

STATUTORY INSTRUMENTS

2010 No. 2214

The Building Regulations 2010

PART 9

Testing and Commissioning

Sound insulation testing **E**

41.—(1) Subject to paragraph (4) below, this regulation applies to—

- (a) building work in relation to which paragraph E1 of Schedule 1 imposes a requirement; and
- (b) work which is required to be carried out to a building to ensure that it complies with paragraph E1 of Schedule 1 by virtue of regulation 6(1)(f) or 6(2)(b).

(2) Where this regulation applies, the person carrying out the work shall, for the purpose of ensuring compliance with paragraph E1 of Schedule 1—

- (a) ensure that appropriate sound insulation testing is carried out in accordance with a procedure approved by the Secretary of State; and
- (b) give a copy of the results of the testing referred to in sub-paragraph (a) to the [^{F1}building control authority].

(3) The results of the testing referred to in paragraph (2)(a) shall be—

- (a) recorded in a manner approved by the Secretary of State; and
- [^{F2}(b) given—
- (i) in the case where the building work is higher-risk building work, to the regulator with the application for a completion certificate in relation to the work;
 - (ii) in any other case, to the building control authority not later than the date on which the notice required by regulation 16(4) is given.]

[^{F3}(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 [^{F4}the results of the testing] it receives under this regulation in relation to a building to the local authority for the area in which the building is situated.]

(4) [^{F5}Where building work consists of the erection of a dwelling-house or a building containing flats, this regulation does not apply to any part of the building in relation to which the person carrying out the building work notifies the building control authority—

- (i) in the case of building work which is higher-risk building work, not later than the date on which the application for building control approval for the work is submitted,
- (ii) in any other case, not later than the date on which notice of intention to start work is given under regulation 16(1),

that, for the purposes of achieving compliance of the work with paragraph E1 of Schedule 1, the person is using one or more design details approved by Robust Details Limited, provided that—]

- (a) the notification specifies—

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E - England extent W - Wales extent

Changes to legislation: The Building Regulations 2010, Section 41 is up to date with all changes known to be in force on or before 15 July 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

- (i) the part or parts of the building in respect of which the person is using the design detail;
 - (ii) the design detail concerned; and
 - (iii) the unique number issued by Robust Details Limited in respect of the specified use of that design detail; and
- (b) the building work carried out in respect of the part or parts of the building identified in the notification is in accordance with the design detail specified in the notification.

Extent Information

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

Textual Amendments

- F1** Words in reg. 41(2)(b) (E.) substituted (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(16)(a)** (with regs. 22-24)
- F2** Reg. 41(3)(b) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(16)(b)** (with regs. 22-24)
- F3** Reg. 41(3A) inserted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(16)(c)** (with regs. 22-24)
- F4** Words in reg. 41(3A) substituted (6.4.2024) by [The Building \(Registered Building Control Approvers etc.\) \(England\) Regulations 2024 \(S.I. 2024/110\)](#), regs. 1(3), **38(5)**
- F5** Words in reg. 41(4) substituted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **7(16)(d)** (with regs. 22-24)

Modifications etc. (not altering text)

- C1** Reg. 41 modified (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), regs. 1, **20(5)** (as amended (1.10.2023) by [S.I. 2023/906](#), regs. 1(2), **13(1)(d)**)
- C2** Reg. 41 applied (with modifications) (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), regs. 1, **20(1)(5)**
- C3** Reg. 41 modified (E.) (6.4.2024) by [The Building \(Registered Building Control Approvers etc.\) \(England\) Regulations 2024 \(S.I. 2024/110\)](#), regs. 1(3), **5(9)** (with regs. 44-47)

Sound insulation testing **W**

- 41.—**(1) Subject to paragraph (4) below, this regulation applies to—
- (a) building work in relation to which paragraph E1 of Schedule 1 imposes a requirement; and
 - (b) work which is required to be carried out to a building to ensure that it complies with paragraph E1 of Schedule 1 by virtue of regulation 6(1)(f) or 6(2)(b).
- (2) Where this regulation applies, the person carrying out the work shall, for the purpose of ensuring compliance with paragraph E1 of Schedule 1—
- (a) ensure that appropriate sound insulation testing is carried out in accordance with a procedure approved by the Secretary of State; and
 - (b) give a copy of the results of the testing referred to in sub-paragraph (a) to the local authority.
- (3) The results of the testing referred to in paragraph (2)(a) shall be—
- (a) recorded in a manner approved by the Secretary of State; and

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E - England extent W - Wales extent

Changes to legislation: The Building Regulations 2010, Section 41 is up to date with all changes known to be in force on or before 15 July 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

(b) given to the local authority in accordance with paragraph (2)(b) not later than the date on which the notice required by regulation 16(4) is given.

(4) Where building work consists of the erection of a dwelling-house or a building containing flats, this regulation does not apply to any part of the building in relation to which the person carrying out the building work notifies the local authority, not later than the date on which notice of commencement of the work is given under regulation 16(1), that, for the purpose of achieving compliance of the work with paragraph E1 of Schedule 1, the person is using one or more design details approved by Robust Details Limited, provided that—

(a) the notification specifies—

(i) the part or parts of the building in respect of which the person is using the design detail;

(ii) the design detail concerned; and

(iii) the unique number issued by Robust Details Limited in respect of the specified use of that design detail; and

(b) the building work carried out in respect of the part or parts of the building identified in the notification is in accordance with the design detail specified in the notification.

Extent Information

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

Modifications etc. (not altering text)

C4 Reg. 41 applied (with modifications) (1.10.2010) by [The Building \(Approved Inspectors etc.\) Regulations 2010 \(S.I. 2010/2215\)](#), regs. 1, **20(1)(5)** (as amended as amended (W.) (25.4.2024) by [S.I. 2024/447](#), regs. 1(1), **3(h)(i)** (with reg. 6))

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E - England extent
- W - Wales extent

Changes to legislation:

The Building Regulations 2010, Section 41 is up to date with all changes known to be in force on or before 15 July 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.

[View outstanding changes](#)

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\(4\)](#)
- reg. 37A(1)(aa) inserted by [S.I. 2024/742 reg. 2\(3\)\(a\)](#)
- reg. 37A(2)(2A) substituted for reg. 37A(2) by [S.I. 2024/742 reg. 2\(3\)\(b\)](#)