changes to legislation:

The Building Regulations 2010 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.