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STATUTORY INSTRUMENTS

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**1999 No. 3410**

**BUILDING AND BUILDINGS  
ENGLAND AND WALES**

**The Building Regulations  
(Amendment) (No. 2) Regulations 1999**

<i>Made</i>	- - - -	<i>17th December 1999</i>
<i>Laid before Parliament</i>		<i>21st December 1999</i>
<i>Coming into force</i>	- -	<i>1st July 2000</i>

The Secretary of State, in exercise of the powers conferred on him by sections 1(1), 3(1) and 126(1) of, and paragraphs 2, 7, 8 and 10 of Schedule 1 to, the Building Act 1984<sup>(2)</sup> (“the Act”) and of all other powers enabling him in that behalf, after consulting the Building Regulations Advisory Committee and such other bodies as appear to him to be representative of the interests concerned in accordance with section 14(3) of that Act, hereby makes the following Regulations:—

**Citation and commencement**

1. These Regulations may be cited as the Building Regulations (Amendment) (No. 2) Regulations 1999 and shall come into force on 1st July 2000.

**Amendment of the Building Regulations 1991**

2. Schedule 1 to the Building Regulations 1991<sup>(3)</sup> (“the Principal Regulations”) shall be amended in accordance with regulations 3.

3. For Part B (Fire Safety) there shall be substituted the following part—

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(1) Section 126 is cited for the definition of “prescribed”.  
(2) 1984 c. 55.  
(3) S.I. 1991/2768, to which there are amendments not relevant to these Regulations.

## “PART B FIRE SAFETY

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### Means of warning and escape

**B1.** The building shall be designed and constructed so that there are appropriate provisions for the early warning of fire, and appropriate means of escape in case of fire from the building to a place of safety outside the building capable of being safely and effectively used at all material times.

Requirement B1 does not apply to any prison provided under section 33 of the Prisons Act 1952<sup>(4)</sup> (power to provide prisons etc.).

### Internal fire spread (linings)

**B2.** —

(1) To inhibit the spread of fire within the building the internal linings shall—

- (a) adequately resist the spread of flame over their surfaces; and
- (b) have, if ignited, a rate of heat release which is reasonable in the circumstances.

(2) In this paragraph “internal linings” mean the materials lining any partition, wall, ceiling or other internal structure.

### Internal fire spread (structure)

**B3.** —

(1) The building shall be designed and constructed so that, in the event of fire, its stability will be maintained for a reasonable period.

(2) A wall common to two or more buildings shall be designed and constructed so that it adequately resists the spread of fire between those buildings. For the purposes of this subparagraph a house in a terrace and a semi-detached house are each to be treated as a separate building.

(3) To inhibit the spread of fire within the building, it shall be sub-divided with fire-resisting construction to an extent appropriate to the size and intended use of the building.

Requirement B3(3) does not apply to material alterations to any prison provided under section 33 of the Prisons Act 1952.

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<sup>(4)</sup> 1952 c. 52.

(4) The building shall be designed and constructed so that the unseen spread of fire and smoke within concealed spaces in its structure and fabric is inhibited.

#### **External fire spread**

##### **B4. —**

(1) The external walls of the building shall adequately resist the spread of fire over the walls and from one building to another, having regard to the height, use and position of the building.

(2) The roof of the building shall adequately resist the spread of fire over the roof and from one building to another, having regard to the use and position of the building.

#### **Access and facilities for the fire service**

##### **B5. —**

(1) The building shall be designed and constructed so as to provide reasonable facilities to assist fire fighters in the protection of life.

(2) Reasonable provision shall be made within the site of the building to enable fire appliances to gain access to the building.”

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#### **Transitional Provisions**

4.—(1) Subject to paragraph (2), the Principal Regulations shall continue to apply to any building work as if these Regulations had not been made where—

- (a) before 1st July 2000 a building notice, an initial notice, an amendment notice or a public body’s notice<sup>(5)</sup> has been given to, or full plans have been deposited with, a local authority in respect of the building work; and
- (b) that work is carried out thereafter in accordance with any such notice or plans, whether with or without any departure from such plans.

(2) Where an initial notice given before 1st July 2000 is varied by an amendment notice given on or after that date, the Principal Regulations shall continue to apply as if these Regulations 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) In this regulation, “building notice” and “building work” shall have the same meaning as in the Principal Regulations.

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(5) As respects initial notices, amendment notices and public body’s notices see respectively, sections 47, 51A and 54 of the Building Act 1984.

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

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Signed by authority of the Secretary of State

17th December 1999

*Nick Raynsford*  
Minister of State,  
Department of the Environment, Transport and  
the Regions

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the Building Regulations 1991 (S.I.1991/2768) to substitute a new Part B in Schedule 1.

The main change is the addition of a requirement for appropriate provision for early warning of fire in Part B1. There are also amendments to paragraphs B2(1)(a), B3(2), B4(1) and B4(2) to make it clear that the resistance to fire must be adequate; and to paragraphs B5(1) and B5(2) to make it clear that the facilities and access for the fire service must be reasonable.

Regulation 4 of these Regulations contains transitional provisions.

A Regulatory Impact Assessment has been prepared in relation to these Regulations. A copy may be obtained from Building Regulations Division, DETR, Zone 3/A1, Eland House, Bressenden Place, London, SW1E 5DU, telephone 020 7944 5753.