

## 1970 No. 109

**BUILDING AND BUILDINGS****The Building (Fifth Amendment) Regulations 1970**

<i>Made</i> - - - -	28th January 1970
<i>Laid before Parliament</i>	5th February 1970
<i>Coming into Operation</i>	1st April 1970

The Minister of Housing and Local Government, in exercise of the powers conferred on him under sections 61 and 62 of the Public Health Act 1936(a), as amended by section 11 of and Part III of Schedule 1 to the Public Health Act 1961(b) and section 4 of the Public Health Act 1961, and as read with the Transfer of Functions (Building Control) Order 1964(c) and the Transfer of Functions (Building Control and Historic Buildings) Order 1966(d), and of all other powers enabling him in that behalf, after consultation with the Building Regulations Advisory Committee and such other bodies as appear to him to be representative of the interests concerned, hereby makes the following regulations:—

*Citation and Commencement*

1. These regulations may be cited as the Building (Fifth Amendment) Regulations 1970 and shall come into operation on 1st April 1970.

*Interpretation*

2. The Interpretation Act 1889(e) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

*Transitional Provisions*

3. These regulations shall not apply to any work which was—

(a) completed before the date of the coming into operation of these regulations ; or

(b) completed after that date in accordance with plans deposited with the local authority before that date, with or without any departure or deviation from those plans ;

and for the purpose of this regulation “work” means the erection of a building, the alteration or extension of a building, the execution of any works or the installation of any fittings.

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(a) 1936 c. 49.

(b) 1961 c. 64.

(c) S.I. 1964/263 (1964 I, p. 457).

(d) S.I. 1966/692 (1966 II, p. 1558).

(e) 1889 c. 63.

*Amendment of Building Regulations 1965*

4. The Building Regulations 1965(a), as amended(b), shall be further amended as follows—

- (a) in regulation D2 there shall be substituted for the word “In” the words “Subject to the provisions of regulation D19, in”; and
- (b) after regulation D18 (as inserted in the Building Regulations 1965 by regulation 10 of the Building (Third Amendment) Regulations 1967) there shall be inserted the following:—

*“Further requirements for the structure of certain buildings*

**D19.**—(1) In addition to the requirements of regulation D8, the provisions of this regulation shall apply to a building having five or more storeys (including basement storeys, if any).

- (2) In this regulation—

“portion”, in relation to a structural member, means that part of a member which is situated or spans between adjacent supports or between a support and the extremity of a member:

Provided that, in the case of a wall, a portion shall be taken to have a length which is the lesser of the following, namely. the length determined in accordance with the preceding provisions of this definition or 2.25 times the height of the portion (or, if its height varies, its greatest height):

“storey” means that part of a building which is situated between either—

- (a) the top surfaces of two vertically adjacent floors of the building; or
- (b) the top surface of the uppermost floor and the roof covering of the building;

“structural failure” means the failure of a structural member fully to perform its function in contributing to the structural stability of the building of which it forms part;

“structural member” means a member essential to the structural stability of a building.

- (3) In the application of this regulation—

- (a) dead load shall be determined in accordance with the provisions of regulation D2(a);
- (b) imposed load other than wind load shall be determined in accordance with the provisions of regulation D2(a) except that—
  - (i) paragraphs (1) and (3) of rule 3 of Schedule 5 shall have effect as if the Table to that rule permitted a reduction of not more than 66 $\frac{2}{3}$  per cent. irrespective of the number of floors supported; and
  - (ii) for the purposes of paragraph (5) of this regulation, the maximum reductions permitted by rule 3 of Schedule 5 as modified by the preceding sub-paragraph shall be made;
- (c) wind load may be taken as not less than one third of the load determined in accordance with the provisions of regulation D2(b); and

(a) S.I. 1965/1373 (1965 II, p. 3890).

(b) S.I. 1966/1144, 1967/1645, 1969/639 (1966 III, p. 2750; 1967 III, p. 4494; 1969 II, p. 1762).

(d) the load which would cause structural collapse shall exceed the combined dead load and imposed load on the structure together with, for the purposes of paragraph (5) of this regulation, the loads specified in sub-paragraphs (b) and (c) of that paragraph, by at least 5 per cent.

(4) A building to which the provisions of this regulation apply shall be so constructed that if any portion of any one structural member (other than a portion which satisfies the conditions specified in paragraph (5) of this regulation) were to be removed—

(a) structural failure consequent on that removal would not occur within any storey other than the storey of which that portion forms part, the storey next above (if any) and the storey next below (if any); and

(b) any structural failure would be localised within each such storey.

(5) The conditions referred to in paragraph (4) of this regulation are that the portion should be capable of sustaining without structural failure the following loads applied simultaneously—

(a) the combined dead load and imposed load;

(b) a load of 5 pounds per square inch applied to that portion from any direction; and

(c) the load, if any, which would be directly transmitted to that portion by any immediately adjacent part of the building if that part were subjected to a load of 5 pounds per square inch applied in the same direction as the load specified in sub-paragraph (b).

*Deemed-to-satisfy provision for localisation of structural failure*

**D20.—(1)** *In this regulation “storey” and “structural failure” shall have the same respective meanings as in regulation D19(2).*

*(2) The requirements of regulation D19(4)(b) shall be deemed to be satisfied if the area within which structural failure would occur would not exceed 750 square feet or 15 per cent. of the area of the storey, measured in the horizontal plane, whichever is the less.”*

Given under the official seal of the Minister of Housing and Local Government on 28th January 1970.

(L.S.)

*Anthony Greenwood,*  
Minister of Housing and Local Government.

**EXPLANATORY NOTE**

*(This Note is not part of the Regulations.)*

These Regulations amend the Building Regulations 1965 by imposing additional requirements as to the structural stability of buildings of five or more storeys (including any basement). Buildings must be constructed so that if any portion of any one essential structural member (other than a portion which satisfies certain specific conditions as to load) were to be removed, the consequent structural failure would be limited as specified in the Regulations. The Regulations also add a deemed-to-satisfy provision in relation to the same matters.

The Regulations come into force on 1st April 1970, but do not apply to work which has been completed or for which plans have been deposited with local authorities before that date.