

DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT

Communities and Local Government Circular 02/2011
Department for Communities and Local Government
Eland House, Bressenden Place, London SW1E 5DU

22 June 2011

BUILDING ACT 1984

- **BUILDING (AMENDMENT) REGULATIONS 2011**

INTRODUCTION

1. I am directed by the Secretary of State to draw your attention to the Building (Amendment) Regulations 2011 (S.I. 2011/1515). These come into effect on 15 July 2011.
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 the changes made by the Building (Amendment) Regulations 2011 (S.I. 2011/1515);
 - Confirm that the approval of the Approved Documents is unaffected by these changes;
 - Announce further provisions for self-certification.
4. This Circular does not give technical advice on the technical requirements of the Building Regulations. These matters are covered in the relevant Approved Documents.

AMENDMENTS: CORRECTIONS

5. The Building (Amendment) Regulations 2011 make minor amendments to the Building Regulations 2010 (S.I. 2010/2214), and should be read in conjunction with the Building Regulations 2010.
6. They amend an omission and minor typographical errors in the Building Regulations 2010. They also make amendments to Schedule 3 (self- certification schemes and exemptions from requirement to give building notice or deposit full plans) by authorising a further type of work and authorising additional persons to carry out work in relation to a number of types of work.
7. They also amend the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007 (S.I 2007/991) to correct the cross reference to the Building Regulations in regulation 9 and revoke parts of the regulation which are unnecessary as they are included in the cross referenced regulation in the Building Regulations.
8. The definition of “renovation” in regulation 2(1) of the Building Regulations 2010 has been amended to clarify that the repair (but not replacement) of flat roofs is not included in the requirement to upgrade insulation in regulation 23(1) of the Building Regulations 2010.

AMENDMENTS: COMPETENT PERSON SELF-CERTIFICATION SCHEMES

9. Schedule 3 to the Building Regulations 2010 is amended to:
 - Introduce a further type of work which can be carried out by authorised persons. This further type of work is the installation, as a replacement, of a window, rooflight, roof window or door in an existing building other than a dwelling. This does not apply to glass which is load bearing or structural, which forms part of glazed curtain walling or a revolving door or is a display window.
 - Authorisation of persons for this further type of work and for some existing types of work.
10. Annex A to this Circular sets out in tabular form the changes to the Building Regulations and Annex B the change to the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007.

TRANSITIONAL PROVISIONS

11. There are no transitional provisions in the Building (Amendment) Regulations 2011. All provisions come fully into force on 15 July 2011.

APPROVED DOCUMENTS AND OTHER APPROVALS

12. Approved Documents L1B (2010) and L2B (2010) will be amended to reflect the amendment to the definition of “renovation”. There are no changes to other Approved Documents or statutory approvals.

ENQUIRIES

13. All enquiries on matters covered by this Circular should be addressed to:

Department for Communities and Local Government
Building Regulations and Standards Division
Eland House
Bressenden Place
London SW1E 5DU

E-mail: enquiries.br@communities.gsi.gov.uk

Signed:

Bob Ledsome
An Assistant Secretary in the Department for Communities and Local
Government

Annex A

The Building (Amendment) Regulations 2011 (S.I. 2011/1515)

The following table lists all the changes made by SI 2011/xxxx to the Building Regulations 2010 (S.I. 2010/2214).

S.I. 2010/2214 Regulation No.	S.I. 2011/1515 Regulation No.	Action
2 (1)	3 (2) (a)	Interpretation. Corrects the regulation numbers referred to in the definition of "energy efficiency requirements" as a result of regulation renumbering in S.I. 2010/2214.
2 (1)	3 (2) (b)	Interpretation. Amends the definition of "renovation" in relation to a thermal element to exclude the repair of a flat roof as a renovation.
6 (1) (a)	3 (3)	Requirements relating to material change of use. Corrects a typographical error from previous legislation
49	3 (4)	Transitional Provisions: interpretation. Omits interpretation of the "2010 Regulations" which is redundant as no reference is made to these.
Schedule 3, column 2, paragraph 7	3 (5) (a)	Self-certification Schemes and Exemptions from Requirement to Give Building Notice or Deposit Full Plans. Addition of further Self-certification schemes authorised to carry out the type of work detailed in this row.
Schedule 3, column 2, paragraph 11	3 (5) (b) (i) and (ii)	Self-certification Schemes and Exemptions from Requirement to Give Building Notice or Deposit Full Plans. Addition of further Self-certification schemes authorised to carry out the type of work detailed in this row.
Schedule 3, column 2, paragraph 12	3 (5) (c)(i) and (ii)	Self-certification Schemes and Exemptions from Requirement to Give Building Notice or Deposit Full Plans. Addition of further Self-certification schemes authorised to carry out the type of work detailed in this row.
Schedule 3	3 (5) (d)	Self-certification Schemes and Exemptions from Requirement to Give Building Notice or Deposit Full Plans. Addition of a new type of work; the Installation, as a replacement, of a window, rooflight, roof window or door in an existing building other than a dwelling, which can be carried out by these schemes
Schedule 4, paragraph 1 (f)	3 (6)	Descriptions of Work where no Building Notice or Deposit of Full Plans Required. Corrects a typographical error from previous Regulations

Annex B

The Building (Amendment) Regulations 2011 (S.I. 2011/1515)

The following table lists the changes made by S.I. 2011/xxxx to the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007 (S.I. 2007/991)

S.I. 2007/991 Regulation No.	S.I. 2011/1515 Regulation No.	Action
Regulation 9, paragraph 1 (a)	2 (a)	Corrects the Building Regulations reference in relation to EPCs, where that reference changed as a result of S.I. 2010/2214
Regulation 9, paragraph 1 (b) to (d)	2 (b)	Revokes parts of regulation 9 in S.I. 2007/991 which are now redundant as they are included in the cross referenced regulations in Building Regulations 2010.

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Printed by The Stationery Office Ltd under the authority and superintendence of the Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 978 0 11 754113 9
J002471537 C1.1 6/11

£6

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ISBN 978-0-11-754113-9



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