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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations revoke and replace the Building Regulations 2000 (S.I. 2000/2531) (“the 2000 Regulations”), and consolidate all subsequent amendments to those Regulations with minor amendments. The amendments include removing the requirement, where building work involves inserting insulation into a cavity wall, to submit along with a building notice a statement about the proposed insulating material. The Regulations also insert into Schedule 3 three new types of work that may be carried out under a self-certification scheme, and revise the list of bodies which are able to register persons for the purposes of self-certification. The three new types of work are the installation of cavity wall insulating material, replacement of roof coverings and installation of systems to produce electricity, heat or cooling by microgeneration or from renewable sources. The authorisation of this last category of work supports the implementation of article 14 of European Parliament and Council Directive 2009/28/EC on the promotion of the use of energy from renewable sources (OJ No. L140, 5.6.2009, p.16).

The Regulations impose requirements on people carrying out “building work” which is defined in regulation 3 as the erection or extension of a building; the provision or extension of a controlled service or fitting; the material alteration of a building or controlled service or fitting; work required in relation to a material change of use; insertion of insulating material into a cavity wall; work involving underpinning of a building; work required to replace or renovate thermal elements; work relating to a change in a building’s energy status and work relating to improvement of the energy status of certain large existing buildings. Relevant definitions are found in regulations 2, 3(2) (“material alteration”) and 5 (“material change of use”).

Building work must be carried out so that it complies with the applicable requirements set out in Parts A to P of Schedule 1 and in complying with such requirements there must be no failure to comply with any other such requirements (regulation 4). The requirements in Schedule 1 relate to structure (Part A), fire safety (Part B), site preparation and resistance to contaminants and moisture (Part C), toxic substances (Part D), resistance to the passage of sound (Part E), ventilation (Part F), sanitation, hot water safety and water efficiency (Part G), drainage and waste disposal (Part H), combustion appliances and fuel storage systems (Part J), protection from falling, collision and impact (Part K), conservation of fuel and power (Part L), access to and use of buildings (Part M), glazing – safety in relation to impact, opening and cleaning (Part N) and electrical safety (Part P). Not all provisions of Schedule 1 apply to all building work.

Regulation 7 requires that building work must be carried out with adequate and proper materials and in a workmanlike manner.

Regulations 9 and 10 provide for exemptions. Regulation 11 allows local authorities to dispense with or relax requirements of these Regulations. A person intending to carry out building work is not required to give a building notice or deposit full plans where the work is carried out under a self-certification scheme set out in Schedule 3 or where work falls within Schedule 4 (regulation 12(6)).

Part 3 requires a person intending to carry out building work to give the local authority a building notice or to deposit full plans with the authority (regulation 12) and contains requirements relating to building notices and full plans (regulations 13 and 14) and other procedural requirements.

Part 4 provides that Part 3 and other provisions of these Regulations do not apply where work is supervised in accordance with Part 2 of the Building Act 1984 (c.55) and the Building (Approved Inspectors etc.) Regulations 2010 (S.I. 2010/2215).

*Status: This is the original version (as it was originally made).*

Part 5 contains provision about self-certification schemes. Membership of self-certification schemes exempts persons carrying out relevant work from the normal requirements under the Building Regulations to notify the local authority of an intention to carry out the work.

Part 6 contains provision transposing articles 3 to 6 of the Energy Performance of Buildings Directive (OJ No. L1, 4.1.2003, p.65), a transposition note for which is attached to the Explanatory Memorandum for the Building and Approved Inspectors (Amendment) Regulations 2006 ([S.I. 2006/652](#)). It also contains other provisions relating to energy performance of buildings.

Part 7 contains provisions relating to the water efficiency of new dwellings.

Part 8 contains provisions about information to be provided by a person carrying out building work to the building owner or responsible person.

Part 9 contains provisions requiring a person carrying out work to test certain sorts of building work and to commission fixed building services.

Part 10 contains miscellaneous provisions including power for local authorities to test building work and take samples, and provision that the contravention of certain regulations is not to be an offence.

Regulation 54 and Schedules 5 and 6 revoke the 2000 Regulations and amending Regulations, including Regulations amending both the 2000 Regulations and the Building (Approved Inspectors etc.) Regulations 2000 ([S.I. 2000/2532](#)), and make consequential amendments. No transitional provision is made in respect of the minor changes made in these Regulations. Regulations 49 to 52 contain transitional provisions in respect of the amendments made to the 2000 Regulations by the Building and Approved Inspectors (Amendment) Regulations 2010 ([S.I. 2010/719](#)). Regulation 53 secures that transitional and saving provisions in earlier Building Regulations continue to have effect.

A table showing how these Regulations correspond to the 2000 Regulations is attached to the Explanatory Memorandum.

The Building Act 1984 gives the Secretary of State power to approve and issue documents containing practical guidance with respect to the requirements contained in these Regulations. The following publications, originally approved for the purposes of the 2000 Regulations, are approved for the purposes of these Regulations.

- Approved Document A – Structure: 2004 edition incorporating 2004 amendments
- Approved Document B – Fire safety: 2006 edition (amended 2010)
- Approved Document C – Site preparation and resistance to contaminants and moisture: 2004 edition
- Approved Document D – Toxic substances: 1992 edition incorporating 2002 amendments
- Approved Document E – Resistance to the passage of sound: 2003 edition incorporating 2004 amendments
- Approved Document F – Ventilation: 2010 edition
- Approved Document G – Hygiene: 2010 edition
- Approved Document H – Drainage and waste disposal: 2002 edition
- Approved Document J – Combustion appliances and fuel storage systems: 2010 edition
- Approved Document K – Protection from falling, collision and impact: 1998 edition incorporating 2000 amendments
- Approved Document L1A – Conservation of fuel and power: New dwellings: 2010 edition
- Approved Document L1B – Conservation of fuel and power: Existing dwellings: 2010 edition
- Approved Document L2A – Conservation of fuel and power: New buildings other than dwellings: 2010 edition

- Approved Document L2B – Conservation of fuel and power: Existing buildings other than dwellings: 2010 edition
- Approved Document M – Access to and use of buildings: 2004 edition
- Approved Document N – Glazing – safety in relation to impact, opening and cleaning: 1998 edition incorporating 2000 amendments
- Approved Document P – Electrical safety – Dwellings: 2006 edition
- Approved Document to support regulation 7 – Materials and workmanship: 1992 edition incorporating 2000 amendments

It is intended that these approvals will be subject to amendments to be contained in a forthcoming publication “Amendments 2010 to the Approved Documents”. The Approved Documents and amendments are or will be published by NBS, part of RIBA Enterprises Ltd and will be available on the Department’s website [www.communities.gov.uk](http://www.communities.gov.uk) or from RIBA Bookshops Mail Order, 15 Bonhill Street, London EC2P 2EA (email address: [sales@ribabookshops.com](mailto:sales@ribabookshops.com)).

The Department for Communities and Local Government has published notices identifying the requirements, procedures and methodologies approved by the Secretary of State for the purposes of regulations 24, 25, 41, 42, 43 and 44. These are available on the Department’s website. The Water Efficiency Calculator for New Dwellings referred to in regulation 36 is also available on the Department’s website. The Seventeenth Edition of the Wiring Regulations referred to in Schedule 4 is available from the Institution of Engineering and Technology, Michael Faraday House, Six Hills Way, Stevenage SG1 2AY or from the website [www.theiet.org](http://www.theiet.org).

Impact assessments of the effects that changes to Schedule 3 (self-certification schemes and exemptions from requirement to give building notice or deposit full plans) and the effects that the consolidation and other changes made by these Regulations will have on the costs of business and the public and voluntary sectors are annexed to the Explanatory Memorandum for these Regulations. They will be placed on the OPSI website at [www.opsi.gov.uk](http://www.opsi.gov.uk) and the [www.legislation.gov.uk](http://www.legislation.gov.uk) website and copies have also been placed in the Library of each House of Parliament. Impact assessments of the effect that some provisions of the Building and Approved Inspectors (Amendment) Regulations 2010 (which are revoked on the day on which they come into force but the amendments are consolidated in these Regulations) will have on the costs of business and the public and voluntary sectors were annexed to the explanatory memorandum for those Regulations which is available on the OPSI website and the [www.legislation.gov.uk](http://www.legislation.gov.uk) website.