
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}[26A], 28 [^{F7}...^{F8}^{F9}^{F10}[^{F11}and 40]]^{F11}, 40 and 43]] and Part L of Schedule 1;

^{F12}^{F13}
...

^{F14}[^{F15}“excepted energy building” has the meaning given in the Schedule to The Welsh Ministers (Transfer of Functions) (No. 2) Order 2009]

“extra-low voltage” means voltage not exceeding—

Status: Point in time view as at 08/06/2018.

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- (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};

^{F16}^{F17}“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;

^{F18}“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};

^{F14}^{F19}“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);]

^{F20}“payment period” has the meaning given in regulation 2(1) of the Green Deal Framework Regulations;]

^{F14}^{F21}“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 ^{F22}(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.

(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.

(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

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(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.

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)
- 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** Words in [reg. 2\(1\)](#) substituted (15.7.2011) by [The Building \(Amendment\) Regulations 2011 \(S.I. 2011/1515\)](#), [regs. 1\(2\)](#), [3\(2\)\(a\)](#)
- F8** 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\(3\)](#))
- F9** 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\(3\)](#))
- F10** 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](#))
- F11** 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]
- F12** 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\(3\)](#))

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- F13** 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))
- F14** 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)
- F15** 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]
- F16** 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))
- F17** 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)
- F18** 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)**
- F19** 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]
- F20** 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)**
- F21** 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]
- F22** 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)**

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.

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