



BUILDING REGULATIONS 2014

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Statutory Document No. 2014/0165



Building Control Act 1991

BUILDING REGULATIONS 2014

Laid before Tynwald: 20 May 2014
Approved by Tynwald: 16 July 2014
Coming into Operation: 1 October 2014

The Department of Infrastructure makes the following Regulations under section 1(1), 2, 3(1) and paragraphs 1, 2, 4, 4A, 6 and 7 of Schedule 1 of the Building Control Act 1991.

1 Title

These Regulations are the Building Regulations 2014.

2 Commencement

If approved by Tynwald, these Regulations come into operation on 1 October 2014¹.

PART 1

GENERAL

3 Interpretation

(1) In these Regulations —

“**the Act**” means the Building Control Act 1991;

“**building work**” has the meaning given in regulation 4(1);

“**conservatory**” means a single-storey part of a building which has not less than three-quarters of the area of roof and not less than one-half of the area of walls made of translucent material;

“**controlled service or fitting**” means a service or fitting in relation to which Part F, G, H, J, L P or S of Schedule 1 imposes a requirement;

“**dwelling**” includes a dwelling house and a flat;

¹ Tynwald approval is required by section 37(5) of the Act

- “**dwelling house**” does not include a flat or a building containing a flat;
- “**electrical installation**” means fixed electrical cables or fixed electrical equipment located on the consumer’s side of the electricity supply meter;
- “**exempt class**” means a class of building or extension stated in Schedule 2;
- “**extra low voltage**” means a voltage not exceeding 50v between conductors and earth for alternating current or 120v between conductors for direct current;
- “**fixed building services**” means any part of, or any controls associated with –
- (a) fixed internal or external lighting systems, but does not include emergency escape lighting; or
 - (b) fixed systems for heating, hot water, air conditioning or mechanical ventilation;
- “**flat**” means separate and self contained premises constructed or adapted for use for residential purposes and forming part of a building from some other part of which it is divided horizontally or vertically;
- “**floor area**” means the aggregate area of every floor in a building or extension calculated by reference to the finished internal faces of the walls enclosing the area, or if at any point there is no such wall, by reference to the outermost edge of the floor;
- “**height**” means the height of the building measured from the mean level of the ground adjoining the outside of the external walls of the building to the level of half the vertical height of the roof of the building, or the top of the walls or of the parapet, if any, whichever is higher;
- “**house or flat in multiple occupation**” has the same meaning as in the Housing (Definition of Flat or House in Multiple Occupation) Order 2013²;
- “**industrial premises**” includes factories and other premises used for manufacturing, altering, repairing, cleaning, washing, breaking-up, adapting or processing any article, generating power, incineration, or slaughtering livestock;
- “**institution**” means an institution (whether described as a hospital, home, school or similar establishment) which is used as living accommodation for, or for the treatment, care or maintenance of persons –
- (a) living with disabilities due to illness or old age or other physical or mental impairment; or
 - (b) under the age of 5 years,
if such persons sleep on the premises;
- “**low voltage**” means voltage not exceeding –

² SD 0377/13

- (a) in relation to alternating current, 1000v between conductors or 600v between conductors and earth; or
- (b) in relation to direct current, 1500v between conductors or 900v between conductors and earth;

“**material alteration**” has the meaning given in regulation 5;

“**material change of use**” has the meaning given in regulation 7;

“**notice**” means a notice in writing;

“**office premises**” includes offices or premises used for the purpose of administration, clerical work (including writing, book-keeping, sorting papers, filing, typing, duplicating, machine calculating, drawing and the editorial preparation of matter for publication, police and fire service work), handling money (including banking and building society work), and communications (including postal, telegraph and radio communications) or radio, television, film, audio or video recording, or performance not open to the public and their control;

“**open-plan dwelling**” means a dwelling comprising 2 or more storeys, if any internal staircase gives access directly on to a habitable room;

“**place of public resort**” does not include a building to the extent that it is, or contains, a dwelling or a shop, storehouse or warehouse to which members of the public are occasionally admitted;

“**plans**” means plans referred to in regulation 13;

“**porch**” means a single-storey part of a building which is built to protect any external door into a building from elements of weather and does not contain sanitary or washing facilities;

“**public building**” means a building consisting of or containing —

- (a) a theatre, public library, hall or other place of public resort;
- (b) a school or other educational establishment;
- (c) a place of public worship; or
- (d) a place of leisure or sports;

“**renovation**” in relation to a thermal element means the provision of a new layer in the thermal element other than if that new layer is provided solely as a means of repair to a flat roof or the replacement of an existing layer, but excludes decorative finishes;

“**room for residential purposes**” means a room or suite of rooms which is not a dwelling house or a flat and which is used by one or more persons to live and sleep and includes a room in a hostel, an hotel, a boarding house, hall of residence or a residential home, whether or not the room is separated from or arranged in a cluster group with other rooms, but does not include a room in a hospital, or other similar establishment, used for

patient accommodation and , for the purpose of this definition, a “**cluster**” is a group of rooms for residential purposes which is —

- (a) separated from the rest of the building in which it is situated by a door which is designed to be locked; and
- (b) not designed to be occupied by a single household;

“**school**” has the same meaning as in section 59 of the Education Act 2001;

“**school building**” means any building forming a school or part of a school; “**sewerage authority**” means the Manx Utilities Authority;

“**sheltered housing**” means an institution comprising (with or without other accommodation) 2 or more dwellings intended to be occupied, under supervision, by persons over the statutory retirement age or persons living with physical or mental impairment;

“**shop or commercial premises**” includes —

- (a) shops or premises used for a retail trade or business (including the sale to members of the public of food or drink for immediate consumption and retail by auction, self-selection and over-the-counter wholesale trading, the business of lending books or periodicals for gain and the business of a barber or hairdresser); and
- (b) premises to which the public is invited to deliver or collect goods in connection with their hire, repair or other treatment, or (except in the case of repair of motor vehicles) if they themselves may carry out such repairs or other treatment;

“**single household**” means a single economic unit in which the liability for the housing and living costs is assumed and discharged by one or more members of that unit by reason of common occupation of all areas of domestic habitation;

“**sun room**” means a single-storey part of a building which part has at least half of its wall area made of translucent material;

“**thermal element**” for a building means a wall, floor or roof or other element of the building (but does not include windows, doors, roof windows or roof-lights) which separates a thermally conditioned part of the building (“**the conditioned space**”) from the following or that bounds the conditioned space from the following or from the building’s external environment —

- (a) the external environment (including the ground);
- (b) in the case of floors and walls, another part of the building which is —
 - (i) unconditioned;
 - (ii) an extension falling within exempt class 6 of Schedule 2; or
- (c) if the building is not a dwelling, a part of the building that is —

- (i) used for a purpose for which the conditioned space is used; and
- (ii) conditioned to a different temperature as the conditioned space,

if this paragraph applies, conditioned to a different temperature, and includes all parts of the element between the surface bounding the conditioned space and the external environment or other part of the building as the case may be.

“**tourist premises**” has the same meaning as in the Tourist Act 1975; and

“**working day**” means a day of the week that is not any of the following —

- (a) a Saturday;
 - (b) a Sunday;
 - (c) a bank holiday under the Bank Holidays Act 1989; or
 - (d) a day declared to be a non-business day under a Treasury Order under section 1 of the Banking and Financial Dealings (Isle of Man) Act 1973.
- (2) Section 13 of the Water Act 1991 and any regulations made under that section apply for the purposes of Part G of Schedule 1.

PART 2

CONTROL OF BUILDING WORK

4 Meaning of “building work”

- (1) In these Regulations “**building work**” means —
- (a) the erection, extension or repair of a building;
 - (b) subject to paragraph (2), the provision, extension or repair of a controlled service or fitting in or in connection with a building;
 - (c) the material alteration of a building, or a controlled service or fitting, as mentioned in paragraph (2);
 - (d) work required by regulation 8 (requirements relating to material change of use);
 - (e) the insertion of insulation material into a cavity wall of a building;
 - (f) work involving the underpinning of a building;
 - (g) work involving the erection of earth retaining structures;
 - (h) work involving laying of any drain or private sewer in connection with a building, extension or repair to a building; and
 - (i) work required by Part L of Schedule 1 (requirement relating to thermal elements).

(2) However, the provision, extension or repair of a controlled service or fitting —

- (a) in or in connection with an existing building, and
- (b) being a service or fitting in relation to which Part L, but not Part G, H, J or P, of Schedule 1 imposes a requirement,

is only building work if that work consists of the provision of a window, roof light, roof window, door (being a door which together with its frame has more than 50 per cent of its internal face area glazed), an air-conditioning unit or system, a space heating or hot water service boiler, or a hot water vessel.

(3) For the purpose of this regulation —

“repair” means to restore a building or part of a building or controlled service or fitting which is damaged, worn or faulty so that it complies with the relevant requirements of Schedule 1, provided that the area of the proposed repair exceeds 20% of —

- (a) an element of the building; or
- (b) that part of the building or controlled service that needs repairing.

5 Meaning of “material alteration”

(1) In these regulations an alteration of a building is “material” if the alteration, or any part of it, would at any stage result —

- (a) in a building or controlled service or fitting not complying with a relevant requirement if previously it did; or
- (b) in a building or controlled service or fitting which before the work commenced did not comply with a relevant requirement, being more unsatisfactory in relation to regulation 9 (material and workmanship).

(2) In paragraph (1) “relevant requirement” means any of the following requirements of Schedule 1, namely —

- (a) Part A (structure);
- (b) Part B (fire safety);
- (c) Part C (resistance to moisture);
- (d) Part E (resistance to the passage of sound);
- (e) Part L (conservation of fuel and power in buildings); and
- (f) Part M (access and use of buildings).

6 Requirements relating to building work

(1) Building work must be carried out so that —

- (a) it complies with the relevant requirements contained in Schedule 1; and

- (b) in complying with any such requirement there is no failure to comply with any other such requirement.
- (2) Building work must be carried out so that, after it has been completed —
 - (a) any building which is extended, repaired or to which a material alteration is made;
 - (b) any building in, or in connection with, which a controlled service or fitting is provided, repaired, or materially altered; and
 - (c) any controlled service or fitting,complies with the relevant requirements of Schedule 1 or, if it did not comply with any such requirement, is no more unsatisfactory in relation to that requirement than before the work was carried out, but still in compliance with regulation 9 (material and workmanship).
- (3) To avoid any doubt, the carrying out of building work for a building must comply with all other relevant requirements under these Regulations.

7 Meaning of “material change of use”

For the purpose of paragraph 7(1)(e) of Schedule 1 to the Act and for the purpose of these Regulations, there is a “material change of use” of a building if there is a change in the purpose for which or the circumstances in which a building is used, so that after that change —

- (a) the building is used as one of the following, and was not previously —
 - (i) a dwelling;
 - (ii) a tourist premises;
 - (iii) an institution;
 - (iv) an industrial premises;
 - (v) an office premises;
 - (vi) a shop or commercial premises; or
 - (vii) a public building;
- (b) the building contains a flat or a room for a residential purpose, and previously it did not; or
- (c) the building is not an exempt class 1, 2, 3, 4 or 5 exempt building, and previously it was.

8 Requirements relating to material change of use

- (1) If there is a material change of the whole of a building, such work, if any, must be carried out as is necessary to ensure that the building complies with the relevant requirements of the following paragraphs of Schedule 1 —

- (a) in all cases —
 - (i) Part B (fire safety);
 - (ii) Part C (resistance to moisture);
 - (iii) F1 (ventilation);
 - (iv) Part G (sanitation, hot water safety and water efficiency);
 - (v) H1 (foul water drainage);
 - (vi) H6 (solid waste storage);
 - (vii) J1 to J6 (combustion appliances);
 - (viii) Part L (conservation of fuel and power in buildings);
 - (ix) Part M (access and use of building); and
 - (x) Part P (electrical safety).
 - (b) in the case of a material change of use described in regulation 7(a)(i), (a)(ii), (d), (e) or (f), A1 to A3 (structure) of Schedule 1;
 - (c) in the case of a material change of use described in regulation 7(a)(i), (a)(ii) and (b), E1 to E3 (resistance to the passage of sound);
 - (d) in the case of a material change of use described in regulation 7(c), or, if the public building consists of or contains a school, E4 (acoustic conditions in schools).
- (2) If there is a material change of use of part only of a building, such work, if any, must be carried out as is reasonably necessary to ensure that —
- (a) that part complies in all cases with any applicable requirement referred to in paragraph (1)(a);
 - (b) in a case to which paragraph (1)(b),(c) or(d) applies, that part complies with the requirements referred to in the relevant paragraph;
 - (c) in a case to which paragraph (1)(a)(i) applies, the whole building complies with the requirement referred to in that paragraph; and
 - (d) in a case to which paragraph (1)(a)(iv) applies —
 - (i) that part and any sanitary conveniences provided in or in connection with that part comply with the requirements referred to in that paragraph; and
 - (ii) the building complies with requirement M1(a) of Schedule 1 to the extent that reasonable provision is made to provide either suitable independent access to that part or suitable access through the building to that part.

9 Material and workmanship

Building work must be carried out —

- (a) with adequate and proper materials which —

- (i) are appropriate for the circumstances in which they are used;
 - (ii) are adequately mixed or prepared;
 - (iii) are applied, used or fixed so as adequately to perform the function for which they are designed; and
- (b) in a workmanlike manner.

10 Limitation on requirements

Parts A to D, F to K, N, P and S (except for paragraphs G2, H2 and J7) of Schedule 1 must not require anything to be done except for the purpose of securing reasonable standards of health and safety for persons in or about buildings (and any others who may be affected by buildings, or matters connected with buildings).

11 Exempt buildings and work

- (1) Subject to paragraphs (2) and (3) an application for approval to the building authority is not required for –
- (a) the erection of any buildings or extension of any exempt class; or
 - (b) the carrying out of any work to or in connection with such building or extension, if after the carrying out of that work it is still a building or extension falling within any exempt class in Schedule 2.
- (2) The requirements of paragraphs G1 and G3(2) and (3) of Schedule 1 apply –
- (a) to any greenhouse which receives a cold or hot water supply from a source shared with or located inside a dwelling; and
 - (b) to –
 - (i) any small detached building falling within class 5 in Schedule 2; and
 - (ii) any erection of a building falling within class 6 in Schedule 2; andwhich in either case receives a cold or hot water supply from a source shared with or located inside any building other than a building or extension falling within any exempt class in Schedule 2.
- (3) The requirements of Part P of Schedule 1 apply to –
- (a) any greenhouse;
 - (b) any small detached building falling within class 5 in Schedule 2; and
 - (c) any erection of a building falling within class 6 in Schedule 2.

which in any case receives its electricity from a source shared with or located inside a dwelling.

- (4) To avoid any doubt, the carrying out of building work for a building or extension of an exempt class must still comply with all other relevant requirements under these regulations.

PART 3

NOTICES AND PLANS

12 Deposit of plans

- (1) A person who intends to —
 - (a) carry out building work;
 - (b) replace or renovate a thermal element in a building to which the energy efficiency requirements apply; or
 - (c) make a material change of use of a building,must deposit plans with the express consent of the legal owner of the premises with the building authority.
- (2) However, paragraph (1) does not apply to building work that consists only of work described in Regulation 22 and Schedule 3.

13 Plans

- (1) Plans must be deposited in duplicate and the building authority may retain one copy.
- (2) If the building is or intended to be put to a use which is designated under section 1 of the Fire Precautions Act 1975, a further 2 copies of any such plans as demonstrate compliance with those requirements, or to the matters referred to in paragraph 3(a) to (d) of Schedule 1 to that Act, as the case may be, must be deposited and the building authority may retain both copies.
- (3) Plans generally must consist of —
 - (a) an accurate description of the proposed building work, renovation or replacement of a thermal element, or material change of use of the building;
 - (b) particulars of the location of the building to which the proposal relates and the use or intended use of that building;
 - (c) a statement specifying the number of storeys (each basement level being counted as one storey), in the building to which the proposal relates;

- (d) a statement as to whether the building is or is intended to be put to a use referred to in paragraph (2);
 - (e) particulars of the provision to be made for the drainage of the building or extension;
 - (f) particulars, if section 12 of the Act applies (building over sewers etc.), of the precautions to be taken in building over sewers;
 - (g) a plan to a scale of not less than 1:1250 showing —
 - (i) the size and position of the building, or the building as extended, and its relationship to adjoining boundaries;
 - (ii) the boundaries of the curtilage of the building, or building as extended, and the size, position and use of every other building or proposed building within the curtilage; and
 - (iii) the width and position of any street on or within the boundaries of the curtilage of the building or the building as extended; and
 - (h) any other plans or information required by the building authority to show that the work would comply with these Regulations.
- (4) For building work involving the insertion of insulation material into the cavity walls of a building, plans must be accompanied by a statement as to —
- (a) the name and type of insulating material to be used;
 - (b) whether or not the insulating material is approved by the British Board of Agrément or conforms to a British Standard specification; and
 - (c) whether or not the installer is a person who is the subject of a British Standard Institution Certificate of Registration or has been approved by the British Board of Agrément for the insertion of that material.
- (5) If building work involves the provision of a hot water storage system in relation to which paragraph G3 of Schedule 1 (hot water storage) imposes a requirement, the plan must be accompanied by a statement which specifies —
- (a) the name, make, model and type of hot water storage system to be installed;
 - (b) the name of the body, if any, which has approved or certified that the system is capable of performing in a way which satisfies the requirements of paragraph G3 of Schedule 1; and
 - (c) the name of the body, if any, which has issued any current registered operative identity card to the installer or proposed installer of the system.

14 Notice of commencement of building work

A person may commence building work only if —

- (a) the person has given the building authority a notice of the person's intention to commence the work; and
- (b) at least 2 days have elapsed since the end of the day on which the person gave the notice.

15 Mandatory notice of commencement of certain stages of building work

The person must give the building authority notice of the following stages of building work —

- (a) the covering up of any excavation for a foundation, any foundation, any damp proof course or any concrete or other material laid over the site;
- (b) the haunching or covering up of any drain or sewer in respect of which Part H of Schedule 1 imposes a requirement;
- (c) any other part of the building work in respect of which the building authority have imposed a requirement under Regulation 16; and
- (d) the completion of the building work.

16 Building authority's power to require notice of other stages of building work

A building authority, on giving notice that plans for the building have been passed, may include in the notice a requirement that the person carrying out building work must give the building authority notice of the person's intention to commence a stated stage or part of the building work.

17 Notice of occupation prior to completion of the building work

- (1) This paragraph applies if —
 - (a) a building is being erected; and
 - (b) it is proposed that the building or part of it is to be occupied for its use as constructed before completion of the building work.
- (2) The person carrying out building work to the building or for the owner of the building must give the building authority notice of intention of the proposed occupation at least 5 days before the occupation starts.

18 Notice of completion of certain drains and sewers

- (1) This paragraph applies on the completion of laying of a drain or sewer for which Part H of Schedule 1 imposes a requirement, including any

haunching or covering of the drain or sewer and the backfilling of any trench.

- (2) The person carrying out the work must give the building authority notice of the completion.

19 Notice of completion of rectification work

- (1) This paragraph applies if –
 - (a) the building authority gives a notice requiring the fixing of building work carried out in contravention of these regulations; and
 - (b) work (“rectification work”) to fix the contravention is completed.
- (2) The person carrying out the rectification work must give the building authority notice of the completion within 7 working days.

20 Building authority’s powers if required notice not given

- (1) This regulation applies if a person does not give a notice required to be given under this part for building work for a building.
- (2) The building authority may give the person a notice requiring the person to within a stated reasonable period, take all necessary action to allow it to work out whether the building work was carried out in compliance with these regulations.
- (3) The person must comply with the notice.
- (4) In this regulation, “action” includes cutting into, laying open or pulling down the building work.

21 Completion certificates

- (1) A building authority must, after the giving of all notices required to be given under this Part for building work for a building and the taking of all reasonable steps to work out whether the building work satisfies any applicable requirements of Schedule 1, give a certificate to that effect.
- (2) A certificate given under this regulation is evidence (but not conclusive evidence) that any applicable requirements of those regulations have been complied with.

PART 4

MISCELLANEOUS

22 Testing of building work

The building authority may make such test of any building work as may be necessary to establish whether it complies with regulation 9 (material and workmanship), or any of the applicable requirements contained in Schedule 1.

23 Sound insulation testing

- (1) 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 8(1) (c) and (d) or (8)(2)(b).
- (2) However, if the building work is erecting a dwelling- house or a building containing flats, this regulation does not apply to any part of the building for which the person carrying out the building work notifies the building authority, not later than the date on which notice of commencement of the work under regulation 15, 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 Limited³ or one or more design details approved by the Department, and –
 - (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 or the Department 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 or are in accordance with the design detail specified in the notification.
- (3) The person carrying out the building work must ensure all of the following take place –

³ Robust Details Limited is a non-profit distributing company limited by guarantee in the United Kingdom who work and grant approvals in accordance with a Memorandum of Understanding between Robust Details Limited and a Department of the United Kingdom government.

- (a) appropriate sound insulation testing is carried out in accordance with procedures approved by the Department;
- (b) the result of the testing is recorded in a way approved by the Department; and
- (c) the building authority is given the result no later than the date on which the notice under regulation 15 is given after the completion of the building work, and prior to occupation by any person.

24 Airtightness testing of building fabric

- (1) This regulation applies to —
 - (a) building work in relation to all new buildings to which Part L 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 Part L of Schedule 1 by virtue of regulation 8(1)(a)(viii) and 8(2)(b).
- (2) The person carrying out the building work must ensure all of the following take place —
 - (a) appropriate air permeability testing is carried out in accordance with procedures approved by the Department;
 - (b) the result of the testing is recorded in a way approved by the Department; and
 - (c) the building authority is given the result prior to occupation of the building by any person.
- (3) However, if the building work is erecting a dwelling-house or a building containing flats, this regulation does not apply to any part of the building for which the person carrying out the building work notifies the building authority, not later than the date on which the person gives notice of commencement of the work under regulation 14, that, for the purpose of achieving compliance of the work with Part L of Schedule 1, the person is using one or more design details approved by the Department, and —
 - (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 the Department 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 or are in accordance with the design detail specified in the notification.

25 Sampling of materials

The building authority may take such samples of the material to be used in the carrying out of building work as may be necessary to enable it to ascertain whether such materials comply with the provisions of these Regulations.

26 Unauthorised building works

- (1) This regulation applies if it appears to the building authority for building work as follows (“the unauthorised work”) has been carried out —
 - (a) building work for which a notice has not been given under regulation 14 (notice of commencement of building work); or
 - (b) building work done without full plans of the work being deposited with the building authority.
- (2) The owner of the building in question may apply in writing to the building authority for a regularisation certificate under this regulation.
- (3) The application must include —
 - (a) a statement that the application is made under this regulation;
 - (b) a description of the unauthorised work;
 - (c) the date of commencement and completion of the unauthorised work;
 - (d) so far as is reasonably practicable, a plan of the unauthorised work;
 - (e) so far as is reasonably practicable, a plan showing any additional work required to be carried out to secure that unauthorised work complies with the requirements relating to building work in the building regulations which were applicable to that work when it was carried out (“the relevant requirements”); and
 - (f) any other information relating to the unauthorised works which the applicant or the building authority considers may be relevant.
- (4) On the making of the application, the building authority may require (an “investigation requirement”) the owner to take such reasonable steps, including laying open the unauthorised work for inspection by the authority, making tests and taking samples, as the authority thinks appropriate to work out —
 - (a) whether the unauthorised work was carried out in compliance with these regulations; and
 - (b) if the unauthorised work was not so carried out, what work, if any, is needed to ensure compliance.
- (5) After deciding not to make an investigation requirement or, if an investigation requirement has been made, the owner has complied with it, and having had regards to any direction given under sections 6 and 7 of, and Schedule 2 to, the Act dispensing with or relaxing a requirement

in building regulations which applies to the unauthorised work, the building authority must give the owner notice —

- (a) of work which in its opinion is required to comply with relevant requirements or those requirements as dispensed with or relaxed;
 - (b) that it cannot determine what work is required to comply with the relevant requirements or those requirements as dispensed with or relaxed;
 - (c) that no work is required to secure compliance with the requirements or those requirements as dispensed with or relaxed.
- (6) If the building authority has been able to satisfy itself, after taking all reasonable steps for that purpose, that —
- (a) the relevant requirements have been satisfied (taking into account of any work carried out and any dispensation or relaxation under sections 6 and 7 of, and Schedule 2 to, the Act); or
 - (b) no work is required to secure that the unauthorised work satisfies the relevant requirements (taking account of any such dispensation or relaxation),

it may give a certificate to that effect (a “regularisation certificate”).

- (7) A regularisation certificate is evidence (but not conclusive evidence) that the relevant requirements specified in the certificate have been complied with.
- (8) Part 3 (other than Regulation 15) does not apply to the supply of plans or the taking of other action under this regulation.
- (9) To remove any doubt, action mentioned under paragraph (8) does not constitute the deposit of plans under these regulations.

27 Alternative approach showing compliance with Schedule 1

- (1) In complying with Part B or Part L of Schedule 1, an alternative approach to compliance may be the provision of —
- (a) in Part B, Schedule 1, a fire safety engineering solution under the relevant standard approved by the Department for the application of fire safety engineering principles to the design of buildings and the production of a full fire safety strategy by a qualified fire safety engineer who is a member of the Institute of Fire Engineers or an institution of similar standing acceptable to the building authority; and
 - (b) in Part L, Schedule 1, an engineering design under the relevant standard approved by the Department from a qualified building services engineer who is a member of the Institute of Building Services Engineers or an institute of similar standing acceptable to the building authority.

- (2) In this regulation “relevant standards” means the applicable, or higher comparable British, European, ISO or equivalent standard in force at the time the requirements of the regulation falls to be complied with and which is acceptable to the Department.

28 Provision applicable to self-certification schemes

- (1) This regulation applies to the extent that the building work consists only of work of a type described in column 1 of the Table in Schedule 3 and the work is carried out by a person who is described in the corresponding entry in column 2 of that Table in respect of that type of work.
- (2) The building authority for the building may accept, as evidence that the requirements of regulations 6 and 9 have been satisfied, a certificate (a “compliance certificate”) to that effect by the person carrying out the building work.
- (3) If a compliance certificate has been accepted for building work under exempt Schedule 3 work, the person carrying out the work must not more than 30 days after the completion of the work –
 - (a) give to the owner or occupier of the building a copy of the certificate referred to in paragraph (2); and
 - (b) give to the building authority –
 - (i) notice to that effect, or
 - (ii) the certificate referred to in paragraph (2).
- (4) In this regulation, “exempt Schedule 3 work” means building work described in Schedule 3 consisting only of work on a low voltage or an extra-low voltage electrical installation.

29 Contravention of regulation 21 not an offence

Regulation 21 is designated as a provision to which section 17 of the Act (penalty for contravening building regulations) does not apply.

30 Savings and transitional provisions

- (1) These Regulations apply in relation to an application for building work made on or after the date these regulations came into operation, and despite their revocation, the Building Regulations 2007⁴, apply otherwise.
- (2) Regulation 26 applies to unauthorised work (within the meaning of that regulation) carried out before the day these Regulations came into operation.

⁴ SD 153/07

- (3) However, regulation 26 does not apply to unauthorised work carried out before 1 May 1993.
- (4) In another regulation or a document, a reference to the 2007 regulations may, if the context permits, be taken to be reference to these regulations.

31 Revocation

The Building Regulations 2007 are revoked.

MADE: 2 MAY 2014

L D SKELLY
Minister for Infrastructure

SCHEDULE 1
REQUIREMENTS

(Regulation 6)

<i>Requirement</i>	<i>Limits on application</i>
PART A – STRUCTURE	

Loading

A1. (1) The building must be constructed so that the combined dead, imposed and wind loads are sustained and transmitted by it to the ground —

- (a) safely; and
- (b) without causing such deflection or deformation of any part of the building, or such movement of the ground, as will impair the stability of any part of another building.

(2) In assessing whether a building complies with sub-paragraph (1) regard must be had to the imposed and wind loads to which it is likely to be subjected in the ordinary course of its use for the purpose for which it is intended.

Ground movement

A2. The building must be constructed so that ground movement caused by —

- (a) swelling, shrinkage or freezing of subsoil; or
- (b) land-slip or subsidence (other than subsidence arising from shrinkage), in so far as the risk can be reasonably foreseen, will not impair the stability of any part of the building.

Disproportionate collapse

A3. The building must be constructed so that in the event of an accident the building will not suffer collapse to an extent disproportionate to the cause.

Landslip

A4. Earth retaining structures must be Requirement A4 does not apply to

<i>Requirement</i>	<i>Limits on application</i>
constructed as to prevent land-slip.	retaining walls less than 1.2m in height which do not form part of a building.

PART B – FIRE SAFETY

Means of warning and escape

B1. The building must be designed and constructed so that there are appropriate provisions for the early warning of fire, and appropriate means of escape in case of fire, from the building to a place of safety outside the building capable of being safely and effectively used at all material times.

Requirement B1 does not apply to an institution provided under section 11 of the Custody Act 1995⁵.

Internal fire spread (linings)

B2.(1) To inhibit the spread of fire within the building the internal linings must—

- (a) adequately resist the spread of flame over their surface; and
- (b) have, if ignited, a rate of heat release which is reasonable in the circumstances.

(2) In this requirement "internal linings" means the materials lining any partition, wall, ceiling or other internal structure.

Internal fire spread (structure)

B3.(1) The building must be designed and constructed so that, in the event of fire, its stability will be maintained for a reasonable period.

Requirement B3 does not apply to an institution provided under section 11 of the Custody Act 1995.

(2) A wall common to 2 or more buildings must be designed and constructed so that it adequately resists the spread of fire between those buildings, and for this subparagraph, a house in a terrace or a semi-detached house are taken to be a separate building.

(3) To inhibit the spread of fire within the building, it must be subdivided with fire-resisting construction

Requirement B3(3) does not apply to an institution provided under section 11 of the Custody Act 1995.

⁵ 1995 c.1

<i>Requirement</i>	<i>Limits on application</i>
<p>to an extent appropriate to the size and intended use of the building.</p> <p>(4) The building must be designed and constructed so that the unseen spread of fire and smoke within concealed spaces in its structure and fabric is inhibited.</p>	
<p>External fire spread</p>	
<p>B4.(1) The external walls of the building must adequately resist the spread of fire over the walls and from one building to another, having regard to the height, use and position of the building.</p> <p>(2) The roof of the building must adequately resist the spread of fire over the roof and from one building to another, having regard to the use and position of the building.</p>	
<p>Access and facilities for the fire service</p>	
<p>B5.(1) The building must be designed and constructed so as to provide facilities to assist fire fighters in the protection of life.</p> <p>(2) Reasonable provision must be made within the site of the building to enable fire appliances to gain access to the building.</p>	
<p>Smoke and heat detectors</p>	
<p>B6.The building must be fitted with one or more smoke and heat detectors in such manner as to make adequate provision for the early detection of the outbreak of fire in the building.</p>	<p>Requirement B6 applies only to dwellings.</p>
<p>Sprinklers</p>	
<p>B7.Reasonable provision must be made for installation of sprinklers to the building appropriate for the use to which the building is to be put, to facilitate escape from the building in case of fire</p>	<p>Requirement B7 applies only to —</p> <p>(a) a house or flat in multiple occupation;</p> <p>(b) buildings containing flats;</p> <p>(c) buildings to be used for sheltered housing;</p> <p>(d) tourist premises</p>
<p>Design, installation and testing</p>	

<i>Requirement</i>	<i>Limits on application</i>
B8(1). Reasonable provision must be made in the design, installation, inspection and testing of sprinklers to protect against false operation of sprinklers.	(e) hospitals and institutions; (f) schools; (g) open-plan dwellings; and (h) other buildings with compartments over 5,000m ³ .

Provision of information

B8(2).Sufficient information must be provided so that persons wishing to operate, maintain or alter a sprinkler installation can do so with reasonable understanding of the system.

PART C – SITE PREPARATION AND RESISTANCE TO CONTAMINANTS AND MOISTURE

Preparation of site and resistance to contaminants.

C1.

(1)The ground to be covered by the building must be reasonably free from any material that might damage the building or affect its stability, including vegetable matter, topsoil and pre-existing foundations.

(2)Reasonable precaution must be made to avoid danger to health and safety caused by contaminants on or in the ground covered or to be covered by the building and any land associated with the building.

(3)Adequate sub-soil drainage must be provided if it is needed to avoid –

- (a) the passage of ground moisture to the interior of the building;
- (b) damage to the building, including damage through the transport of water borne contaminants to the foundation of the building.

(4) In this requirement “containment” means any substance which is or may be harmful to persons or buildings including substances which are corrosive, explosive, flammable, radioactive or toxic.

<i>Requirement</i>	<i>Limits on application</i>
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Resistance to moisture

C2. The floors, walls and roof of the building must adequately protect the building and people who use the building from harmful effect caused by

—

- (a) ground moisture;
- (b) precipitation including wind-driven spray;
- (c) interstitial and surface condensation; and
- (d) spillage of water from or associated sanitary fittings or fixed appliances.

PART D – TOXIC SUBSTANCES

Cavity insulation

D1. If insulating material is inserted into a cavity in a cavity wall, reasonable precautions must be taken to prevent the subsequent permeation of any toxic fumes from that material into any part of the building occupied by people.

PART E – RESISTANCE TO THE PASSAGE OF SOUND

Protection against sound from other parts of the building and adjoining buildings

E1. Dwelling houses, flats and rooms for residential purposes must be designed and constructed in such a way that they provide reasonable resistance to sound from other parts of the same building and from adjoining buildings.

Protecting against sound within a dwelling-house etc.

E2. Dwelling houses, flats and rooms for residential purposes must be designed and constructed in such a way that —

- (a) internal walls between a bedroom or a room containing a water closet, and other rooms; and

Requirement E2 does not apply to —

- (a) an internal wall which contains a door;
- (b) an internal wall which separates an en suite toilet from the associated bedroom; or
- (c) existing walls and floors in a

<i>Requirement</i>	<i>Limits on application</i>
(b) internal floors, provide reasonable resistance to sound.	building which is subject to material change of use.

Reverberation in common internal parts of buildings containing flats or rooms for residential purposes

E3. The common internal parts of buildings which contain flats or rooms for residential purposes must be designed and constructed in such a way as to prevent more reverberation around the common parts than is reasonable.

Requirement E3 only applies to corridors, stairwells, hallways and entrance halls which give access to the flat or room for residential purposes.

Acoustic conditions in schools

E4. Each room or other space in a school building must be designed and constructed in such a way that it has the acoustic conditions and insulation against disturbance by noise appropriate to its intended use.

PART F – VENTILATION

Means of ventilation

F1.(1) There must be adequate means of ventilation provided for people in the building.

(2) Fixed systems for mechanical ventilation and any associated controls must be commissioned by testing and adjusting as necessary to secure that the objective referred to in sub-paragraph (1) is met and is compliant with Part L.

Requirement F1 does not apply to a building or space within a building –

- (a) into which people do not normally go;
- (b) which is used solely for storage; or
- (c) which is a garage used solely in connection with a single dwelling.

PART G – SANITATION, HOT WATER SAFETY AND WATER EFFICIENCY

Cold water supply

G1.(1) There must be a suitable installation for the provision of –

- (a) wholesome water to any place where drinking water is drawn off;

Requirement G1(1) applies only to dwellings.

<i>Requirement</i>	<i>Limits on application</i>
<p>(b) wholesome water or softened wholesome water to any washbasin or bidet provided in or adjacent to a room containing a sanitary convenience;</p> <p>(c) wholesome water or softened wholesome water to any washbasin, bidet, fixed bath and shower in a bathroom; and</p> <p>(d) wholesome water to any sink provided in any area where food is prepared.</p> <p>(2) There must be a suitable installation for the provision of water of suitable quality to any sanitary convenience fitted with a flushing device.</p>	
<p>Water efficiency</p> <p>G2. Reasonable provision must be made by the installation of fittings and fixed appliances that use water efficiently for the prevention of undue consumption of water</p>	<p>Requirement G2 applies only when a dwelling is—</p> <p>(a) erected; or</p> <p>(b) formed by a material change of use of a building within the meaning of regulation 7(a) or (b)</p>
<p>Hot water supply and systems</p> <p>G3.(1) There must be a suitable installation for the provision of heated wholesome water or heated softened wholesome water to—</p> <p>(a) any washbasin or bidet provided in or adjacent to a room containing a sanitary convenience;</p> <p>(b) any washbasin, bidet, fixed bath and shower in a bathroom; and</p> <p>(c) any sink provided in any area where food is prepared.</p> <p>(2) A hot water system, including any cistern or other vessel that supplies water to or receives expansion water from a hot water system, must be designed, constructed and installed so as to resist the effects of temperature and pressure that may occur either in normal use or in the event of such malfunctions as may</p>	

<i>Requirement</i>	<i>Limits on application</i>
<p>reasonably be anticipated, and must be adequately supported.</p> <p>(3) A hot water system that has a hot water storage vessel must incorporate precautions to—</p> <p>(a) prevent the temperature of the water stored in the vessel at any time exceeding 100°C; and</p> <p>(b) ensure that any discharge from safety devices is safely conveyed to where it is visible but will not cause a danger to persons in or about the building.</p> <p>(4) The hot water supply to any fixed bath must be so designed and installed as to incorporate measures to ensure that the temperature of the water that can be delivered to that bath does not exceed 48°C.</p>	<p>Requirement G3(3) does not apply to a system which heats or stores water for the purposes only of an industrial process.</p> <p>Requirement G3(4) applies only when a dwelling is —</p> <p>(a) erected; or</p> <p>(b) formed by a material change of use of a building within the meaning of regulation 7(a) or (b).</p>
<p>Sanitary conveniences and washing facilities</p> <p>G4.(1) Adequate and suitable sanitary conveniences must be provided in rooms provided to accommodate them or in bathrooms.</p> <p>(2) Adequate hand washing facilities must be provided in—</p> <p>(a) Rooms containing sanitary conveniences; or</p> <p>(b) Rooms or spaces adjacent to rooms containing sanitary conveniences.</p> <p>(3) Any room containing a sanitary convenience, a bidet, or any facility for washing hands provided under subparagraph (2) (b), must be separated from any kitchen or any area where food is prepared.</p>	
<p>Bathrooms</p> <p>G5.A bathroom must be provided containing a washbasin and either a fixed bath or a shower.</p>	<p>Requirement G5 applies only to dwellings and to buildings containing one or more rooms for residential purposes.</p>
<p>Kitchen and food preparation areas</p>	

*Requirement**Limits on application*

G6. A suitable sink must be provided in any areas where food is prepared.

PART H – DRAINAGE AND WASTE DISPOSAL

Foul water drainage

H1.(1) An adequate system of drainage must be provided to carry foul water from appliances within the building to one of the following, listed in order of priority –

- (a) a public sewer; or, if that is not reasonably practicable;
- (b) either a septic tank which has appropriate form of secondary treatment or another wastewater treatment system; or, if that is not reasonably practicable;
- (c) a cesspool.

(2) In this Part “foul water” means waste water which comprises or includes –

- (a) waste from a sanitary convenience, bidet or other appliance used for washing receptacles for foul waste; or
- (b) water which has been used for food preparation, cooking or washing.

Requirement H1 does not apply to the diversion of water which has been used for personal washing or for the washing of clothes, linen or other articles to collection systems for reuse.

<i>Requirement</i>	<i>Limits on application</i>
Waste water treatment systems and cesspools	
<p>H2.(1) Any septic tank and its form of secondary treatment, other wastewater treatment system or cesspool, must be so sited and constructed that —</p> <p>(a) it is not prejudicial to the health of any person;</p> <p>(b) it will not contaminate any watercourse, underground water or water supply;</p> <p>(c) there are adequate means of access for emptying and maintenance; and</p> <p>(d) if relevant, it will function to a sufficient standard for the protection of health in the event of a power failure.</p> <p>(2) Any septic tank, holding tank which is part of a wastewater treatment system or cesspool must be —</p> <p>(a) of adequate capacity;</p> <p>(b) so constructed that it is impermeable to liquids; and</p> <p>(c) adequately ventilated.</p> <p>(3) if a foul water drainage system from a building discharges to a septic tank, wastewater treatment system or cesspool, a durable notice must be prominently displayed in a suitable place in the building containing information on any continuing maintenance required to avoid risks to health.</p>	
Rainwater drainage	
<p>H3.(1) Adequate provision must be made for rainwater to be carried from the roof of the building.</p> <p>(2) Paved areas around the building must be adequately drained.</p>	<p>Requirement H3(2) applies only to paved areas —</p> <p>(a) which provide access to the building pursuant to requirement M1 (access and use), or requirement M2 (access to extensions to buildings other than dwellings) ;</p> <p>(b) which provide access to or from a</p>

<i>Requirement</i>	<i>Limits on application</i>
<p>(3) Rain water from a system provided pursuant to sub-paragraphs (1) or (2) must discharge to one of the following, listed in order of priority —</p> <p>(a) an adequate soakaway or some other adequate infiltration system; or, if that is not reasonably practicable,</p> <p>(b) a watercourse; or, if that is not reasonably practicable;</p> <p>(c) a sewer.</p>	<p>place of storage pursuant to paragraph H6(2) (solid waste storage); or</p> <p>(c) in any passage giving access to the building, where this is intended to be used in common by the occupiers of one or more other buildings.</p> <p>Requirement H3(3) does not apply to the gathering of rainwater for reuse.</p>
<p>Building over sewers</p> <p>H4.(1) The erection or extension of a building or work involving the underpinning of a building must be carried out in a way that is not detrimental to the building or building extension or to the continued maintenance of the drain, sewer or disposal main.</p> <p>(2) In this requirement "disposal main" means any pipe, tunnel or conduit used for the conveyance of effluent to or from a sewage disposal works, which is not a public sewer.</p> <p>(3) In this requirement and requirement H5 "map of sewers" means any records kept pursuant to section 16 of the Sewerage Act 1999⁶.</p>	<p>Requirement H4 applies only to work carried out —</p> <p>(a) over a drain, sewer or disposal main which is shown on any map of sewers; or</p> <p>(b) on any site or in such a manner as may result in interference with the use of, or obstruction of the access of any person to, any drain, sewer or disposal main which is shown on any map of sewers.</p>
<p>Separate system of drainage</p> <p>H5.Any system for discharging water to a sewer which is provided pursuant to requirement H3 must be separate from that provided for the conveyance of foul water from the building.</p>	<p>Requirement H5 applies only to a system provided in connection with the erection or extension of a building where it is reasonably practicable for the system to discharge directly or indirectly to a sewer</p>

⁶ 1999 c.2

<i>Requirement</i>	<i>Limits on application</i>
	for the separate conveyance of surface water which is — (a) shown on a map of sewers; or (b) under construction either by the sewerage undertaker or by some other person (where the sewer is the subject of an agreement to make a declaration of vesting pursuant to section 8 of the Sewerage Act 1999).
Solid waste storage	
H6. (1) Adequate provision must be made for storage of solid waste.	
(2) Adequate means of access must be provided —	
(a) for people in the building to the place of storage; and	
(b) from the place of storage to a collection point (if one has been specified pursuant to regulations under section 66(9) of the Public Health Act 1990 ⁷) or to a street (if no collection point has been specified).	

PART J — COMBUSTION APPLIANCES AND FUEL STORAGE SYSTEMS

Air supply

J1. Combustion appliances must be so installed that there is an adequate supply of air to them for combustion, to prevent over-heating and for the efficient working of any flue.

Requirements J1, J2 apply only to fixed combustion appliances (including incinerators).

Discharge of products of combustion

J2. Combustion appliances must have adequate provision for the discharge of the products of combustion to the outside air.

Warning of release of carbon monoxide

J3. Where a combustion appliance is provided, appropriate provision having regard to the design and location of the

Requirement J3 applies only to fixed combustion appliances located in dwellings.

<i>Requirement</i>	<i>Limits on application</i>
<p>appliance must be made to detect and give early warning of the release of carbon monoxide at levels harmful to persons.</p> <p>Protection of building</p> <p>J4.Combustion appliances and flue-pipes must be installed, and fireplaces and chimneys must be so constructed and installed, as to reduce to a reasonable level the risk of people suffering burns or the building catching fire in consequence of their use.</p> <p>Provision of information</p> <p>J5.Where a hearth, fireplace, flue or chimney is provided or extended, a durable notice containing information on the performance capabilities of the hearth, fireplace, flue or chimney must be prominently displayed in a suitable place in the building for the purpose of enabling combustion appliances to be safely installed.</p> <p>Protection of liquid fuel storage systems</p> <p>J6.Liquid fuel storage systems and the pipes connecting them to combustion appliances must be constructed and separated from the building and the boundary of the premises as to reduce to a reasonable level of risk of the fuel igniting in the event of fire in adjacent buildings or premises.</p> <p>Protection against pollution</p> <p>J7.Oil storage tanks and the pipes connecting them to combustion appliances must —</p> <p>(a) have a secondary containment and protected as to prevent the risk of the oil escaping and causing pollution; and</p>	<p>Requirement J4 applies only to fixed combustion appliances (including incinerators).</p> <p>Requirement J6 applies only to —</p> <p>(a) fixed oil storage tanks with capacities greater than 90 litres and connecting pipes; and</p> <p>(b) fixed liquefied petroleum gas storage installations with capacities greater than 150 litres and connecting pipes, which are located outside the building and which serve fixed combustion appliances (including incinerators) in the building.</p> <p>Requirement J7 applies only to fixed oil storage tanks with capacities of 3500 litres or less, and connecting pipes, which are —</p> <p>(a) located outside the building; and</p> <p>(b) serve fixed combustion appliances (including incinerators) in a building</p>

<i>Requirement</i>	<i>Limits on application</i>
(b) have a durable notice prominently displayed containing information on how to respond to an oil escape so as to reduce to a reasonable level the risk of pollution.	used wholly or mainly as a private dwelling, but does not apply to buried systems.

PART K – PROTECTION FROM FALLING, COLLISION AND IMPACT

Stairs, ladders and ramps

K1. Stairs, ladders and ramps must be designed, constructed and installed as to be safe for people moving between different levels in or about the building.

Requirement K1 applies only to stairs, ladders and ramps which form part of the building.

Protection from falling

K2.

- (a) Any stairs, ramps, floors and balconies, and any roof to which people have access, and
- (b) any light well, basement area or similar sunken area connected to a building,

must be provided with barriers where it is necessary to protect people in or about the building from falling.

Vehicle barriers and loading bays

K3.(1) Vehicle ramps and any levels in a building to which vehicles have access, must be provided with barriers where it is necessary to protect people in or about the building.

(2) Vehicle loading bays must be constructed in such a way, or be provided with such features, as may be necessary to protect people in them from collision with vehicles.

Protection from collision with open windows etc.

K4. Provision must be made to prevent people moving in or about the building from colliding with open windows, skylights or ventilators.

Requirement K4 does not apply to dwellings.

<i>Requirement</i>	<i>Limits on application</i>
Protection against impact from and trapping by doors	
K5. (1) Provision must be made to prevent any door or gate —	Requirement K5 does not apply to —
(a) which slides or opens upwards, from falling onto any person; and	(a) dwellings; or
(b) which is powered, from trapping any person.	(b) any door or gate which is part of a lift.
(2) Provision must be made for powered doors and gates to be opened in the event of a power failure.	
(3) Provision must be made to ensure a clear view of the space on either side of a swing door or gate.	

PART L — CONSERVATION OF FUEL AND POWER IN BUILDINGS

L1 Conservation of fuel and power.

Reasonable provision must be made for the conservation of fuel and power in buildings by —

- (a) limiting heat gains and losses —
 - (i) through thermal elements and other parts of the building fabric ;
 - (ii) from pipes, ducts and vessels used for space heating, space cooling and hot water services;
- (b) providing fixed building services which —
 - (i) are energy efficient;
 - (ii) have effective controls; and
 - (iii) are commissioned by testing and adjusting as necessary to ensure they use no more fuel and power than is reasonable in the circumstances

PART M— ACCESS TO AND USE OF BUILDINGS

Access and use

- | | |
|--|--|
| M1. Reasonable provision must be made for people to — | The requirements of this Part do not apply to — |
| (a) gain access to; and | (a) an extension of or material alteration of a dwelling; or |
| (b) use the building and its facilities. | |

<i>Requirement</i>	<i>Limits on application</i>
the building and its facilities.	(b) any part of a building which is used solely to enable the building or any service or fitting in the building to be inspected, repaired or maintained.
Access to extensions to buildings other than dwellings M2.Suitable independent access must be provided to the extension where reasonably practicable.	Requirement M2 does not apply where suitable access to the extension is provided through the building that is extended.
Sanitary conveniences in extensions to buildings other than dwellings M3.If sanitary conveniences are provided in any building that is to be extended, reasonable provision must be made within the extension for sanitary conveniences.	Requirement M3 does not apply where there is reasonable provision for sanitary conveniences elsewhere in the building, such that people occupied in, or otherwise having occasion to enter the extension, can gain access to and use those sanitary conveniences.
Sanitary conveniences in dwellings. M4(1)Reasonable provision must be made in the entrance storey for sanitary conveniences, or where the entrance storey contains no habitable rooms, reasonable provision for sanitary conveniences must be made in either the entrance storey or principal storey. (2) In this requirement “entrance storey” means the storey which contains the principal entrance and “principal storey” means the storey nearest to the entrance storey which contains a habitable room, or if there are two such storeys equally near, or where the entrance storey, either such storey.	

PART N — GLAZING: SAFETY IN RELATION TO IMPACT, OPENING AND CLEANING

Protection against impact

N1.Glazing with which people are likely to come into contact whilst moving in or about the building must —

- (a) if broken on impact, break in a way which is unlikely to cause injury, or
- (b) resist impact without breaking; or
- (c) be shielded or protected from impact.

<i>Requirement</i>	<i>Limits on application</i>
<p>Manifestation of glazing</p> <p>N2. Transparent glazing with which people are likely to come into contact while moving in or about the building must incorporate features which make it apparent.</p>	Requirement N2 does not apply to dwellings.
<p>Safe opening and closing of windows etc.</p> <p>N3. Windows, skylights and ventilators which can be opened by people in or about building must be so constructed or equipped that they may be opened, closed or adjusted safely.</p>	Requirement N3 does not apply to dwellings.
<p>Safe access for cleaning windows etc.</p> <p>N4. Provision must be made for any windows, skylights, or any transparent or translucent walls, ceilings or roofs to be safely accessible for cleaning.</p>	Requirement N4 does not apply to — (a) dwellings; or (b) any transparent or translucent elements whose surface are not intended to be cleaned.

PART P – ELECTRICAL SAFETY

Design and installation

P1. Reasonable provision must be made in the design and installation of electrical installations in order to protect persons operating or altering the installations from fire or injury.

P2. Sufficient information must be provided so that persons wishing to operate, maintain or alter an electrical installation can do so with reasonable safety.

The requirements of this Part apply only to electrical installations that are intended to operate at low or extra- low voltage and are —

- (a) in or attached to a dwelling;
- (b) in the common parts of a building serving one or more dwellings, but excluding power supplies to lifts;
- (c) in a building that receives its electricity from a source located within or shared with a dwelling; or
- (d) in a garden or in or on land associated with a building where the electricity is from a source located within or shared with a dwelling.

<i>Requirement</i>	<i>Limits on application</i>
PART 5 – CRIME DETECTION AND PREVENTION	

S1. Reasonable provision must be made in the design and installation of any material or equipment for detection and prevention of crime by the provision of –

- (a) sufficient external illumination to allow safe access to and around the building between the hours of sunset to sunrise;
- (b) the appropriate mechanism for securing windows, roof windows, external doors and roof lights; and
- (c) external surveillance systems of areas around buildings, and

S1(a) and (b) must, if appropriate, be compatible for use in an emergency.

Requirement S1(a) does not apply to extension(s) less than 25% of the existing total floor area of a building.

Requirement S1(c) only applies to equipment if specified by the designer or as a requirement by the Department of Home Affairs.



SCHEDULE 2**EXEMPT BUILDINGS AND WORK**

(Regulation 11)

CLASS 1**Buildings not frequented by people**

A detached building –

- (a) into which people do not normally go; or
- (b) into which people go only intermittently and then only for the purpose of inspecting or maintaining fixed plant or machinery, unless any point of such a building is less than one-and-a-half-times its height from –
 - (i) any point of a building into which people can or do normally go; or
 - (ii) the nearest point of the boundary of the curtilage of that building,whichever is the nearer.

CLASS 2**Greenhouses and agricultural buildings**

1. Subject to paragraph 3, a greenhouse.
2. A building used, subject to paragraph 3, for agriculture, or a building principally for the keeping of animals, if –
 - (a) no part of the building is used as a dwelling;
 - (b) no point of the building is less than one-and-a-half-times its height from any point of a building which contains sleeping accommodation; and
 - (c) the building is provided with a fire exit which is not more than 30m from any point in the building.
3. The descriptions of buildings in paragraphs 1 and 2 do not include a greenhouse or a building used for agriculture if the principal purpose for which they are used is retailing, packing or exhibiting.
4. In paragraph 2, "agriculture" includes horticulture, fruit growing, the growing of plants for seed and fish farming.

CLASS 3**Temporary buildings**

A building which is not intended to remain where it is erected for more than 28 days and is not re-erected on the same site within the next 12 months.

CLASS 4

Ancillary buildings

1. A building on a site, being a building which is intended to be used only in connection with the disposal of building or building plots on that site.
2. A building on the site of construction or civil engineering works, which is intended to be used only during the course of those works and contains no sleeping accommodation.
3. A building, other than a building containing a dwelling or used as an office or showroom, erected for use on the site of and in connection with a mine or quarry.

CLASS 5

Small detached buildings

1. A detached single storey building, having a floor area which does not exceed 30 m², which contains no sleeping accommodation and is a building —
 - (a) no point of which is less than 1m from the boundary of its curtilage; or
 - (b) which is constructed substantially of non-combustible material.
2. A detached building designed and intended to shelter people from the effects of nuclear, chemical or conventional weapons, and not used for any other purpose, if —
 - (a) its floor area does not exceed 30m²; and
 - (b) the excavation for the building is no closer to any exposed part of another building or structure than a distance equal to the depth of the excavation plus one metre.
3. A detached building, having a floor area which does not exceed 15m², which is not heated, contains no sleeping accommodation and is a building —
 - (a) no point of which is less than 1m from the boundary of its curtilage; or
 - (b) which is constructed substantially of non-combustible material.

CLASS 6

Extensions

The extension of a building by the addition at ground level of a structure to which the following apply —

- (a) the structure is —
 - (i) a conservatory, sun room, porch, covered yard or covered way with a floor area not exceeding 15m²; or
 - (ii) a carport open on at least two sides with a floor area not exceeding 30m²;

- (b) in the case of a conservatory, sun room or porch which is wholly or partly glazed, the glazing satisfies the requirements of Part L1 and Part N of Schedule 1;
- (c) no point of the structure is less than 1m from the boundary of its curtilage;
- (d) the maximum span of roof members between end supports does not exceed 4m; and
- (e) access to the roof is for the purpose of maintenance and repairs only.

Exclusion

Proposed building work which involves building over or within 3m of a public sewer or private drainage serving more than one building is not exempt from these Regulations.

CLASS 7

Alterations

Replacement of—

- (a) a window, roof light, roof window, or door provided —
 - (i) any windows, roof window, or roof light have a Window Energy Rating (WER) Band C or better, or U value 1.6 W/m²K;
 - (ii) any doors with >50% of internal face glazed have a U value 1.8 W/m²K;
 - (ii) other doors have a U value 1.8 W/m²K; and
 - (iii) any windows, doors comply with the requirements of Part S, Schedule 1; or
- (b) a space heating or hot water service boiler or a hot water vessel, provided that it satisfies the requirement of Part L of Schedule 1 in connection with an existing dwelling.
- (c) an existing window in a dwelling-house with new patio or French doors, provided—
 - (i) no works may be undertaken except at ground floor level;
 - (ii) any new patio or French doors must only utilise an existing width; and
 - (iii) the works comply with the requirements of Part S, Schedule 1.

SCHEDULE 3

**DESCRIPTIONS OF WORK FOR WHICH NO DEPOSIT OF PLANS REQUIRED
UNDER REGULATION 12**

(Regulation 28)

Self- Certification Schemes and exemptions from requirement to deposit full plans

Column 1	Column 2
<i>Type of work</i>	<i>Person carrying out work</i>
Installation of a heat-producing gas appliance.	A person, or an employee of a person, who is a member of a class of persons approved under regulation 3 of the Gas Safety (Installation and Use) Regulations 1994 ⁸ as Applied by the Gas Safety (Application) Order 1996 ⁹
Installation of an oil-fired combustion appliance which has a rated heat output of 45 kw or less and which is installed in a building with no more than 3 storeys (excluding any basement).	An individual registered under the Oil Firing Registration Scheme by the Oil Firing Technical Association for the Petroleum Industry Ltd ¹⁰ in respect of that type of work.
Installation of oil storage tanks and the pipes connecting them to combustion appliances.	An individual registered under the Oil Firing Registration Scheme by the Oil Firing Technical Association for the Petroleum Industry Ltd in respect of that type of work.
Installation of a solid fuel burning combustion appliance which has a rated heat output of 50 kw or less and which is installed in a building with no more than 3 storeys (excluding any basement).	An individual registered under the Registration Scheme for Companies and Engineers involved in the Installation and Maintenance of Domestic Solid Fuel Fired Equipment by HETAS Ltd ¹¹ or the Department in respect of that type of work.
Installation of fixed low or extra-low voltage electrical installations.	A person registered by BRE Certification Limited ¹² , British Standards Institution ¹³ , NICEIC Certification Services Ltd ¹⁴ , or the Department with the minimum of a certificate in 17 th Edition of Electrical Installation Regulations in respect of that type of work.

⁸ S.I.1994 No. 1886

⁹ SD 326/96

¹⁰ A company incorporated under the Companies Act 1985 (of Parliament) (c.6) with the registration number 2739706.

¹¹ HETAS Ltd (Heating Equipment Testing and Approval Scheme) is the official approval body, recognised by the United Kingdom government as the official approval body for the domestic solid fuel industry. It is a non profit making independent body.

¹² A company incorporated under the Companies Act 1985 (of Parliament) (c.6) with the registration number 3548352.

¹³ Incorporated by Royal Charter.

¹⁴ A company incorporated under the Companies Act 1985 (of Parliament) (c.6) with the registration number 4411293.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Building Regulations 2007 (SD153/07) (“the 2007 Regulations”) The Regulations impose requirements on people carrying out “building work” which is defined in regulation 4 as the erection or extension of a building; the provision or extension of a controlled service or fitting; the material alteration of a building or controlled service or fitting; work required in relation to a material change of use; insertion of insulating material into a cavity wall; work involving underpinning of a building; work requiring the erection of earth retaining structures; work involving the laying of any drain or private sewer in connection with a building or extension to a building; work required to replace or renovate thermal elements;. However, the provision or extension of a controlled service or fitting in an existing building being work in relation to which Part L(Conservation of fuel and power) applies, is only building work if that work consists of the provision of a window, roof light, roof window, door etc. Relevant definitions are found in regulations 5 (“material alteration”) and 7 (“material change of use”).

Building work must be carried out so that it complies with the applicable requirements set out in Parts A to S of Schedule 1 and in complying with such requirements there must be no failure to comply with any other such requirements (regulation 6). The requirements in Schedule 1 relate to structure (Part A), fire safety (Part B), site preparation and resistance to contaminants and moisture (Part C), toxic substances (Part D), resistance to the passage of sound (Part E), ventilation (Part F), sanitation, hot water safety and water efficiency (Part G), drainage and waste disposal (Part H), combustion appliances and fuel storage systems (Part J), protection from falling, collision and impact (Part K), conservation of fuel and power (Part L), access to and use of buildings (Part M), glazing – safety in relation to impact, opening and cleaning (Part N) electrical safety (Part P) and Crime Detection and Prevention (Part S) . Not all provisions of Schedule 1 apply to all building work.

Regulation 9 requires that building work must be carried out with adequate and proper materials and in a workmanlike manner.

Regulations 10 and 11 provide for exemptions. A person intending to carry out building work is not required to deposit full plans where the work is carried out under a self-certification scheme set out in Schedule 3.

Part 3 requires a person intending to carry out building work to deposit full plans with the building authority (regulation 13) and contains requirements relating to full plans (regulations 13, 14 and 14A to 14F) and other procedural requirements.

Regulation 22 contains provision about self-certification schemes. Membership of self-certification schemes exempts persons carrying out relevant work from the normal requirements under the Building Regulations to notify the building authority of an intention to carry out the work.

Part 4 contains provisions requiring a person carrying out work to test certain sorts of building work and to commission fixed building services.

Part 4 also contains miscellaneous provisions including power for building authorities to test building work and take samples, and provision that the contravention of certain regulations is not to be an offence.

Regulation 24 includes transitional provisions so that the Building Regulations 2007 (which are revoked by regulation 25) continue to have effect for building work completed, and for plans submitted before the commencement date of these Regulations.