

2010 No. 719

BUILDING AND BUILDINGS, ENGLAND AND WALES

**The Building and Approved Inspectors (Amendment)
Regulations 2010**

Made - - - - *9th March 2010*

Laid before Parliament *12th March 2010*

Coming into force in accordance with regulation 1(2) to (4)

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 1, 3(1), 34 and 35 of, and paragraphs 1, 2, 4, 4A, 7, 8 and 10 of Schedule 1 to, the Building Act 1984(a), having consulted, in accordance with section 14(3) of that Act, the Building Regulations Advisory Committee and such other bodies as appear to the Secretary of State to be representative of the interests concerned:

Citation and commencement

1.—(1) These Regulations may be cited as the Building and Approved Inspectors (Amendment) Regulations 2010.

(2) Regulations 1 and 21 to 24 shall come into force on 5th April 2010.

(3) Regulations 2 (for the purposes of regulations 13 and 14), 13 and 14 shall come into force on 6th April 2010.

(4) Regulations 2 (for all other purposes), 3 to 12, 15 to 20 and 25 to 28 shall come into force on 1st October 2010.

Amendment of the Building Regulations 2000

2. The Building Regulations 2000(b) are amended as follows.

Amendment of regulation 9

3. In regulation 9(c) (exempt buildings and work)—

(a) 1984 c.55; section 1 was amended by section 1 of the Sustainable and Secure Buildings Act 2004 (c.22), paragraph 4A of Schedule 1 was inserted by section 8 of that Act and paragraphs 7 and 8 of Schedule 1 were amended by section 3 of that Act. There are other amendments to paragraph 7 but none is relevant. Certain functions of a Minister of the Crown under the Building Act 1984 were transferred to the National Assembly for Wales constituted by the Government of Wales Act 1998 (c.38) by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) as varied by article 4 of, and Schedule 3 to, the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/253) and have been transferred to Welsh Ministers by paragraph 11 of Schedule 30 to the Government of Wales Act 2006 (c.32). Subject to certain exceptions and reservations, the remaining functions conferred on the Secretary of State by the Building Act 1984 are transferred to Welsh Ministers, as far as they are exercisable in relation to Wales, by the Welsh Ministers (Transfer of Functions) (No.2) Order 2009 (S.I. 2009/3019) with effect from 31st December 2011.

(b) S.I. 2000/2531.

(c) Paragraphs (3) to (6) of regulation 9 were inserted by S.I. 2006/652.

- (a) in paragraph (3)(b) for “falling within class VII in Schedule 2” substitute “to which paragraph (5A) applies”;
- (b) after paragraph (5) insert—
 - “(5A) This paragraph applies to any extension of a building falling within class VII in Schedule 2 except a conservatory or porch—
 - (a) where any wall, door or window separating the conservatory or porch from that building has been removed and not replaced with a wall, door or window; or
 - (b) into which the building’s heating system has been extended.”.

New regulation 16C

- 4. After regulation 16B(a) (fire safety information) insert—

“Information about ventilation

16C.—(1) This regulation applies where Part F1(1) of Schedule 1 imposes a requirement in relation to building work.

(2) The person carrying out the work shall not later than five days after the work has been completed give sufficient information to the owner about the building’s ventilation system and its maintenance requirements so that the ventilation system can be operated in such a manner as to provide adequate means of ventilation.”.

Amendment of regulation 20

- 5. In regulation 20(b) (supervision of building work otherwise than by local authorities), in paragraph (1) after “20A,” insert “20AA,”.

New regulation 20AA

- 6. After regulation 20A(c) (sound insulation testing) insert—

“Mechanical ventilation air flow rate testing

20AA.—(1) This regulation applies where paragraph F1(1) of Schedule 1 imposes a requirement in relation to the creation of a new dwelling by building work.

(2) The person carrying out the work shall, for the purpose of ensuring compliance with paragraph F1(1) of Schedule 1—

- (a) ensure that testing of the mechanical ventilation air flow rate is carried out in accordance with a procedure approved by the Secretary of State; and
- (b) give notice of the results of the testing to the local authority.

(3) The notice referred to in paragraph (2)(b) shall—

- (a) record the results and the data upon which they are based in a manner approved by the Secretary of State; and
- (b) be given to the local authority not later than five days after the final test is carried out.”.

(a) Regulation 16B was inserted by S.I. 2006/3318.

(b) Regulation 20 was amended by S.I. 2002/440 and 2871, 2006/652, 2007/991 and 2009/1219. By virtue of S.I. 2009/2465, S.I. 2009/1219 comes into force on 6th April 2010.

(c) Regulation 20A was inserted by S.I. 2002/2871.

Amendment of regulation 20C

7. In regulation 20C(a) (commissioning)—

(a) before paragraph (1) insert—

“(A1) This regulation applies to building work in relation to which paragraph F1(2) of Schedule 1 imposes a requirement, but does not apply to the provision or extension of any fixed system for mechanical ventilation or any associated controls where testing and adjustment is not possible.”;

(b) in paragraph (2) after “paragraph” insert “F1(2) or”.

Substitution of new regulation 20D

8. For regulation 20D(b) (CO₂ emission rate calculations) substitute—

“CO₂ emission rate calculations

20D.—(1) This regulation applies where a building is erected and regulation 17C applies.

(2) Not later than the day before the work starts, the person carrying out the work shall give the local authority a notice which specifies—

- (a) the target CO₂ emission rate for the building,
- (b) the calculated CO₂ emission rate for the building as designed, and
- (c) a list of specifications to which the building is to be constructed.

(3) Not later than five days after the work has been completed, the person carrying out the work shall give the local authority—

- (a) a notice which specifies—
 - (i) the target CO₂ emission rate for the building,
 - (ii) the calculated CO₂ emission rate for the building as constructed, and
 - (iii) whether the building has been constructed in accordance with the list of specifications referred to in paragraph (2)(c), and if not a list of any changes to those specifications; or
- (b) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraph (a).

(4) A local authority is authorised to accept, as evidence that the requirements of regulation 17C have been satisfied, a certificate to that effect by an energy assessor who is accredited to produce such certificates for that category of building.

(5) In this regulation—

“energy assessor” means an individual who is a member of an accreditation scheme approved by the Secretary of State in accordance with regulation 17F; and

“specifications” means specifications used for the calculation of the CO₂ emission rate.
”.

Amendment of regulation 22

9. In regulation 22(c) (contravention of certain regulations not to be an offence), after “20A,” insert “20AA,”.

(a) Regulation 20C was inserted by S.I. 2006/652 and amended by S.I. 2007/3384.

(b) Regulation 20D was inserted by S.I. 2006/652 and amended by S.I. 2008/2363.

(c) Regulation 22 was amended by S.I. 2006/652, 2007/991 and 2009/1219. By virtue of S.I. 2009/2465, S.I. 2009/1219 comes into force on 6th April 2010.

Amendment of regulation 22B

10. In regulation 22B(a) (electronic service of documents), in paragraph (1)—

- (a) after sub-paragraph (h) insert—
 - “(ha) a notice under regulation 20AA(2)(b);”;
- (b) in sub-paragraph (k) for “20D(1)” substitute “20D(2) or (3)”.

Amendment of Part F of Schedule 1

11. In Part F of Schedule 1 (means of ventilation), in the first column of paragraph F1—

- (a) the existing text becomes sub-paragraph (1);
- (b) after sub-paragraph (1) insert—
 - “(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.”.

Amendment of Part J of Schedule 1

12. In Part J of Schedule 1(b) (combustion appliances and fuel storage systems), after paragraph J2 insert—

“Warning of release of carbon monoxide

J2A

Where a combustion appliance is provided, appropriate provision having regard to the design and location of the appliance shall be made to detect and give early warning of the release of carbon monoxide at levels harmful to persons.

Requirement J2A applies only to fixed combustion appliances located in dwellings.”.

Amendment of Schedule 2A

13. In Schedule 2A(c) (self-certification schemes and exemptions from requirement to give building notice or deposit full plans)—

- (a) in paragraph 2 for the words in the second column substitute “A person registered by Association of Plumbing and Heating Contractors (Certification) Limited(d), Building Engineering Services Competence Accreditation Limited(e), Capita Gas Registration and Ancillary Services Limited(f), CORGI Services Limited(g), EC Certification Limited(h), HETAS Limited(i), NAPIT Registration Limited(j), NICEIC Group Limited(k) or Oil Firing Technical Association Limited(l) in respect of that type of work.”;
- (b) in paragraph 3 in the second column, after “registered by” insert “CORGI Services Limited, EC Certification Limited, HETAS Limited,”;

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- (a) Regulation 22B was inserted by S.I. 2008/2334.
 - (b) Part J was substituted by S.I. 2001/3335.
 - (c) Schedule 2A was substituted by S.I. 2006/652, and the relevant amending instruments are: S.I. 2006/3318, 2007/3384 and 2009/466.
 - (d) A company formed and registered under the Companies Acts (defined in section 2 of the Companies Act 2006, c.46) with the registration number 02876277.
 - (e) A company formed and registered under the Companies Acts with the registration number 03712932.
 - (f) A company formed and registered under the Companies Acts with the registration number 05078781.
 - (g) A company formed and registered under the Companies Acts with the registration number 03268198.
 - (h) A company formed and registered under the Companies Acts with the registration number 06418028.
 - (i) A company formed and registered under the Companies Acts with the registration number 02117828.
 - (j) A company formed and registered under the Companies Acts with the registration number 05190452.
 - (k) A company formed and registered under the Companies Acts with the registration number 02513162.
 - (l) A company formed and registered under the Companies Acts with the registration number 02739706.

- (c) in paragraph 4 in the second column, after “registered by” insert “CORGI Services Limited, EC Certification Limited,”;
- (d) in paragraph 5 for the words in the second column substitute “A person registered by Association of Plumbing and Heating Contractors (Certification) Limited, Building Engineering Services Competence Accreditation Limited, CORGI Services Limited, EC Certification Limited, HETAS Limited, NAPIT Registration Limited, NICEIC Group Limited or Oil Firing Technical Association Limited in respect of that type of work.”;
- (e) after paragraph 5 insert—

“5A. Installation of a heating or hot water system connected to a solid fuel burning combustion appliance or its associated controls.

A person registered by Association of Plumbing and Heating Contractors (Certification) Limited, Building Engineering Services Competence Accreditation Limited, CORGI Services Limited, EC Certification Limited, HETAS Limited, NAPIT Registration Limited, NICEIC Group Limited or Oil Firing Technical Association Limited in respect of that type of work.

5B. Installation of a heating or hot water system connected to an electric heat source or its associated controls.

A person registered by Building Engineering Services Competence Accreditation Limited, CORGI Services Limited, EC Certification Limited, HETAS Limited, NAPIT Registration Limited, NICEIC Group Limited or Oil Firing Technical Association Limited in respect of that type of work.”;

- (f) in paragraph 14, in the first column, in sub-paragraph (2) omit paragraph (a).

Amendment of Schedule 2B

14. In Schedule 2B(a) (descriptions of work where no building notice or deposit of full plans required), in paragraph 1 after sub-paragraph (l) insert—

“(m) installation of thermal insulation in a roof space or loft space where—

- (i) the work consists solely of the installation of such insulation, and
- (ii) the work is not carried out in order to comply with any requirement of these Regulations.”.

Amendment of the Building (Approved Inspectors etc.) Regulations 2000

15. The Building (Approved Inspectors etc.) Regulations 2000(b) are amended as follows.

Amendment of regulation 11

16. In regulation 11(1)(c) (functions of approved inspectors)—

- (a) in sub-paragraph (a) after “16B,” insert “16C,”;
- (b) in sub-paragraph (c) after “12A,” insert “12AA,”.

(a) Schedule 2B was inserted by S.I. 2004/3210, and paragraph (1)(l) was inserted by S.I. 2009/1219 with effect from 1st April 2010.

(b) S.I. 2000/2532.

(c) Regulation 11(1) was amended by S.I. 2001/3336, 2006/652 and 3318 and 2009/1219. By virtue of S.I. 2009/2465, S.I. 2009/1219 comes into force on 6th April 2010.

New regulation 12AA

17. After regulation 12A(a) (sound insulation testing) insert—

“Mechanical ventilation air flow rate testing

12AA.—(1) This regulation applies where paragraph F1(1) of Schedule 1 to the Principal Regulations imposes a requirement in relation to the creation of a new dwelling by building work.

(2) The person carrying out the work shall, for the purpose of ensuring compliance with paragraph F1(1) of Schedule 1 to the Principal Regulations—

- (a) ensure that testing of the mechanical ventilation air flow rate is carried out in accordance with a procedure approved by the Secretary of State; and
- (b) give notice of the results of the testing to the approved inspector who gave the initial notice.

(3) The notice referred to in paragraph (2)(b) shall—

- (a) record the results and the data upon which they are based in a manner approved by the Secretary of State; and
- (b) be given to the approved inspector not later than five days after the final test is carried out.”.

Amendment of regulation 12C

18. In regulation 12C(b) (commissioning)—

(a) before paragraph (1) insert—

“(A1) This regulation applies to building work which is the subject of an initial notice, and in relation to which paragraph F1(2) of Schedule 1 to the Principal Regulations imposes a requirement, but does not apply to the provision or extension of any fixed system for mechanical ventilation or any associated controls where testing and adjustment is not possible.”;

(b) in paragraph (2) after “paragraph” insert “F1(2) or”.

Substitution of new regulation 12D

19. For regulation 12D(c) substitute—

“CO₂ emission rate calculations

12D.—(1) This regulation applies where a building is erected and regulation 17C of the Principal Regulations applies to work which is the subject of an initial notice.

(2) Not later than the day before the work starts, the person carrying out the work shall give the approved inspector a notice which specifies—

- (a) the target CO₂ emission rate for the building,
- (b) the calculated CO₂ emission rate for the building as designed, and
- (c) a list of specifications to which the building is to be constructed.

(3) Not later than five days after the work has been completed or, if earlier, the date on which in accordance with regulation 18 the initial notice ceases to be in force, the person carrying out the work shall give the approved inspector—

(a) Regulation 12A was inserted by S.I. 2002/2872.

(b) Regulation 12C was inserted by S.I. 2006/652 and amended by S.I. 2007/3384.

(c) Regulation 12D was inserted by S.I. 2006/652 and amended by S.I. 2008/2363.

- (a) a notice which specifies—
 - (i) the target CO₂ emission rate for the building,
 - (ii) the calculated CO₂ emission rate for the building as constructed, and
 - (iii) whether the building has been constructed in accordance with the list of specifications referred to in paragraph (2)(c), and if not a list of any changes to those specifications; or
- (b) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraph (a).

(4) An approved inspector is authorised to accept, as evidence that the requirements of regulation 17C of the Principal Regulations have been satisfied, a certificate to that effect by an energy assessor who is accredited to produce such certificates for that category of building.

(5) In this regulation—

“energy assessor” means an individual who is a member of an accreditation scheme approved by the Secretary of State in accordance with regulation 17F; and

“specifications” means specifications used for the calculation of the CO₂ emission rate.”.

Amendment of regulation 31A

20. In regulation 31A(a) (electronic service of documents)—

- (a) after paragraph (e) insert—
 - “(ea) a notice under regulation 12AA(2)(b);”;
- (b) in paragraph (h) for “12D(1) or (4)(b)” substitute “12D(2) or (3)”.

Amendment of the Building and Approved Inspectors (Amendment) Regulations 2009

21. The Building and Approved Inspectors (Amendment) Regulations 2009(b) are amended as follows.

Amendment of regulation 2

22.—(1) In regulation 2(2) (amendment of regulation 2 of the Building Regulations 2000)—

- (a) in sub-paragraph (a) at the end omit “and”;
- (b) after sub-paragraph (a) insert—
 - “(aa) in paragraph (1)—
 - (i) for the full stop at the end of the definition of “shop” substitute a semi-colon,
 - (ii) after the definition of “shop” insert—
 - ““softened wholesome water” means water which would be regarded as wholesome for the purposes of regulations made under section 67 of the Water Industry Act 1991(c) (standards of wholesomeness) as they apply for the purposes of Part G of Schedule 1 in accordance with paragraph (2C) but for the presence of sodium in excess of the level specified in those regulations if it is caused by a water softener or water softening process which reduces the concentrations of calcium and magnesium.”; and”.

(a) Regulation 31A was inserted by S.I. 2008/2334.

(b) S.I. 2009/1219, amended by S.I. 2009/2465. By virtue of S.I. 2009/2465, S.I. 2009/1219 comes into force on 6th April 2010.

(c) 1991 c.56. Regulations made under section 67 are S.I. 2000/3184, 2001/3911, 2009/3101 and 2010/66.

(2) For regulation 2(15) (amendment of Schedule 2A to the Building Regulations 2000) substitute—

“(15) In Schedule 2A(a)(self-certification schemes and exemptions from requirement to give building notice or deposit full plans)—

- (a) in paragraph 2 in the first column omit “service”;
- (b) in paragraph 3 in the first column—
 - (i) in sub-paragraph (a) omit the words from “which has” to the end of the sub-paragraph,
 - (ii) omit sub-paragraph (c);
- (c) in paragraph 4 in the first column—
 - (i) in sub-paragraph (a) omit the words from “which has” to the end of the sub-paragraph,
 - (ii) omit sub-paragraph (b);
- (d) in paragraph 5 for the words in the first column substitute “Installation of a heating or hot water system connected to an oil-fired combustion appliance or its associated controls.”;
- (e) in paragraph 6 in the first column omit “heating, hot water service,” and “, other than a combustion appliance or its associated controls”;
- (f) in paragraph 13 for “washing facility” substitute “sink, washbasin, bidet, fixed bath, shower”.

Amendment of the Schedule

23. In the Schedule (substituted Part G of Schedule 1 to the Building Regulations 2000: sanitation, hot water safety and water efficiency)—

- (a) in paragraph G1(1), in the first column—
 - (i) omit “wholesome water to”,
 - (ii) in paragraphs (a) and (d) at the beginning insert “wholesome water to”,
 - (iii) in paragraphs (b) and (c) at the beginning insert “wholesome water or softened wholesome water to”;
- (b) in paragraph G3(1), in the first column, after “heated wholesome water” insert “or heated softened wholesome water”.

Amendment of the Building (Amendment No.2) Regulations 2009

24. In paragraph (4) of regulation 2 of the Building (Amendment No.2) Regulations 2009(b) (amendment of Schedule 2A to the Building Regulations 2000)—

- (a) in paragraph 13A inserted into Schedule 2A to the Building Regulations 2000, at the end of the first column insert “or a softened wholesome cold water supply”;
- (b) in paragraph 13B inserted into Schedule 2A to those Regulations at the end of the first column insert “which does not involve work on shared or underground drainage”.

Transitional provisions: interpretation

25. In regulations 26 to 28—

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- (a) Schedule 2A was substituted by S.I. 2006/652 and is amended by S.I. 2006/3318, 2007/3384 and 2009/1219. There are other amendments but none is relevant. By virtue of S.I. 2009/2465 the amendments made by S.I. 2009/1219 come into force on 6th April 2010.
 - (b) S.I. 2009/2397 amended by S.I. 2009/2465. By virtue of S.I. 2009/2465, S.I. 2009/2397 comes into force on 6th April 2010.

“the Act” means the Building Act 1984;

“the Building Regulations” means the Building Regulations 2000;

“the Approved Inspectors Regulations” means the Building (Approved Inspectors etc.) Regulations 2000.

Transitional provisions: work already started

26.—(1) Subject to paragraph (2), where before 1st October 2010 building work is started in accordance with—

- (a) a building notice given to, or full plans deposited with, a local authority under regulation 12(2A) of the Building Regulations^(a) (giving of a building notice or deposit of plans) and a notice given to the local authority under regulation 15(1) of those Regulations^(b) (notice of commencement and completion of certain stages of work);
- (b) an initial notice or an amendment notice given in accordance with section 47(1) (giving and acceptance of initial notice) or 51A(2) of the Act^(c) (variation of work to which initial notice relates);
- (c) a public body’s notice given in accordance with section 54 (giving, acceptance and effect of public body’s notice) of the Act,

the Building Regulations and the Approved Inspectors Regulations shall continue to apply to that building work as if the amendments made by regulations 3 to 12 and 16 to 20 had not been made.

(2) Where before 1st October 2010 building work is started in accordance with an initial notice which is varied by an amendment notice given on or after that date, the Building Regulations and the Approved Inspectors Regulations shall continue to apply as if the amendments made by regulations 3 to 12 and 16 to 20 had not been made to so much of the building work as could have been carried out under that initial notice if the amendment notice had not been given.

(3) Where before 1st October 2010 building work is started to which regulation 12(5)(a) or (b)^(d) of the Building Regulations applies, the Building Regulations and the Approved Inspectors Regulations shall continue to apply to that building work as if the amendments made by regulations 3 to 12 and 16 to 20 had not been made.

Transitional provisions: work for which notification is not required

27. Where before 1st October 2010 a contract is entered into for the provision of building work to which regulation 12(5)(a) or (b) of the Building Regulations applies, the Building Regulations and the Approved Inspectors Regulations shall continue to apply to that work as if the amendments made by regulations 3 to 12 and 16 to 20 had not been made, provided that the work is started before 6th April 2011.

Transitional provisions: notice given or plans deposited before 1st October 2010

28.—(1) Subject to paragraph (2), the Building Regulations and the Approved Inspectors Regulations shall continue to apply in relation to building work as if the amendments made by regulations 3 to 12 and 16 to 20 had not been made where—

- (a) before 1st October 2010 a building notice, an initial notice, a plans certificate, an amendment notice or a public body’s notice has been given to, or full plans deposited with, a local authority; and
- (b) the work is carried out or is to be carried out in accordance with any such notice or plans, whether with or without any departure from such plans,

(a) Regulation 12(2A) was inserted by S.I. 2006/652.

(b) Regulation 15(1) was amended by S.I. 2002/440 and 2006/652.

(c) Section 47(1) was amended by section 8(2) of the Sustainable and Secure Buildings Act 2004 (c.22) and S.I. 1996/1905. Section 51A(2) was inserted by S.I. 1996/1905.

(d) Regulation 12(5) was substituted by S.I. 2004/3210 and amended by S.I. 2008/671.

provided that the work is started before 1st October 2011.

(2) Where an initial notice given before 1st October 2010 is varied by an amendment notice given on or after that date, the Building Regulations and the Approved Inspectors Regulations shall continue to apply as if the amendments made by regulations 3 to 12 and 16 to 20 had not been made to so much of the building work as could have been carried out under that initial notice if the amendment notice had not been given, provided that the work is started before 1st October 2011.

Signed by authority of the Secretary of State

9th March 2010

John Healey
Minister of State
Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Building Regulations 2000 (S.I. 2000/2531) (“the Building Regulations”), the Building (Approved Inspectors etc.) Regulations 2000 (S.I. 2000/2532) (“the Approved Inspectors Regulations”), the Building and Approved Inspectors (Amendment) Regulations 2009 (S.I. 2009/1219) (“the 2009 Regulations”) and the Building (Amendment No.2) Regulations 2009 (S.I. 2009/2397).

Most conservatories and porches are currently exempt from the energy efficiency requirements of the Building Regulations. Regulation 3 amends regulation 9 of the Building Regulations (exempt buildings and works) so that only conservatories and porches extending a building where the separating walls, doors and windows are retained or replaced if they have been removed and into which the building’s heating system has not been extended remain within that exemption.

Part F of Schedule 1 to the Building Regulations contains a requirement for ventilation of buildings. Where this requirement applies, new regulation 16C of the Building Regulations (inserted by regulation 4) requires the person carrying out the work to provide information about the building’s ventilation system and its maintenance to the owner. New regulation 20AA of the Building Regulations (inserted by regulation 6) requires testing of the mechanical ventilation air flow rate in new dwellings to ensure that the Part F ventilation requirement is met. Regulation 11 amends Part F to require fixed mechanical ventilation systems to be commissioned by testing and adjustment, and regulation 7 amends regulation 20C of the Building Regulations (commissioning) to require notice of such commissioning to be given to the local authority. Regulations 17 and 18 make similar amendments to the Approved Inspectors Regulations to those made to the Building Regulations by regulations 6 and 7.

Regulation 20D of the Building Regulations (CO₂ emission rate calculations) requires a person carrying out work to notify the local authority of the target carbon dioxide emission rate for the building and the calculated emission rate for the building as constructed. It also enables the local authority to accept a certificate from a member of an approved energy assessor’s accreditation scheme as to the energy efficiency of the building. Regulation 8 substitutes a new regulation 20D which adds a new requirement for the person carrying out work before work starts to provide the local authority with a notice which includes the calculated emission rate for the building as designed. Regulation 19 makes equivalent changes in the Approved Inspectors Regulations.

Regulation 12 amends Part J of Schedule 1 to the Building Regulations (combustion appliances and fuel storage systems) to impose a new requirement for a carbon monoxide alarm to be provided in appropriate circumstances where a fixed combustion appliance is installed in a dwelling.

Regulations 13, 22 and 24 update Schedule 2A to the Building Regulations which lists categories of building work covered by, and the operators of, 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 local authority of an intention to carry out the work.

Regulation 14 amends Schedule 2B to the Building Regulations (descriptions of work where no building notice or deposit of full plans required) to introduce an exemption for the installation of loft insulation in certain cases.

Regulation 23 amends new Part G of Schedule 1 to the Building Regulations (requirements in relation to sanitation, hot water safety and water efficiency) which is substituted by the 2009 Regulations with effect from 6th April 2010 (see the Building and Approved Inspectors (Amendment No.2) Regulations 2009, S.I. 2009/2465). Paragraphs G1 and G3 of Schedule 1 are amended to enable the supply of softened wholesome water to sanitary appliances including baths and washbasins. Regulation 22 amends the 2009 Regulations to insert a new definition of “softened wholesome water” for the purposes of those provisions.

Regulations 25 to 28 contain transitional provision, and the Regulations also make consequential amendments.

The Secretary of State will approve, under section 6(4) of the Building Act 1984 (c.55), new approved documents providing practical guidance with respect to the requirements of these Regulations and Parts F, J and L of Schedule 1 to the Building Regulations. The approved document for Part G of Schedule 1 will be amended to take account of changes made by these Regulations. The Department for Communities and Local Government will publish a circular describing the procedures approved by the Secretary of State for the purposes of new regulation 20AA of the Building Regulations and new regulation 12AA of the Approved Inspectors Regulations. Copies of these documents will be available on the Department's website www.communities.gov.uk and from the Department at Eland House, Bressenden Place, London SW1E 5DU.

Impact Assessments of the effect that some provisions of these Regulations and the new and revised approved documents will have on the costs of business and the public and voluntary sectors are annexed to the explanatory memorandum to these Regulations which will be placed on the OPSI website www.opsi.gov.uk and copies have also been placed in the Library of each House of Parliament.

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£5.50