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## STATUTORY INSTRUMENTS

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# 2010 No. 2214

## The Building Regulations 2010

### PART 6 **E+W**

#### Energy Efficiency Requirements

##### Application of energy efficiency requirements **E+W**

- 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 <sup>M1</sup>;
    - (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 <sup>M2</sup>,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 50m<sup>2</sup>.
- (4) This paragraph applies to any extension of a building falling within class 7 in Schedule 2 except a conservatory or porch—
- (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; <sup>F1F2</sup>...
  - (b) into which the building's heating system has been extended <sup>F3</sup><sup>F4</sup>to heat the conservatory or porch; or
  - (c) in which a fixed heating appliance has been provided to heat the conservatory or porch.]

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(5) In this regulation, the following terms have the same meaning as in <sup>F5</sup>[<sup>F6</sup>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

- F1** 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](#))
- F2** 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\(2\)](#))
- F3** [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](#))
- F4** [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](#))
- F5** 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\(2\)\(3\)](#))
- F6** 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

- M1** [1990 c.9](#).
- M2** [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 **E+W**

**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.

### <sup>F7</sup>[<sup>F8</sup>Requirements for the renovation or replacement of thermal elements **E+W**

**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

- F7** 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)
- F8** 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 **E+W**

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 <sup>F9</sup>[<sup>F10</sup>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

<sup>F11</sup>[<sup>F12</sup>“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

- F9** 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))
- F10** 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))
- F11** 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))

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**F12** 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**

[<sup>F13</sup>25. Minimum energy performance requirements shall be approved by the Secretary of State, [<sup>F14</sup>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 CO<sub>2</sub> emission rates; <sup>F15</sup>...
- (b) new dwellings, in the form of target fabric energy efficiency rates][<sup>F16</sup>; 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

- F13** [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]
- F14** 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]
- F15** 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**)
- F16** [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**

[<sup>F90</sup>25. The Welsh Ministers shall approve minimum energy performance requirements for new buildings, in the form of target CO<sub>2</sub> emission rates, which shall be calculated and expressed in accordance with the methodology 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

- F90** [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)

<sup>F17</sup><sup>F18</sup> **Consideration of high-efficiency alternative systems for new buildings** **E**

**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.

[  
<sup>F19</sup>(2) The person carrying out the work must—

- (a) where the new building is a higher-risk building, ensure the application for building control approval in relation to the work is accompanied by a notice which states that the analysis referred to in paragraph (1) has been undertaken, is documented, and the documentation is available to the regulator for verification purposes;
- (b) in any other case, not later than the beginning of the day before the day on which the work starts, give the building control authority a notice which states that the analysis referred to in paragraph (1) has been undertaken, is documented, and the documentation is available to the authority for verification purposes; and
- (c) ensure that a copy of the analysis is available for inspection at all reasonable times on request by an officer of the building control authority.]

(3) An authorised officer of the [<sup>F20</sup>building control authority] may require production of the documentation in order to verify that this regulation has been complied with.

[  
<sup>F21</sup>(3A) Where the regulator is the building control authority by virtue of section 91ZB of the Act (the regulator: building control authority for other work), it must send a copy of each notice it receives under this regulation in relation to a building to the local authority for the area in which the building is situated.]

- (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;

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- (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 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.)]

#### Extent Information

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

#### Textual Amendments

- F17** 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.](#))
- F18** 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](#))
- F19** [Reg. 25A\(2\)](#) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), [regs. 1\(2\)](#), [7\(11\)\(a\)](#) (with [regs. 22-24](#))
- F20** Words in [reg. 25A\(3\)](#) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), [regs. 1\(2\)](#), [7\(11\)\(b\)](#) (with [regs. 22-24](#))
- F21** [Reg. 25A\(3A\)](#) inserted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), [regs. 1\(2\)](#), [7\(11\)\(c\)](#) (with [regs. 22-24](#))

#### Modifications etc. (not altering text)

- C1** [S. 25A](#) applied (with modifications) by [S.I. 2010/2215](#), [reg. 20\(1\)](#) (as 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. 39](#), [Sch. 1](#) (with [regs. 1\(3\)](#), [45-47](#)); and (W. for remaining purposes) (19.4.2013) by [The Building Regulations &c. \(Amendment\) \(Wales\) Regulations 2013 \(S.I. 2013/747\)](#), [regs. 1\(4\)](#), [32](#) (with [reg. 1\(2\)\(3\)](#))
- C2** [Reg. 25A](#) modified (E.) (6.4.2024) by [The Building \(Registered Building Control Approvers etc.\) \(England\) Regulations 2024 \(S.I. 2024/110\)](#), [regs. 1\(3\)](#), [5\(2\)\(3\)](#) (with [regs. 44-47](#))

### [<sup>F91</sup>Consideration of high-efficiency alternative systems for new buildings **W**]

**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 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.)]

#### Extent Information

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

#### Textual Amendments

**F91** [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)

#### Modifications etc. (not altering text)

**C10** S. 25A applied (with modifications) by [S.I. 2010/2215](#), [reg. 20\(1\)](#) (as substituted (E., but only in relation to excepted energy buildings in W.) (9.1.2013) by The Building Regulations



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&c. (Amendment) Regulations 2012 (S.I. 2012/3119), reg. 39, Sch. 1 (with regs. 1(3), 45-47); and (W. for remaining purposes) (19.4.2013) by The Building Regulations &c. (Amendment) (Wales) Regulations 2013 (S.I. 2013/747), regs. 1(4), 32 (with reg. 1(2)(3)) (as amended (W.) (25.4.2024) by S.I. 2024/447, regs. 1(1), **3(h)** (with reg. 6))

## <sup>F17</sup><sup>F18</sup> **Nearly zero-energy requirements for new buildings** **E+W**

<sup>F17</sup>**25B.** Where a building is erected, it must be a nearly zero-energy building.]

### Textual Amendments

- F17** 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.)
- F18** 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](#))

## <sup>F22</sup><sup>F23</sup> **New buildings: minimum energy performance requirements** **E+W**

**25C.** Minimum energy performance requirements <sup>F22</sup>[<sup>F24</sup>must] be approved by the Welsh Ministers, <sup>F22</sup>[<sup>F25</sup>calculated and expressed] in accordance with the methodology approved pursuant to regulation 24, for—

- (a) new buildings <sup>F26</sup>..., in the form of target primary energy <sup>F27</sup>... rates; and
- (b) [<sup>F28</sup>when a dwelling is erected], in the form of target fabric performance values.]

### Textual Amendments

- F22** [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](#))
- F23** [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\(2\)](#))
- F24** 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\(3\)](#))
- F25** 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\(3\)](#))
- F26** Words in [reg. 25C\(a\)](#) omitted (W.) (23.11.2022) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), [regs. 1\(3\), 6\(a\)\(i\)](#) (with [reg. 21](#))
- F27** Word in [reg. 25C\(a\)](#) omitted (W.) (23.11.2022) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), [regs. 1\(3\), 6\(a\)\(ii\)](#) (with [reg. 21](#))



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**F28** Words in reg. 25C(b) substituted (W.) (23.11.2022) by [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), regs. 1(3), **6(b)** (with reg. 21)

### [<sup>F29</sup>Energy efficiency rating **E+W**

**25D.** Energy efficiency ratings must be approved by the Welsh Ministers, applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24 for new buildings.]

#### Textual Amendments

**F29** Reg. 25D inserted (W.) (23.11.2022) by [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), regs. 1(3), **7** (with reg. 21)

### CO<sub>2</sub> emission rates for new buildings **E+W**

**26.** Where a building is erected, it shall not exceed the target CO<sub>2</sub> emission rate for the building that has been approved pursuant to regulation 25 <sup>F30</sup>[<sup>F31</sup>, applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24].

#### Textual Amendments

- F30** 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))
- F31** 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))

### [<sup>F32</sup>Fabric energy efficiency rates] **E**

[<sup>F33</sup>**26A.** Where a dwelling is erected, it shall not exceed the target fabric energy efficiency rate for the dwelling [<sup>F34</sup>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

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

#### Textual Amendments

- F32** 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))
- F33** 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)

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- F34** 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\(3\)](#))

### [<sup>F92</sup>Primary energy <sup>F93</sup>... rates for new buildings **W**

**26A.** Where a building <sup>F94</sup>... is erected, it must not exceed the target primary energy <sup>F95</sup>... rate for the building which has been approved pursuant to regulation 25C(a), applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24.]

#### Extent Information

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

#### Textual Amendments

- F92** [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](#))
- F93** Word in [reg. 26A](#) heading omitted (W.) (23.11.2022) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), regs. 1(3), **8(a)** (with [reg. 21](#))
- F94** Words in [reg. 26A](#) omitted (W.) (23.11.2022) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), regs. 1(3), **8(b)** (with [reg. 21](#))
- F95** Word in [reg. 26A](#) omitted (W.) (23.11.2022) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), regs. 1(3), **8(c)** (with [reg. 21](#))

### [<sup>F35</sup><sup>F36</sup>Fabric performance values for new dwellings **E+W**

**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) <sup>F35</sup>[<sup>F37</sup>, applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24].]

#### Textual Amendments

- F35** [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](#))
- F36** 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](#))
- F37** 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\(3\)](#))

### [<sup>F38</sup>Target primary energy rates for new buildings **E**

**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.]

#### Extent Information

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

#### Textual Amendments

**F38** 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)

### [<sup>F96</sup>Minimum energy efficiency rating **W**

**26C.** Where a dwelling is erected, it must equal or exceed the energy efficiency rating for the dwelling which has been approved pursuant to regulation 25D applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24 for new buildings.]

#### Extent Information

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

#### Textual Amendments

**F96** Reg. 26C inserted (W.) (23.11.2022) by [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), regs. 1(3), 9 (with reg. 21)

### CO<sub>2</sub> emission rate calculations **E**

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

[<sup>F39</sup>(2) The person carrying out the work must—

- (a) where the new building is a higher-risk building, ensure the application for building control approval in relation to the work is accompanied by a notice which specifies—
  - (i) the target CO<sub>2</sub> emission rate for the building, calculated and expressed in accordance with the methodology approved pursuant to regulation 24,
  - (ii) the CO<sub>2</sub> emission rate for the building as designed, calculated and expressed in accordance with the methodology approved pursuant to regulation 24, and
  - (iii) a list of specifications to which the building is to be constructed;
- (b) in any other case, not later than the day before the work starts, give the building control authority a notice which specifies the matters set out in paragraphs (i) to (iii) of subparagraph (a).

(3) The person carrying out the work must—

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- (a) where the new building is a higher-risk building, ensure the application for a completion certificate in relation to the work is accompanied by—
- (i) a notice which specifies—
    - (aa) the target CO<sub>2</sub> emission rate for the building, calculated and expressed in accordance with the methodology approved pursuant to regulation 24,
    - (bb) the CO<sub>2</sub> emission rate for the building as constructed, calculated and expressed in accordance with the methodology approved pursuant to regulation 24, and
    - (cc) whether the building has been constructed in accordance with the list of specifications referred to in paragraph (2), and, if not, a list of any changes to those specifications; or
  - (ii) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraphs (aa) to (cc) of paragraph (i);
- (b) in any other case, not later than five days after the work has been completed, give the building control authority a notice which specifies the matters mentioned in sub-paragraphs (aa) to (cc) of sub-paragraph (a)(i) or a certificate of the sort mentioned in sub-paragraph (a)(ii).]

(4) A [<sup>F40</sup>building control 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 <sup>F41</sup>[<sup>F42</sup>energy performance certificates] for that category of building.

[<sup>F43</sup>(4A) Where the regulator is the building control authority by virtue of section 91ZB of the Act (the regulator: building control authority for other work), it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated.]

(5) In this regulation, “specifications” means specifications used for the calculation of the CO<sub>2</sub> emission rate.

#### Extent Information

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

#### Textual Amendments

- F39** Reg. 27(2)(3) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(12)(a)** (with regs. 22-24)
- F40** Words in reg. 27(4) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(12)(b)** (with regs. 22-24)
- F41** 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))
- F42** 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))
- F43** Reg. 27(4A) inserted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(12)(c)** (with regs. 22-24)

#### 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)**

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**C4** Reg. 27 modified (E.) (6.4.2024) by The Building (Registered Building Control Approvers etc.) (England) Regulations 2024 (S.I. 2024/110), regs. 1(3), **5(4)** (with regs. 44-47)

## CO<sub>2</sub> emission rate calculations **W**

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—

- (a) the target CO<sub>2</sub> emission rate for the building [<sup>F97</sup>, calculated and expressed in accordance with the methodology approved pursuant to regulation 24],
- (b) the ... CO<sub>2</sub> emission rate for the building as designed [<sup>F98</sup>, 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 CO<sub>2</sub> emission rate for the building [<sup>F99</sup>, calculated and expressed in accordance with the methodology approved pursuant to regulation 24],
  - (ii) the ... CO<sub>2</sub> emission rate for the building as constructed [<sup>F100</sup>, 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 [<sup>F101</sup>energy performance certificates] for that category of building.

(5) In this regulation, “specifications” means specifications used for the calculation of the CO<sub>2</sub> emission rate.

### Extent Information

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

### Textual Amendments

**F97** 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))

**F98** 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))

**F99** 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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- F100** 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(1)(d)** (with reg. 1(3))
- F101** 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(1)(e)** (with reg. 1(3))

**Modifications etc. (not altering text)**

- C11** 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)** (as amended (W.) (25.4.2024) by S.I. 2024/447, regs. 1(1), **3(h)** (with reg. 6))

**[<sup>F44</sup>Fabric energy efficiency rate calculations **E****

- 27A.**—(1) This regulation applies where a dwelling is erected and regulation 26A applies.
- [<sup>F45</sup>(2)** The person carrying out the work must—
- (a) where the dwelling is within a higher-risk building, ensure the application for building control approval in relation to the work is accompanied by a notice which specifies—
- (i) the target fabric energy efficiency rate for the dwelling, calculated and expressed in accordance with the methodology approved pursuant to regulation 24,
- (ii) the fabric energy efficiency rate for the dwelling as designed, calculated and expressed in accordance with the methodology approved pursuant to regulation 24, and
- (iii) a list of specifications to which the dwelling is to be constructed;
- (b) in any other case, not later than the day before the work starts, give the building control authority a notice which specifies the matters set out in paragraphs (i) to (iii) of sub-paragraph (a).
- (3) The person carrying out the work must—
- (a) where the dwelling is within a higher-risk building, ensure the application for a completion certificate in relation to the work is accompanied by—
- (i) a notice which specifies—
- (aa) the target fabric energy efficiency rate for the dwelling, calculated and expressed in accordance with the methodology approved pursuant to regulation 24,
- (bb) the fabric energy efficiency rate for the dwelling as constructed, calculated and expressed in accordance with the methodology approved pursuant to regulation 24, and
- (cc) whether the dwelling has been constructed in accordance with the list of specifications referred to in paragraph (2), and, if not, a list of any changes to those specifications; or
- (ii) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraphs (aa) to (cc) of paragraph (i);
- (b) in any other case, not later than five days after the work has been completed, give the building control authority a notice which specifies the matters mentioned in sub-paragraphs (aa) to (cc) of sub-paragraph (a)(i) or a certificate of the sort mentioned in sub-paragraph (a)(ii).]



(4) A [<sup>F46</sup>building control 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 [<sup>F47</sup>energy performance certificates] for that category of building.

[<sup>F48</sup>(4A) Where the regulator is the building control authority by virtue of section 91ZB of the Act (the regulator: building control authority for other work), it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated.]

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

#### Extent Information

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

#### Textual Amendments

- F44** 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]
- F45** Reg. 27A(2)(3) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(13)(a)** (with regs. 22-24)
- F46** Words in reg. 27A(4) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(13)(b)** (with regs. 22-24)
- F47** 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]
- F48** Reg. 27A(4A) inserted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(13)(c)** (with regs. 22-24)

#### Modifications etc. (not altering text)

- C5** Reg. 27A applied (with modifications) (6.4.2014) by [S.I. 2010/2215](#), **reg. 20(1)(2A)** (as amended by [The Building Regulations &c. \(Amendment\) Regulations 2014 \(S.I. 2014/579\)](#), regs. 1(4), 3(3) (with reg. 1(3)))
- C6** Reg. 27A modified (E.) (6.4.2024) by [The Building \(Registered Building Control Approvers etc.\) \(England\) Regulations 2024 \(S.I. 2024/110\)](#), regs. 1(3), **5(5)** (with regs. 44-47)

### <sup>F50</sup>Primary energy ... rate calculations **W**

**27A.**—(1) This regulation applies where a building <sup>F102</sup>... 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—

- the target primary energy <sup>F103</sup>... rate for the building [<sup>F104</sup>, calculated and expressed in accordance with the methodology approved pursuant to regulation 24];
- the <sup>F105</sup>... primary energy <sup>F106</sup>... rate for the building as designed [<sup>F107</sup>, calculated and expressed in accordance with the methodology approved pursuant to regulation 24]; and
- a list of specifications to which the building is to be constructed.

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(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 <sup>F108</sup>... rate for the building [<sup>F109</sup>, calculated and expressed in accordance with the methodology approved pursuant to regulation 24];
- (ii) the <sup>F110</sup>... primary energy <sup>F111</sup>... rate for the building as constructed [<sup>F112</sup>, 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 [<sup>F113</sup>energy performance certificates] for that category of building.

(5) In this regulation, “specifications” means specifications used for the calculation of the primary energy <sup>F114</sup>... rate.]

#### Extent Information

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

#### Textual Amendments

- F50** 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))
- F102** Words in reg. 27A(1) omitted (W.) (23.11.2022) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), regs. 1(3), **10(b)** (with reg. 21)
- F103** Word in reg. 27A(2)(a) omitted (W.) (23.11.2022) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), regs. 1(3), **10(c)** (with reg. 21)
- F104** 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))
- F105** 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))
- F106** Word in reg. 27A(2)(b) omitted (W.) (23.11.2022) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), regs. 1(3), **10(c)** (with reg. 21)
- F107** 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))
- F108** Word in reg. 27A(3)(a)(i) omitted (W.) (23.11.2022) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), regs. 1(3), **10(c)** (with reg. 21)
- F109** 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))
- F110** 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))

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- F111** Word in reg. 27A(3)(a)(ii) omitted (W.) (23.11.2022) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), regs. 1(3), **10(c)** (with reg. 21)
- F112** 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))
- F113** 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))
- F114** Word in reg. 27A(5) omitted (W.) (23.11.2022) by virtue of [The Building \(Amendment\) \(Wales\) Regulations 2022 \(S.I. 2022/564\)](#), regs. 1(3), **10(c)** (with reg. 21)

**Modifications etc. (not altering text)**

- C12** Reg. 27A applied (with modifications) (W.) (31.7.2014) by [S.I. 2010/2215](#), **reg. 20(1)(2A)** (as amended 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](#)))

**F49**<sup>F50</sup> **Fabric performance values calculations** **E+W**

- 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—
- (a) the target fabric performance values for the dwelling <sup>F49</sup>**[**<sup>F51</sup>, calculated and expressed in accordance with the methodology approved pursuant to regulation 24];
  - (b) the <sup>F49</sup>**[**<sup>F52</sup>... fabric performance values for the dwelling as designed <sup>F49</sup>**[**<sup>F53</sup>, 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 must give the local authority—
- (a) a notice which specifies—
    - (i) the target fabric performance values for the dwelling <sup>F49</sup>**[**<sup>F54</sup>, calculated and expressed in accordance with the methodology approved pursuant to regulation 24];
    - (ii) the <sup>F49</sup>**[**<sup>F55</sup>... fabric performance values for the dwelling as constructed <sup>F49</sup>**[**<sup>F56</sup>, 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).
- (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 <sup>F49</sup>**[**<sup>F57</sup>energy performance certificates] for that category of building.
- (5) In this regulation, “specifications” means specifications used for the calculation of the fabric performance values.]

*Changes to legislation: The Building Regulations 2010, PART 6 is up to date with all changes known to be in force on or before 23 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) View outstanding changes*

### Textual Amendments

- F49** 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)
- F50** 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))
- F51** 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))
- F52** 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))
- F53** 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))
- F54** 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))
- F55** 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))
- F56** 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))
- F57** 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)

- C7** 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))

## <sup>F58</sup>Target primary energy rate calculations for new buildings **E**

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

<sup>F59</sup>(2) The person carrying out the work must—

- (a) where the new building is a higher-risk building, ensure the application for building control approval in relation to the work is accompanied by 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 designed, calculated and expressed in accordance with the methodology approved pursuant to regulation 24, and
  - (iii) a list of specifications to which the building is to be constructed;

- (b) in any other case, not later than the day before the work starts, give the building control authority a notice which specifies the matters set out in paragraphs (i) to (iii) of sub-paragraph (a).
- (3) The person carrying out the work must—
- (a) where the new building is a higher-risk building, ensure the application for a completion certificate in relation to the work is accompanied by—
- (i) a notice which specifies—
- (aa) the target primary energy rate for the building, calculated and expressed in accordance with the methodology approved pursuant to regulation 24,
- (bb) 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
- (cc) whether the building has been constructed in accordance with the list of specifications referred to in paragraph (2), and, if not, a list of any changes to those specifications; or
- (ii) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraphs (aa) to (cc) of paragraph (i);
- (b) in any other case, not later than five days after the work has been completed, give the building control authority a notice which specifies the matters mentioned in sub-paragraphs (aa) to (cc) of sub-paragraph (a)(i) or a certificate of the sort mentioned in sub-paragraph (a)(ii).]
- (4) A [<sup>F60</sup>building control 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.

[<sup>F61</sup>(4A) Where the regulator is the building control authority by virtue of section 91ZB of the Act (the regulator: building control authority for other work), it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated.]

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

#### Extent Information

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

#### Textual Amendments

- F58** 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)
- F59** Reg. 27C(2)(3) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), 7(14)(a) (with regs. 22-24)
- F60** Words in reg. 27C(4) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), 7(14)(b) (with regs. 22-24)
- F61** Reg. 27C(4A) inserted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), 7(14)(c) (with regs. 22-24)

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#### 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**)
- C9** Reg. 27C modified (E.) (6.4.2024) by The Building (Registered Building Control Approvers etc.) (England) Regulations 2024 (S.I. 2024/110), regs. 1(3), **5(6)** (with regs. 44-47)

#### [<sup>F115</sup>Energy efficiency rating calculations **W**

- 27C.**—(1) This regulation applies where a dwelling is erected and regulation 26C 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 energy efficiency rating for the dwelling as designed, calculated and expressed in accordance with the methodology approved pursuant to regulation 24, and
  - (b) 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) a notice which specifies—
    - (i) the target energy efficiency rating for the building, calculated and expressed in accordance with the methodology approved pursuant to regulation 24,
    - (ii) the energy efficiency rating of 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)(b), 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.]

#### Extent Information

- E15** This version of this provision applies to Wales only; a separate version has been created for England only

#### Textual Amendments

- F115** Reg. 27C inserted (W.) (23.11.2022) by The Building (Amendment) (Wales) Regulations 2022 (S.I. 2022/564), regs. 1(3), **11** (with reg. 21)

#### Modifications etc. (not altering text)

- C13** Reg. 27C applied (with modifications) by S.I. 2010/2215, **reg. 20(1)(2C)** (as inserted (W.) (23.11.2022) by The Building (Amendment) (Wales) Regulations 2022 (S.I. 2022/564), regs. 1(3), **20** (with reg. 21)) (as amended (W.) (25.4.2024) by S.I. 2024/447, regs. 1(1), **3(h)** (with reg. 6))



## Consequential improvements to energy performance **E**

**28.**—(1) Paragraph (2) applies to an existing building with a total useful floor area over 1,000m<sup>2</sup> 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

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

## Consequential improvements to energy performance **W**

<sup>F116</sup><sup>F117</sup>**28.**—(1) Paragraph (3) applies to an existing building with a total useful floor area over 1000m<sup>2</sup> 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

**E16** This version of this provision applies to Wales only; a separate version has been created for England only

### Textual Amendments

**F116** 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)

**F117** 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)

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**Energy performance certificates** **E+W**

F62F63 **29.** . . . . .

**Textual Amendments**

**F62** 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))

**F63** 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** **E+W**

F64F65 **29A.** . . . . .

**Textual Amendments**

**F64** 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))

**F65** 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** **E+W**

F64F65 **30.** . . . . .

**Textual Amendments**

**F64** 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))

**F65** 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** **E+W**

F64F65 **31.** . . . . .

**Textual Amendments**

**F64** 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))

**F65** 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 **E+W**

<sup>F64F65</sup>32. ....

### Textual Amendments

- F64** 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))
- F65** 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 **E+W**

<sup>F64F65</sup>33. ....

### Textual Amendments

- F64** 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))
- F65** 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))

## <sup>F66</sup>Application of building regulations to educational buildings, buildings of statutory undertakers and Crown Buildings **E+W**

34.—(1) Regulations [<sup>F67</sup>11(3),] 21, 23(1)(a), <sup>F68</sup>[<sup>F69</sup>25][<sup>F68</sup>25(a)], 25A, 25B, 26 <sup>F70F71</sup>... 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

- F66** Reg. 34 substituted (6.2.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2013 \(S.I. 2013/181\)](#), regs. 1(3), 7
- F67** 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))
- F68** 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]

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- F69** 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)
- F70** 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))
- F71** 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 **E+W**

### 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;

<sup>F72</sup><sup>F73</sup>“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;

“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 <sup>F74</sup><sup>F75</sup>regulation 22 (accreditation schemes) of the Energy Performance of Buildings (England and Wales) Regulations 2012]; <sup>F76</sup><sup>F77</sup>...

<sup>F78</sup><sup>F79</sup>“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;]

<sup>F80</sup><sup>F81</sup>“fabric energy efficiency” means the space heating and cooling requirements per square metre of floor area of a new dwelling;]

<sup>F82</sup><sup>F83</sup>“major renovation” means the renovation of a building where more than 25% of the surface area of the building envelope undergoes renovation; <sup>F84</sup>...

“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];

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<sup>F80</sup><sup>F85</sup>“new dwelling” does not include a dwelling that is formed by a material change of use of a building].

<sup>F86</sup><sup>F87</sup> ...

<sup>F88</sup><sup>F89</sup>(2) .....

### Textual Amendments

- F72** 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))
- F73** 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)
- F74** 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))
- F75** 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))
- F76** 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)
- F77** 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))
- F78** 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))
- F79** 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))
- F80** 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)
- F81** 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]
- F82** 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))
- F83** 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)
- F84** 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))
- F85** 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]

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**Changes to legislation:** *The Building Regulations 2010, PART 6 is up to date with all changes known to be in force on or before 23 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) View outstanding changes*

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- F86** 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)
- F87** 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))
- F88** 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))
- F89** 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))



**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 Pt. T inserted by [S.I. 2024/645 reg. 2\(4\)](#)