

OFFICE OF THE DEPUTY PRIME MINISTER

ODPM Circular 03/2006
Office of the Deputy Prime Minister
Eland House, Bressenden Place, London SW1E 5DU

15 March 2006

THE BUILDING ACT 1984.

THE BUILDING REGULATIONS AND THE BUILDING (APPROVED INSPECTORS ETC) REGULATIONS 2000.

- **New Parts L and P in Schedule 1 Building Regulations 2000**
- **New Energy Efficiency requirements for Buildings to implement Articles 3 to 6 of the Energy Performance of Buildings Directive (EPBD), and testing and commissioning**
- **New approved calculation methodology**
- **Further Provisions for Self Certification**

New Approved Documents to support

PART F (VENTILATION)

PART L (CONSERVATION OF FUEL AND POWER)

- L1A (New dwellings)
- L1B (Existing dwellings)
- L2A (New buildings other than dwellings)
- L2B (Existing buildings other than dwellings)

PART P (ELECTRICAL SAFETY)

INTRODUCTION

1. I am directed by the First Secretary of State to draw your attention to the Building and Approved Inspectors (Amendment) Regulations 2006 (S.I. 2006/652) which were made on 15 March 2006. The provisions will come into force on 6 April 2006, subject to the transitional provisions referred to in Annex H.
2. In accordance with section 14(3) of the Building Act 1984, these Amendment Regulations were made after consultation with the Building Regulations Advisory Committee and with other bodies representative of the interests concerned.
3. The purpose of this Circular is to:
 - draw attention to these amendments and explain the changes they make to the Building Act 1984, to the Building Regulations 2000 (“the Building Regulations”) and to the Building (Approved Inspectors etc.) Regulations 2000 (“the AI Regulations”);
 - explain the transitional provisions;
 - announce the approval and publication of six new Approved Documents;
 - explain the process for updating second tier reference documents;
 - announce further provisions for self certification
 - announce the approval of the calculation tools that are to be used to determine the energy performance of buildings.
4. This circular does not give advice on technical requirements of Parts F, L and P because these are matters covered in the Approved Documents. Annexes A and B to this circular set out in tabular form all the changes to the Building Regulations made by SI 2006/652.

AMENDMENTS RELATING TO PART F OF SCHEDULE 1 TO THE BUILDING REGULATIONS 2000

5. Requirement F1 has not been amended but the guidance in Approved Document F has (see Annex C). The changes have been made to complement Part L (2006) and to clarify the guidance, making it more performance based. Under the new Part L buildings should attain a better standard of airtightness than before. This means that there will be less ventilation due to air flowing into and out of the building through gaps and cracks in the structure. To take account of this it has been necessary to amend the ventilation guidance that is described in Approved Document F. The main changes are listed on the inside front cover of the Approved Document.
6. Transitional provisions for Approved Document F are set out in Annex H

AMENDMENTS RELATING TO PART L OF SCHEDULE 1 TO THE BUILDING REGULATIONS 2000

7. The Amendment Regulations introduce a revised requirement L1 (conservation of fuel and power) into Schedule 1 of the Building Regulations and revokes the current requirements L1 and L2. Annex D to this circular refers to the changes in the revised Part L and to the four new Approved Documents in support of Part L. It also introduces new requirements to implement Articles 3 to 6 of the Energy Performance of Buildings Directive 2002/91/EC (regulations 17A, 17B, 17C, 17D and 17E). It also introduces new requirements for testing and commissioning (regulations 20B and 20C) and the provision of information.
8. The Amendment Regulations amend Regulation 2 to insert new definitions for the change to a building's energy status, energy efficiency requirements, fixed building services and thermal elements and also amend the definition of building work in Regulation 3 to include the new requirements relating to thermal elements (regulation 4A), change in a building's energy status (regulation 4B) and consequential improvements (regulation 17D).

AMENDMENTS RELATING TO ELECTRICAL SAFETY IN DWELLINGS PART P OF SCHEDULE 1 TO THE BUILDING REGULATIONS 2000

9. The Amendment Regulations introduces a revised requirement P 1 (electrical safety) and revokes the current requirements P1 and P2. It also makes minor amendments to the limits of application of Part P and to the list of non-notifiable electrical installation work in Schedule 2B to the Regulations. Annex E to this Circular refers to these changes and to the revised Approved Document P in support of Part P.

AMENDMENTS RELATING TO SCHEDULE 2A OF THE BUILDING REGULATIONS 2000

10. The Amendment Regulations replace the current Schedule 2A with a revised Schedule 2A. The revised schedule repeats most of the current schedule and lists further circumstances where it is not necessary to give a building notice or full plans, and types of work which may be self-certified. It also amends some of the restrictions on when the exemption applies. Annex F to this circular refers to the changes in Schedule 2A.

APPLICATION TO EDUCATIONAL BUILDINGS AND STATUTORY UNDERTAKERS

11. The Amendment Regulations apply the requirements of regulation 17C and, where a building has a total useful floor area of over 1000 m² and undergoes a major renovation, the requirements of Part L and regulations 4A and 17D, to educational buildings and buildings of statutory undertakers (which are exempt from building regulations by virtue of section 4 of the Building Act 1984), subject to a number of exceptions.

AMENDMENT OF THE BUILDING (APPROVED INSPECTORS ETC.) REGULATIONS 2000

12. The Amendment Regulations make a number of amendments to the Building (Approved Inspectors etc.) Regulations 2000 consequent on the changes made to the

principal regulations. It also amends the regulations to allow approved inspectors to accept as evidence of compliance certificates to that effect issued by a person listed in column 2 of Schedule 2A in respect of the type of work listed in column 1 of that Schedule. Annex G of this Circular refers.

TRANSITIONAL PROVISIONS

13. Annex H to this circular explains the transitional provisions set out in SI 2006/652.

NEW APPROVED DOCUMENTS

14. The Secretary of State, in exercise of his powers under section 6 (1) of the Building Act 1984, has approved 6 new Approved Documents containing practical guidance with respect to the requirements of Parts F, L and P of Schedule 1 to the Building Regulations. Formal notice of these approvals, which take effect on 6 April 2006, is contained in Annex J in this circular.
15. The new Approved Documents were notified in draft to the European Commission in Accordance with the Directive 98/34/EC (United Kingdom Notification) as amended by Directive 98/48/EC.
16. The Secretary of State does not for the time being, propose to withdraw the previous editions of Approved Documents F, L and P in so far as they apply to building work which, in accordance with the transitional arrangements contained in the Amendment Regulations, will continue to be subject to the current Building Regulations.
17. The new Approved Documents
 - Approved Document to support Part F: Ventilation (2006 Edition, ISBN 1-85946-205-7, £12.50)
 - Approved Documents to support Part L: Conservation of fuel and power – divided into four parts
 1. Approved Document L1A: New dwellings (2006 Edition, ISBN 1-85946-217-0, £8.50)
 2. Approved Document L1B: Work on existing dwellings (2006 Edition, ISBN 1-85946-218-9, £8.50)
 3. Approved Document L2A: New buildings other than dwellings (2006 Edition, ISBN 1-85946-219-7, £8.50)
 4. Approved Document L2B: Existing buildings other than dwellings (2006 Edition, ISBN 1-85946-220-0, £8.50)
 - Approved Document to support Part P: Electrical safety (2006 Edition, ISBN 1-85946-223-2, £15.00)
 - **New Second Tier Documents to support Part L**

Low or Zero Carbon Energy Sources: Strategic Guide
(2006 Edition, ISBN 1-85946-224-3, £8.50)

Domestic Heating Compliance Guide
(2006 Edition, ISBN 1-85946-225-1, £15.00)

Non Domestic Heating, Cooling and Ventilation Compliance Guide
(2006 Edition, ISBN 1-85946-226-X, £15.00)

The National Calculation Methodology for determining the energy
performance of buildings (2006 Edition, ISBN 1-85946-227-8, £8.50)

A summary of the main changes in each of the 2006 editions of these Approved Documents can be found on the inside of their front covers.

Copies of new Approved Documents F, L1A, L1B, L2A, L2B and P to the Building Regulations, together with copies of the new Part L Second Tier Documents, are available from:

RIBA Bookshops, 15 Bonhill Street, London EC2P 2EA
Tel: 020 7256 7222
Fax: 020 7374 2737
Email: sales@ribabookshops.com
Online: www.ribabookshops.com

They can also be viewed on and downloaded from the ODPM website
(<http://www.odpm.gov.uk>)

ENQUIRIES

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ANNEX A

The Building and Approved Inspectors (Amendment) Regulations 2006 (SI 2006/652)

The following table lists all of the changes made by SI 2006/652 to the Building Regulations 2000 (SI 2000/2531)

S.I. 2000/2531 Regulation No.	S.I.2006/652 Regulation No.	Action
2 (1)	3 (1)	Interpretation. Definitions for “change to a building’s energy status” “energy efficiency requirements”, “fixed building services” and “renovation” added.
2(2A) and (2B)	3 (2)	Interpretation. Definition of “thermal element”.
3 (a)	4	Meaning of building work. Adds to the existing categories work required by regulations 4A, 4B and 17D. Revokes para 3(1A).
4	5	Requirements relating to building work. Adds new regulation 4(1A) to limit the application of regulation 3(1)(g), (h) and (i) so that where the work does not constitute a material alteration it need comply only with the applicable requirements of Part L of Schedule 1.
4 (A)	6	Requirements relating to thermal elements. Adds new regulation 4A requiring that where a thermal element is renovated or replaced the whole renovated or replaced thermal element must comply with the requirements of paragraph L1(a)(i) of Schedule 1
4 (B)	6	Requirements relating to change of energy status. Adds new regulation 4B to require that where there is a change to a building’s energy status such work as necessary be carried out to ensure that the building complies with the requirements of Part L of Schedule 1.

S.I. 2000/2531 Regulation No.	S.I.2006/652 Regulation No.	Action
6 (1) (a)	7	Requirements relating to material change of use. Consequential amendments reflecting amendments to Part L and Part P in Schedule 1.
9	8	Exempt buildings and work. Adds to Regulation 9 the circumstances where the energy efficiency requirements of the Regulations will not apply.
11	9	Power to dispense with or relax requirements. Amends regulation 11 to prescribe circumstances where the power to dispense with or relax requirements cannot be exercised.
12, 13, 14, 15	10, 11, 12, 13	Building notices and full plans. Consequential amendments to encompass new duties following from new requirements.
16A	14	Provisions applicable to self-certification schemes. Consequential amendment needed as Schedule 2B has been widened to include more than just work on electrical installations.
17A, 17B, 17C, 17D, 17E	15	Energy performance of buildings. Regulations 17A and 17B require the Secretary of State to approve a calculation methodology for building energy performance and minimum energy performance requirements for new buildings. Regulations 17C and 17D set out requirements for new and existing buildings. Regulation 17E defines “building” for the purposes of Regulations 17A to 17D as meaning the whole of the building or parts of it designed or altered to be used separately.
20(1)	16	Supervision of building work otherwise than by local authorities. Amends Regulation 20(1) to add that Regulations 20A, 20B, 20C and 20D do not apply in respect of work specified in an initial notice, amendment notice or public body’s notice.

S.I. 2000/2531 Regulation No.	S.I.2006/652 Regulation No.	Action
20B, 20C and 20D	17	Pressure testing, commissioning and CO ₂ emission rate calculations. Inserts new requirements on pressure testing of, commissioning of and CO ₂ emission rate calculations for buildings and sets out circumstances where local authorities can accept certificates from designated bodies as evidence that requirements have been satisfied.
22	18	Contravention of certain provisions not to be an offence. Designates further provisions to which section 35 of the Building Act 1984 will not apply.
Schedule 1	19	Substitutes an amended Part L in Schedule 1.
Schedule 1	20	Substitutes an amended paragraph P1 in Schedule 1
Schedule 2A	21 and Schedule	Self-certification schemes and exemptions from requirements to give a building notice or deposit full plans. Substitutes an amended and extended Schedule 2A with new types of prescribed work and new prescribed persons.
Schedule 2B	22	Descriptions of work where no building notice or full plans required. Makes minor amendments to the existing descriptions of work and adds to the list of described work.
-	28	Education buildings and statutory undertakers. Applies certain requirements of the Regulations to educational buildings and those of statutory undertakers otherwise exempt under section 4 of the Building Act 1984.
-	29-34	Transitional provisions.

ANNEX B

The Building and Approved Inspectors (Amendment) Regulations 2006 (SI 2006/652)

The following table lists all of the changes made by SI 2006/652 to the Building (Approved Inspectors etc.) Regulations 2000 (SI 2000/2532)

S.I. 2000/2532 Regulation No.	S.I. 2006/652 Regulation No.	Action
11 (1)	24	Functions of approved inspectors. Allows approved inspectors to take steps (including the making of tests and taking samples) to ensure that the following new requirements have been met - thermal elements, removal of exemptions, CO ₂ targets, consequential improvements to energy performance and those described below in regulations 12B, 12C and 12D.
11 A	25	Provisions applicable to self-certification schemes for building work. Where work of a type described in column 1 of Schedule 2A ("self-certified work") is carried out by a person ("competent person") described in column 2 of that Schedule, approved inspectors are authorised to accept certificates from such persons as evidence that relevant requirements of the Building Regulations have been satisfied.
12 B, 12C and 12D	26	Pressure testing, commissioning and CO ₂ emission rate calculations. Inserts new requirements on these matters and sets out where approved inspectors can accept certificates from designated bodies as evidence that requirements have been satisfied.
31	27	Contravention of certain regulations not to be an offence. Adds to current list of regulations where contravention will not be an offence.

ANNEX C

Part F: Ventilation

- C1. Requirements of Part F of Schedule 1 have not been changed. However, changes have been made to the guidance in Approved Document F in respect of the ventilation of new dwellings, new buildings other than dwellings and existing buildings.
- C2. The changes are as follows:
- a) The provisions have been designed to ventilate buildings having air permeability down to $3 \text{ m}^3/\text{h}/\text{m}^2$ at 50 Pa.
 - b) Ventilator areas are now described in terms of *equivalent* area, instead of *free* area.
 - c) More guidance has been given for domestic mechanical and natural ventilation systems.
 - d) Guidance has been given for ventilation of basements in dwellings.
 - e) The recommended air supply rate for offices has been increased from 8 l/s per person to 10 l/s per person.
 - f) Replacement windows should be fitted with trickle ventilators, or an equivalent background ventilation opening should be provided in the same room.

ANNEX D

Part L: Conservation of Fuel and Power

D.1 Part L of Schedule 1 to the Building Regulations has been amended to consolidate the previous Requirement L1: dwellings and Requirement L2: building other than dwellings into a single Requirement L1 covering all types of buildings.

THE REQUIREMENTS

D.2 Changes have been made as follows:

- a) L1(a) now encompasses heat gains and losses for all types of buildings. This means that the control of solar gain in the summer to limit overheating and reduce the unnecessary use of air conditioning applies to dwellings as well as to buildings other than dwellings.
- b) L1(a)(i) now also refers to heat gains and losses through thermal elements as defined in the amendment to Regulation 2 and other parts of the building fabric.
- c) L1(a)(ii) has been widened to encompass heat gains and losses from pipes, ducts and vessels used for space heating, space cooling and hot water service for all types of buildings. Previously the reference to space cooling was restricted only to buildings other than dwellings.
- d) L1(b) now refers to providing and commissioning energy efficient fixed building services with effective controls. This now encompasses all fixed building services including associated controls that are defined in the amendment to Regulation 2 and includes commissioning for the first time as introduced by new Regulation 20C.
- e) L1(c) now refers to providing to the owner sufficient information about the building and its fixed building services including associated controls as defined in the amendment to Regulation 2.
- f) There are no Limits on Application in new Requirement L1, meaning that all work should make reasonable provision for the conservation of fuel and power. However, the list of work that need not be notified to a building control body in Schedule 2B has been extended so that:
 - (i) for heating and cooling systems, replacing control devices that utilise existing fixed control wiring or pneumatic pipes, replacing a distribution output device or providing a valve, pump, damper or fan need not be notified
 - (ii) for hot water service , providing a valve or a pump, need not be notified

- (iii) replacing an external door (where the door together with its frame has not more than 50% of its internal face area glazed) need not be notified
- (iv) in existing buildings other than dwellings, providing fixed internal lighting where no more than 100 m² of the floor area is to be served by the lighting need not be notified

NEW REGULATIONS RELATING TO THERMAL ELEMENTS AND A CHANGE TO ENERGY STATUS

- D.3 A new Regulation 4A is introduced covering the replacement and the renovation of thermal elements in existing buildings
- D.4 A new Regulation 4B is introduced so that where there is a change in a building's energy status such work, if any, shall be carried out to ensure that the building complies with the applicable requirements of Part L of Schedule 1.

NEW REGULATIONS FOR THE ENERGY PERFORMANCE OF BUILDINGS

- D.5 A new Part VA of the Regulations is introduced to implement Articles 3 to 6 of the European Energy Performance of Buildings Directive (EPBD).
- D.6 A new Regulation 17A is introduced to implement Article 3 of the EPBD requiring the Secretary of State to approve a methodology of calculation of the energy performance of buildings.
- D.7 A new Regulation 17B is introduced to implement Article 4 of the EPBD so that minimum energy performance standards are set using the methodology approved by Regulation 17A.
- D.8 A new Regulation 17C is introduced to implement Article 5 of the EPBD so that when a new building is erected it is required to comply with the energy performance standards set by Regulation 17B.
- D.9 Regulation 17D is introduced as part of the implementation of Article 6 of the EPBD so that when an existing building over 1000 m² undergoes extension, initial provision of or an increase in the capacity of fixed building services the energy performance of the building as a whole is to be upgraded.
- D.10 Regulation 17E is introduced to define for Part VA of the Regulations that "building" means the building as a whole or parts of it that have been designed or altered to be used separately.

NEW REGULATIONS FOR TESTING AND COMMISSIONING

- D.11 A new Regulation 20B is introduced to require the pressure testing of buildings in an approved way and for the results to achieve improved levels of compliance with energy performance standards. Regulation 20B also prescribes that certificates from persons registered by the British Institute of Non-Destructive Testing may be accepted by local authorities as evidence that the requirements of this regulation have been satisfied (but not that the building complies with the energy performance requirements).

- D.12 A new Regulation 20C is introduced covering the commissioning of fixed building services in an approved way and for a notice confirming this to be given to the local authority in accordance with a procedure approved by the Secretary of State.
- D.13 A new Regulation 20D is introduced requiring a notice to be given to the local authority on CO₂ emission rate calculations and hence compliance with Regulation 17C. This regulation also authorises local authorities to accept the results as evidence that the requirements of Regulation 17C have been satisfied, if the building were constructed in accordance with an accompanying list of specifications certificates, to that effect by persons registered with FAERO Limited or BRE Certification Limited.

EXEMPTIONS

- D.14 Regulation 9 of the Building Regulations 2000 has been amended to specify the circumstances where the energy efficiency requirements of the Regulations apply. It defines a building or part of a building designed or altered to be used separately for the purposes of the energy efficiency requirements and lists categories of buildings which are exempt from these requirements.
- D.15 In effect, this amendment disapplies the exemptions in Schedule 2 of the Regulations in respect of the energy efficiency requirements and substitutes different exemptions.

THE NEW APPROVED DOCUMENTS

- D.16 Four new Approved Documents are introduced to support Part L in response to industry support for sector specific Approved Documents. The guidance in the Approved Documents is supported by a number of references that provide more comprehensive and detailed technical guidance than was available to support previous editions of the Approved Documents, taking account of technical innovation in the ways which buildings are constructed and the services they accommodate.
- D.17 A summary of the main changes to the requirements in Part L and to the guidance contained in the four new Approved Documents can be found inside their front covers. The following mentions some of the new material in the Approved Documents that reflects the new Requirement L1 and new regulations.

NEW APPROVED DOCUMENT L1A: NEW DWELLINGS

- D.18 Compliance with the energy efficiency requirements is now demonstrated by a new five step procedure as follows:
- (i) Meeting a CO₂ emissions target as a requirement; this replaces the elemental, Target U-value and carbon index methods available in the 2002 ADL1.
 - (ii) Demonstrating that key design parameters are within defined limits. This covers insulation standards and the efficiency of any fixed building services.
 - (iii) Demonstrating that the dwelling will not be subject to excessively high internal temperatures in summer as a result of solar gains.

- (iv) Demonstrating that the quality of the construction of the building fabric, pressure testing and the commissioning of the fixed building services are such that the dwelling should achieve the target CO₂ emissions.
- (v) Providing sufficient information to enable the occupier to operate the dwelling efficiently.

D.19 A section on defined terms is included to assist in understanding the Approved Document .

D.20 A checklist is provided whereby key information about the dwelling can be recorded as a means of demonstrating that compliance has been achieved. This checklist identifies the source of the data, and allows the credentials of the person providing the evidence to be recorded.

NEW APPROVED DOCUMENT L1B: EXISTING DWELLINGS

D.21 The main changes in the guidance are a general improvement in the performance standards for most thermal elements, controlled fittings and fixed building services provided, or replaced as part of work in an existing dwelling. The main exception to this is in relation to replacement windows, roof windows and rooflights, where the standard is retained at the 2002 level.

D.22 More guidance is given on the construction of extensions, particularly in respect of approaches that offer more design flexibility than following a prescribed set of U-values and opening areas.

D.23 A section on defined terms is included to assist in understanding the Approved Document.

D.24 Following the new requirement relating to thermal elements (Regulation 4A), guidance is given on the provision and renovation of thermal elements. The guidance indicates those situations where a thermal element should be upgraded, such as when dry-lining or rendering a wall, creating a new dwelling via a material change of use, or in certain situations when carrying out a material alteration. A new appendix is added identifying improvement opportunities.

NEW APPROVED DOCUMENT L2A: NEW BUILDINGS OTHER THAN DWELLINGS

D.25 Compliance with the energy efficiency requirements is now demonstrated by a new five step procedure as follows:

- (i) Meeting a CO₂ emissions target as a requirement; this replaces the elemental, Whole Building and Carbon Emissions Calculation Methods available in the 2002 ADL2.
- (ii) Demonstrating that key design parameters are within defined limits. This covers insulation standards and the efficiency of any fixed building services.

- (iii) Demonstrating that the building will not be subject to high internal temperatures in summer as a result of excessive solar gains.
- (iv) Demonstrating that the quality of the construction of the building fabric, pressure testing and the commissioning of the fixed building services are such that the building achieves the target CO₂ emissions.
- (v) Providing sufficient information to enable the occupier to operate the building efficiently.

D.26 Guidance is included on the treatment of shell and core development.

D.27 A section on defined terms is included to assist in understanding the Approved Document.

D.28 A checklist is provided whereby key information about the building can be recorded as a means of demonstrating that compliance has been achieved. This checklist identifies the source of the data, and allows the credentials of the person providing the evidence to be recorded.

NEW APPROVED DOCUMENT L2B: EXISTING BUILDINGS OTHER THAN DWELLINGS

D.29 The main changes in the guidance are a general improvement in the performance standards for most thermal elements, controlled fittings and fixed building services provided or replaced as part of work in an existing building. The main exception to this is in relation to replacement window, roof windows and rooflights, where the standard is retained at the 2002 level.

D.30 More guidance is given on the construction of extensions, particularly in respect of approaches that offer more design flexibility than following a prescribed set of U-values and opening areas. Large extensions may be treated as new buildings with ADL2A applying.

D.31 Following the new requirement relating to thermal elements (Regulation 4A), guidance is given on the provision and renovation of thermal elements. The guidance indicates those situations where a thermal element should be upgraded, such as when re-cladding a wall, as part of a material change of use, or in certain situations when carrying out a material alteration. A new appendix is added identifying cost effective upgrade opportunities.

D.32 A section on defined terms is included to assist in understanding the Approved Document.

D.33 In line with the new Regulation 17D, guidance is given on the consequential improvements that are required when a building over 1,000 m² is extended, or where a fixed building service is installed for the first time, or the installed capacity of an existing fixed building service is increased.

SECOND TIER REFERENCE DOCUMENTS

- D.34 The published Approved Documents refer to a number of second tier reference documents currently in existence. As these versions are updated during the lifetime of the Approved Documents, industry will be made aware of the status of the updated version, i.e. whether following the guidance would allow the work to satisfy the relevant Regulations of the Approved Documents; otherwise the original version will remain the only valid one.
- D.35 There are also a number of guidance documents that are not in place at the time of publication of the Approved Documents but which will likely be made available to industry during the currency of the Approved Documents. Such documents include a new ODPM Publication on Accredited Details and those being developed by English Heritage, the National Association of Rooflight Manufacturers (NARM) and the Metal Cladding and Roofing Manufacturers Association/Engineered Panels In Construction (MCRMA/EPIC). When these are published, if they are considered by the Secretary of State to address the relevant requirements of the regulations, a further announcement will be made.

ANNEX E

Part P: Electrical Safety

E1. Part P of Schedule 1 to the Building Regulations has been amended for the purposes of providing greater clarity of the requirement and to make enforcement more proportionate to the risk.

THE REQUIREMENTS

E2. Requirement P1 now requires that reasonable provision be made in the design and installation of electrical installations in order to protect persons operating, maintaining or altering such installations from fire or injury.

E3. Changes have been made as follows:

- a) References to inspection and testing are no longer part of requirement P1, but Approved Document P has been amended in consequence to make it clearer when appropriate inspection and testing should be carried out as part of demonstrating compliance, and by whom.
- b) Requirement P2 has been omitted but has been partially replicated in new requirement P1. The amendments to Approved Document P make it clearer when, as part of demonstrating compliance with Part P, information should be provided, and by whom.
- c) The limits on application of Part P have been amended to make it clear that Part P applies to installations attached to a dwelling, as well as in it.
- d) the list of electrical installation work that need not be notified to a building control body in Schedule 2B has been amended:
 - i. so that the replacement of any fixed electrical equipment except the replacement of a consumer unit and which does not include the provision of any new fixed cabling, need not be notified
 - ii. to allow any work consisting of the installation upgrading, or replacement of main or supplementary equipotential bonding, wherever it occurs in a dwelling, not to need to be notified
 - iii. to allow work on prefabricated equipment sets and associated flexible leads with integral plug and socket connections not to be notified unless carried out in a special location
 - iv. in the definition of “special installation” substitution of the words “a garden” by “an outdoor”.

E4. Transitional arrangements for Part P are set out in Annex H to this Circular.

NEW APPROVED DOCUMENT FOR PART P

- E5. Approved Document P has been amended in part to reflect the changes in the regulations as mentioned above.

- E6. The Approved Document has also been amended to make the guidance on inspection, testing and certification of work and provision of information clearer in relation to the nature and extent of the work and the competence and qualifications of the persons carrying out the work.

ANNEX F

Schedule 2A – Competent Person Self-Certification Schemes

- F1. Regulation 21 inserts a new Schedule 2A into the Regulations. This Schedule sets out types of work where there is no requirement to submit a building notice or full plans to a local authority in respect of the type of work where the person carrying out the work is specified in column 2 of the Schedule. The person carrying out the work then must self-certify it as satisfying Regulations 4 and 7 of the Building Regulations.
- F2. Changes have been made as follows:
- a) Extensions to some existing schemes and a number of new schemes have been prescribed in column 2, for types of work concerning plumbing, heating systems, hot water storage systems, air-conditioning systems, ventilation systems, lighting systems and replacement glazing.
 - b) The heat rating for the installation of heat-producing gas appliances and oil-fired combustion appliances where self-certification is permitted has been increased to 100 kilowatts.
 - c) The restriction on self-certification for the installation of heat-producing gas appliances and oil-fired combustion appliances to buildings of no more than three storeys has been modified to allow self-certification also in dwellings irrespective of the number of storeys of the building.
 - d) The prohibition on self-certification of unvented hot water storage systems has been removed.

ANNEX G

Approved Inspectors

- G1. Part 3 of the Amendment Regulations amends the Building (Approved Inspectors etc.) Regulations 2000 to allow competent person self-certification schemes and to make amendments analogous to those applying to local authorities as building control bodies in relation to pressure testing, commissioning and CO₂ emission rate calculations.
- G2. Many of the new requirements apply equally to approved inspectors so much of Annex D applies. The main changes affecting approved inspectors are as follows:
- a) Where work of a type described in column 1 of Schedule 2A of the Principal Regulations is carried out by a person described in column 2 of that Schedule, approved inspectors are authorised to accept certificates from such persons as evidence that the relevant requirements of the Building Regulations have been satisfied. This regulation places approved inspectors in the same position in respect of self-certification as is the case with local authorities.
 - b) A new Regulation 12B is introduced for the pressure testing of buildings to achieve improved levels of compliance with energy performance standards. Regulation 12B also prescribes that certificates from persons registered by the British Institute of Non-Destructive Testing may be accepted by approved inspectors as evidence that the requirements of this regulation have been satisfied.
 - c) A new Regulation 12C is introduced for a notice of the commissioning of fixed building services to be given to the approved inspector in accordance with a procedure approved by the Secretary of State.
 - d) A new Regulation 12D is introduced for notice to be given to the approved inspector on CO₂ emission rate calculations. This regulation also authorises approved inspectors to accept as evidence that the requirements of 17C of the Principal Regulations have been satisfied, if the building were constructed in accordance with an accompanying list of specifications, certificates to that effect by persons registered with FAERO Limited or BRE Certification Limited.
 - e) Regulation 11(1) (functions of approved inspectors) allows approved inspectors to take steps (including the making of tests and taking samples) to ensure that the following Principal Regulations have been met, (i) 4, 6 and 7 (Requirements relating to building work, Requirements relating to change of use, and Materials and workmanship), and (ii) Regulations 12 and 12A (Energy rating and Sound insulation testing). The first list (i) has now been extended to include functions in relation to Principal Regulation 4A, 4B and 17B (Requirements for thermal elements, Requirements relating to a change of energy status, and New Buildings (CO₂ targets)). Similarly, the second list (ii) has now been extended to include functions in relation to Regulation 12B, 12C and 12D as described above in (b), (c) and (d).

- (f) Regulation 31 is amended to include additional provisions to which Section 35 (Penalty for contravening building regulations) of the Building Act 1984 will not apply, i.e. 12B and 12C (pressure testing and commissioning). It should be noted that EPBD related requirements will not be exempt from Section 35 penalty provisions.

ANNEX H

Transitional Provisions

THE BUILDING AND APPROVED INSPECTORS (AMENDMENT) REGULATIONS 2006

- G1. The transitional provisions in Part 5 of the Regulations set out the circumstances where building work within the scope of the Regulations can continue as if these regulations had not been made.
- G2. These circumstances are:
- a) Where work **has commenced** before 6 April 2001 it will not be subject to the amended regulations if:
- A building notice and a commencement notice has been given to the local authority; or
 - Full plans has been deposited with and a commencement notice given to the local authority; or
 - An initial notice, or an amendment notice has been given to the local authority; or
 - the work falls within Schedule 2A or Schedule 2B of the Building Regulations.

There are supplementary provisions on cases where an initial notice was given before 6 April 2006 is varied by an amendment notice given on or after that date. In this case, even if the work pursuant to the initial notice is begun before 6 April 2006, and is not subject to the amended regulations, work added to the scope of the initial notice by an amendment notice on or after 6 April 2006 will be subject to the amended regulations.

- b) Where work **has not commenced** before 6 April 2006 and where the deposit of full plans is **not** required, if a contract for the proposed work had been entered into before 6 April the work will not be subject to the amended regulations so long as the work is commenced before 1 October 2006.

However, the regulations allowing emergency repairs to be notified only as soon as practicable, those amending Schedules 2A and 2B and those amending Regulation 15 will apply immediately.

See Annex H1

- c) Where work **has not commenced** before 6 April 2006 and where the deposit of full plans is required, the work will not be subject to the amended regulations if before 6 April 2006 full plans were deposited with the local authority and the

local authority passed the plans without conditions or signified to the person depositing the plans that any conditions had been fully met provided that the work commences before 1 April 2007.

However, the new Schedule 2A will apply immediately.

See Annex H2.

- d) Where work **has not commenced** before 6 April 2006 and where the work is the subject of a plans or a plans certificate combined with an initial notice have been given to a local authority before 6 April 2006 and accepted by the local authority either before, on or after that date, the work will not be subject to the amended regulations provided the work is commenced before 1 April 2007.

However, the amendment of Schedule 2A and new regulation 11A in the Building Approved Inspectors etc Regulations 2000 will apply immediately.

See Annex H3.

- e) Buildings which were exempt from the requirements of the Building Regulations as they were in Schedule 2 (the schedule of exempt buildings) or were within scope of section 4 of the Building Act 1984, but now, by virtue of the amendments made by Regulation 8 or Regulation 28, will have to comply with the energy efficiency requirements of the Building Regulations will not be subject to the amended regulations where building work **has commenced** before 6 April 2006, or a contract for the provision of work is entered into before that date and work is commenced before 1 April 2007.

APPROVED DOCUMENT F

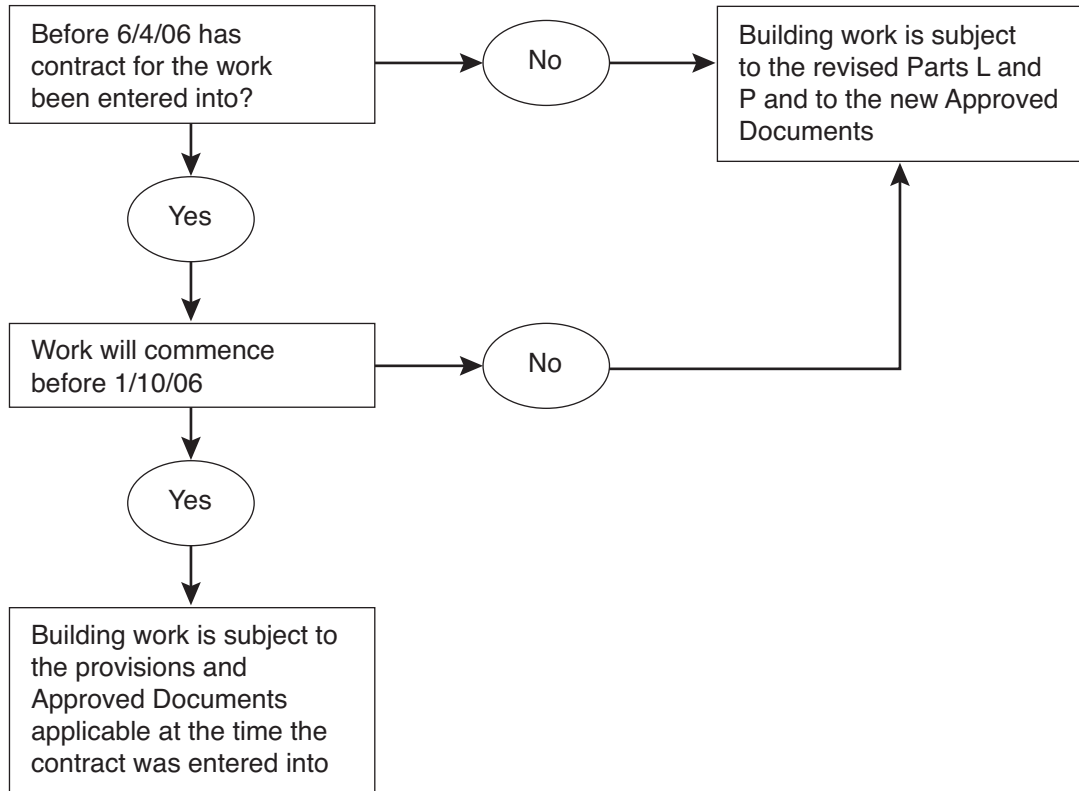
- G3. As Requirement F1 has not been changed there are no formal transitional provisions for the introduction of Approved Document F (2006). However, as the main purpose of the changes is to support Part L, the appropriate guidance in Approved Document F should be followed whenever Part L (2006) applies.
- G4. In addition, there is some specific guidance on the marking of the equivalent area of ventilation products (paragraph 0.26 of Approved Document F) and ventilation provision in replacement windows (paragraph 3.2 of Approved Document F), where more relaxed standards apply until 1 October 2006.

ANNEX H.1

The Building and Approved Inspectors (Amendment) Regulations 2006:

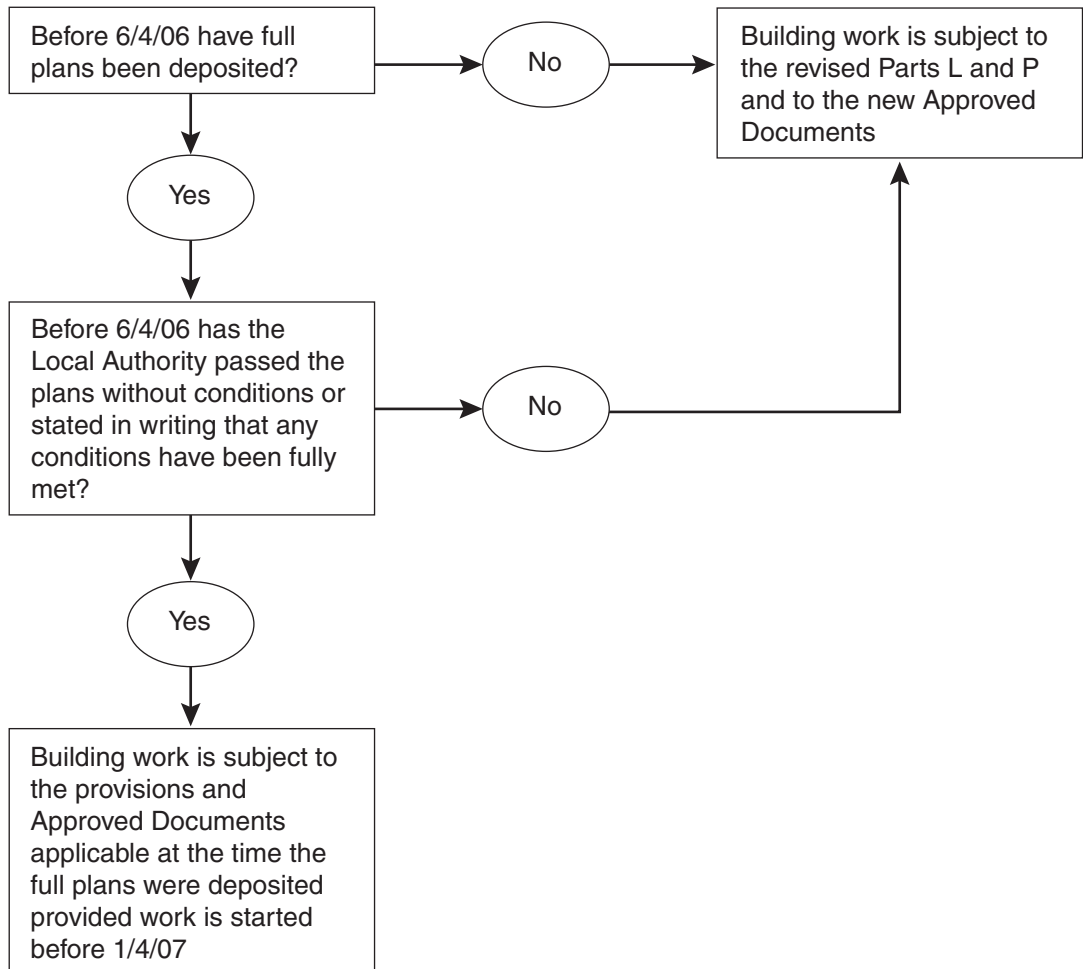
Revised Parts L and P: Transitional Provisions

Local Authority Building Control – Where Full Plans are **not** required and work has **not** commenced before 6 April 2006



ANNEX H.2

The Building and Approved Inspectors (Amendment) Regulations 2006:
Revised Parts L and P: Transitional Provisions
Local Authority Building Control – Full Plans Route and work has **not** commenced
before 6/4/06

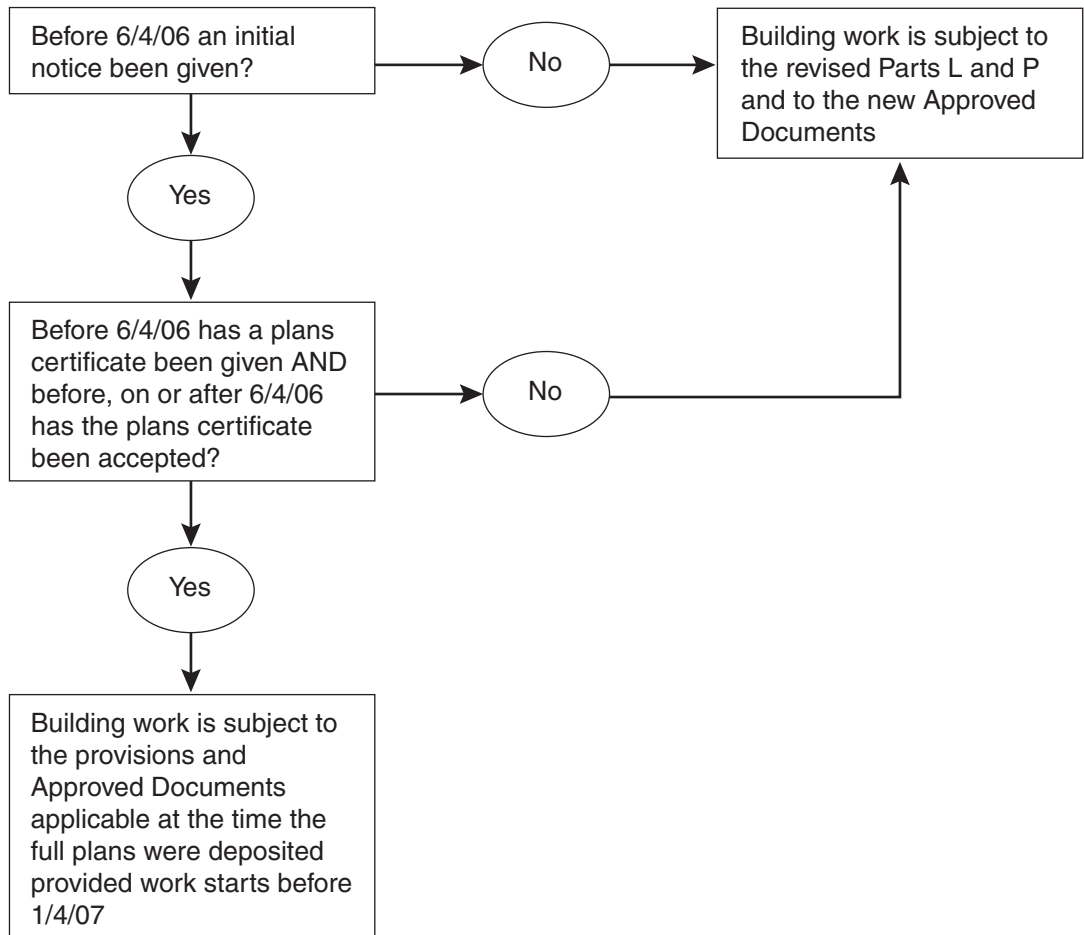


ANNEX H.3

The Building and Approved Inspectors (Amendment) Regulations 2006:

Revised Parts L and P: Transitional Provisions

Approved Inspector Building Control Route and work has **not** commenced before 6/4/06



ANNEX I

Calculation Methodology

Regulation 17A of the Building Regulation 2000 NOTICE OF APPROVAL OF A METHODOLOGY OF CALCULATION OF THE ENERGY PERFORMANCE OF BUILDINGS IN ENGLAND AND WALES	
1	This notice sets out the methodology of calculation of the energy performance of buildings approved by the Secretary of State for the purposes of regulation 17A of the Building Regulations 2000.
2	The approved methodology comprises the following approved calculation tools:- the Standard Assessment Procedure for the Energy Rating of Dwellings (SAP 2005) ¹ ; and the Simplified Building Energy Model (SBEM) ² .
3	The following paragraphs set out the circumstances for which each tool has been approved for use.
Standard Assessment Procedure for the Energy Rating of Dwellings (SAP 2005)	
4	SAP 2005 is an approved calculation tool for the calculation of the energy performance of dwellings with floor areas up to 450 m ² .
Simplified Building Energy Model (SBEM)	
5	SBEM is an approved calculation tool for the calculation of the energy performance of dwellings with floor areas greater than 450 m ² ; buildings that are not dwellings, within certain limits.
6	The limits on application for the SBEM are specified in the SBEM User Manual ³ .
7	The ODPM has published a guide to calculating the energy performance of buildings that are not dwellings ⁴ .
Approval of commercial software calculation tools	
8	Applications may be made to the Secretary of State for approval of commercial software calculation tools to form part of the methodology for the calculation of the energy performance of buildings, such as: software applications of SAP2005 software interfaces with SBEM; and detailed simulation model calculation tools (DSMs).
9	The criteria for approval and the procedures for applying may be obtained from Buildings Division, ODPM (tel: 020 7944 5755; fax: 020 7944 5719; email: enquiries.br@odpm.gsi.gov.uk.), or from the ODPM website.
10	This document will be revised from time to time to include new approved calculation tools as they are approved by the Secretary of State.
Signed by authority of the Secretary of State	Anne Hemming an Assistant Secretary in the Office of the Deputy Prime Minister 15 March 2006

¹ The Government's Standard Assessment Procedure for Energy Rating of Dwellings - 2005 Edition (SAP2005)

² Simplified Building Energy Model (SBEM) can be viewed and downloaded at www.odpm.gov.uk

³ SBEM User Manual can be viewed and downloaded at www.odpm.gov.uk

⁴ The National Calculation Methodology for determining the energy performance of buildings.

ANNEX J

Building Act 1984

NOTICE OF APPROVAL OF A DOCUMENT FOR THE PURPOSE OF GIVING PRACTICAL GUIDANCE WITH RESPECT TO THE REQUIREMENTS OF THE BUILDING REGULATIONS 2000	
The First Secretary of State hereby gives notice under section 6 of the Building Act 1984 that, in exercise of his powers under the said section 6, he has approved the document listed below for the purpose of giving practical guidance with respect to the specified requirements of the Building Regulations 2000 (as amended). This approval takes effect on 6 April 2006	
Document	Requirement of the Building Regulations 2000 in respect of which the document is approved
Approved Document F: Ventilation. 2006 Edition	Schedule 1 Part F
Approved Document L1A: Conservation of Fuel and Power - New Dwellings	Schedule 1 Part L
Approved Document L1B: Conservation of Fuel and Power - Existing Dwellings	Schedule 1 Part L
Approved Document L2A: Conservation Of Fuel And Power - New Buildings other than Dwellings	Schedule 1 Part L
Approved Document L2B: Conservation of Fuel and Power - Existing Buildings other than Dwellings	Schedule 1 Part L
Approved Document P: Electrical Safety	Schedule 1 Part P
Signed by authority of the Secretary of State	Anne Hemming an Assistant Secretary in the Office of the Deputy Prime Minister 15 March 2006

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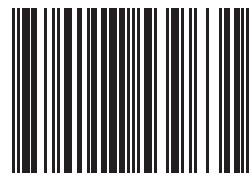
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