
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations made under the Building Act 1984 revoke and replace with amendments the Building Regulations 1985, and consolidate all subsequent amendments to those Regulations. They impose requirements on people carrying out certain building operations.

Control is imposed on “building work” (defined in regulation 3(1)) and on the making of a “material change of use” (defined in regulation 5).

Regulation 4 provides that, where building work is carried out, the relevant requirements in Schedule 1 are to be complied with. Where building work is carried out to an existing building, that building is not to be made more unsatisfactory in relation to compliance with the requirements in Schedule 1 than it was before. Where a material change of use is made, the building or the part in question must meet certain of the requirements of Schedule 1 (regulation 6).

Regulation 7 provides that any building work is to be carried out with proper materials and in a workmanlike manner. “Proper materials” are to include materials placed on the market in accordance with the Construction Products Directive where these are appropriate for the circumstances in which they are to be used.

Regulation 8 provides that compliance with the requirements in Parts A to K and N of Schedule 1 does not require anything to be done beyond what is necessary to secure reasonable standards of health and safety.

The erection of, and work in connection with, certain buildings and certain extensions are exempt from control (regulation 9 and Schedule 2).

Regulation 10 empowers local authorities to dispense with or relax the requirements of the regulations instead of the Secretary of State after consultation with the local authority.

Regulation 11 requires a person intending to carry out building work or make a material change of use to give a building notice to, or deposit full plans with, the local authority. There is an exception for gas appliances installed by, or under the supervision of, persons approved under the Gas Safety Regulations. Full plans are only required in cases where the building is to be put to a use designated under the Fire Precautions Act 1971. A person who elects under Part II of the 1984 Act for building work or a material change of use to be supervised by an approved inspector of his choice instead of the local authority is not required to give a building notice or deposit full plans.

Regulation 12 specifies the plans and particulars to be given in or with a building notice. A local authority may require additional plans to be supplied. The matters covered by full plans, which are to be deposited in duplicate (with additional copies of plans showing compliance with the fire safety requirements), are specified in regulation 13.

Regulation 14 requires a person carrying out building work under local authority supervision to notify them before he starts work and before and after certain operations are carried out. If he does not do so, he must comply with any notice from the local authority requiring him to lay open the work for inspection. He must give notice on the completion of the work, and when the building or part of it is first occupied if this occurs before it is completed.

Regulation 15 provides for the issue by the local authority, where they have been requested to do so or where the building is to be put to a designated use, of certificates of completion stating that so far as they have been able to ascertain, after taking all reasonable steps in that behalf, the relevant requirements of Schedule 1 have been satisfied.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

The local authority may test drains and private sewers (regulation 16) and sample materials (regulation 17).

Regulation 18 disapplies certain regulations where work is supervised in accordance with Part II of the 1984 Act and the Building (Approved Inspectors etc.) Regulations 1985.

Regulation 20 contains transitional provisions consequent upon the revocation of the 1985 regulations provided for in regulation 19.

Schedule 1 is set out in tabular form and contains the functional requirements that are to be complied with. The right-hand column indicates the cases in which a particular requirement does or does not apply.

The Secretary of State is empowered by the 1984 Act to issue or to approve documents containing practical guidance with respect to the requirements of building regulations. Evidence of compliance or non-compliance with an approved document is evidence of compliance with or contravention of building regulations.

The Secretary of State proposes to approve the following publications, originally approved for the purposes of the 1985 regulations, for the purposes of the relevant requirements of the 1991 regulations, with effect from the coming into operation of these regulations:

Approved Document D	– Toxic substances	1985 Edition
Approved Document F	– Ventilation	1990 Edition
Approved Document H	– Drainage and waste disposal	1990 Edition
Approved Document J	– Heat producing appliances	1990 Edition
Approved Document L	– Conservation of fuel and power	1990 Edition

Copies of these can be obtained from HMSO.

The Secretary of State proposes to approve new or revised documents in relation to the remaining requirements of these regulations, namely:

- A (Structure)
- B (Fire safety)
- C (Site preparation and resistance to moisture)
- E (Resistance to the passage of sound)
- G (Hygiene)
- K (Stairs, ramps and guards)
- M (Access and facilities for disabled people)
- N (Glazing – materials and protection)
- regulation 7 (Materials and workmanship)

Copies of these proposed Approved Documents can also be obtained from HMSO.