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## EXPLANATORY NOTE

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

Regulation 2 of these Regulations amends the Building Regulations 2010 (S.I. 2010/2214).

The amendment in regulation 2(2) inserts a new definition of reaction to fire classification which updates the classification to the most recent version published in 2019 by the British Standards Institution. It also inserts a new definition of relevant metal composite material and includes reference to solar shading devices in the definition of ‘specified attachment’. It also provides a definition of solar shading devices.

Regulation 2(3) provides that where a building’s use has changed such that it falls within the definition of a relevant building where previously it did not, materials which form part of the external wall or specified attachment must meet the updated reaction to fire classification.

Regulation 2(4)(a) prohibits relevant metal composite material becoming part of the external wall or a specified attachment when building work is undertaken.

Regulation 2(4)(b) provides that when work is done on a relevant building any material that becomes part of the external wall or a specified attachment must meet the updated reaction to fire classification.

Regulation 2(4)(c) adds to the list of exemptions from the requirement of materials to meet the reaction to fire classification standard. It exempts fibre optic cables and components of solar shading devices excluding those whose primary function is to provide shade or deflect sunlight such as awning curtains or slats. It extends the exemption on insulation and waterproofing materials used below ground level to such materials used up to 300mm above that level. It also exempts materials which form the top horizontal floor layer of a balcony which are of European Classification A1fl or A2fl-sl provided that the entire layer has an imperforate substrate under it.

Regulation 2(4)(d) amends the definition of relevant building with the effect that the combustible materials prohibition in regulations 6(3) and 7(2) now applies to hostels, hotels, and boarding houses.

Regulation 3 amends the Building Regulations etc. (Amendment) (England) Regulations 2021 and the Building Regulations etc. (Amendment) (England) (No. 2) Regulations 2021 to define “building” and “building work” for certain purposes in those Regulations.

Regulation 4 contains transitional provisions. The changes in regulation 2 will not apply where a building notice or an initial notice has been given, or full plans deposited, with a local authority before the day the Regulations come into force and the work has either started by that day or starts in the 6 months following that day.

An impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available with the explanatory memorandum for these Regulations at [www.legislation.gov.uk](http://www.legislation.gov.uk). A copy is also available from the Department of Levelling Up, Housing and Communities, 2 Marsham Street, London SW1P 4DF.

Copies of the British Standard referred to in these Regulations can be obtained from [www.bsigroup.com](http://www.bsigroup.com) and hard copies can be obtained from BSI Customer Services, 389 Chiswick High Road, London W4 4AL (telephone number 0345 086 9001), and are also made available for inspection free of charge by contacting the Building Regulations Technical Policy Team at the Department of Levelling Up, Housing and Communities, 2 Marsham Street, London SW1P 4DF.