
STATUTORY INSTRUMENTS

2012 No. 3119

**BUILDING AND BUILDINGS,
ENGLAND AND WALES**

The Building Regulations &c. (Amendment) Regulations 2012

Made - - - - 17th December 2012

Laid before Parliament 19th December 2012

Coming into force in accordance with regulation 1

The Secretary of State is a Minister designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to measures relating to the environment.

In accordance with section 14(3) of the Building Act 1984⁽³⁾ the Secretary of State has consulted the Building Regulations Advisory Committee for England⁽⁴⁾ and such other bodies as appear to him to be representative of the interests concerned.

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 1, 2A, 16(9) and (10), 17(1) and (6), 34, 47(1) to (5), 49(5), 50(1), (4) and (6), 51(1) and (2), 51A(2), (3) and (6) and 56(1) and (2) of and paragraphs 1, 2, 4, 4A, 6, 7, 8, 9 and 10 of Schedule 1 to the Building Act 1984:

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- (1) [S.I. 2008/301](#). This instrument, which came into force on 15 March 2008, revoked the previous designation of the Secretary of State in relation to the energy performance of buildings in [S.I. 2004/3328](#).
- (2) [1972 c.68](#). Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 ([c.51](#)) and section 3(3) of and Part 1 of the Schedule to the European Union (Amendment) Act 2008 ([c.7](#)).
- (3) [1984 c.55](#). Amendments relevant to these Regulations include section 4, which was repealed by section 5 of the Sustainable and Secure Buildings Act 2004 ([c.22](#)), but section 5 of that Act has not yet been commenced. Section 4(1)(a)(i) to (iv) of the Building Act 1984 was substituted by paragraph 59 of Schedule 37 to the Education Act 1996 ([c.56](#)); subsection (1)(a)(ii) was substituted by paragraph 6 of Schedule 21 to the Education Act 2002 ([c.32](#)); subsection (1)(a)(iii) and (iv) was repealed by Schedule 31 to the School Standards and Framework Act 1998 ([c.31](#)); subsection (1)(b) was amended by Schedule 6 to the Airports Act 1986 ([c.31](#)); subsection (1)(b)(ii) was amended by [S.I. 2011/2491](#); and subsection (1)(c) was amended by [S.I. 2001/4050](#). There are other amendments to section 4 which are not relevant to these Regulations.
- (4) Existing members of the Building Regulations Advisory Committee as at 31 December 2011 were transferred on that date to the Building Regulations Advisory Committee for England pursuant to article 9 of the Welsh Ministers (Transfer of Functions) (No.2) Order 2009 ([S.I. 2009/3019](#)).