
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations revoke and replace with amendments the Building Regulations (Northern Ireland) 1994 (“the 1994 Regulations”), and all subsequent amending Regulations. They impose certain mandatory requirements (called functional or performance requirements) in relation to—

- (a) the construction of any building and to certain services and fittings in conjunction with any building;
- (b) the structural alteration or extension of any building; and
- (c) any building undergoing a material change of use.

They come into operation on 1st April 2001, but do not apply in relation to work which has been completed, or for which plans have been deposited with a district council, before that date.

As in the previous Building Regulations, each Part of these Regulations is identified by a capital letter and the regulations within each Part are identified by the appropriate letter and by numbers which run from “1” within each Part.

Most of the mandatory requirements of the Regulations are complemented by provisions which describe methods or materials which are deemed to satisfy the relevant functional or performance requirements. These provisions (called “deemed-to-satisfy provisions” and printed in italics) make extensive use of British Standards, British Standard Codes of Practice and, where relevant Technical Booklets published by Northern Ireland Departments. In addition—

- (a) any products designed and manufactured in accordance with a European Council Directive relating to a particular purpose shall be deemed to satisfy the requirements of these Regulations insofar as they relate to that purpose; and
- (b) any products designed and manufactured in accordance with—
 - (i) any national technical specification of a state within the European Economic Area;
 - (ii) any relevant international standard recognised for use within such a state;
 - (iii) any appropriate traditional procedures of manufacture used within such a state; and
 - (iv) any European Technical Approvals issued in accordance with Directive [89/106/EEC](#), which give an equivalent standard of protection and performance to the relevant British Standard or British Code of Practice will also be deemed to satisfy the relevant requirements of these Regulations.

These provisions do not preclude use of other methods or materials which will satisfy the functional requirements (regulation A3).

These Regulations were notified in draft to the European Commission in accordance with Directive [98/34/EC](#).

These Regulations introduce a change of format of Parts B to V to aid the recognition of harmonised European Standards which will be produced to replace the British Standards currently referred to in the Regulations. Instead of being contained within each Part of the regulations the documents containing the deemed-to-satisfy standards are now set out in tabular form in the new Schedule 5.

Apart from the change of format, the principal changes from the 1994 Regulations are—

1. In Part B (Materials and workmanship) the definition of materials has been expanded to encourage the consideration of environmental aspects.

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

2. In Part C (Preparation of site and resistance to moisture) the area in which new dwellings require measures to limit the ingress of radon has been extended. The radon affected area is indicated on the map in Schedule 3.

3. In Part E (Fire safety) the deemed-to-satisfy references for means of escape (regulation E2) have been updated.

4. In Part H (retitled Stairs, ramps, guarding and protection from impact) the scope has been extended to reflect the requirements of the Workplace (Health, Safety and Welfare) Regulations (NI) 1993. The main changes are—

- (a) the introduction of new requirements for areas used for maintenance and vehicle loading bays (regulation H5); and
- (b) the introduction of requirements to reduce the risk of people injuring themselves from impact or trapping by doors or collision with open windows, skylights or ventilators (regulations H6 and H7).

5. In Part P (Sanitary appliances and unvented hot water storage systems) restrictions preventing sanitary accommodation opening directly from kitchens have been limited to buildings other than dwellings and the regulations have been extended to require sanitary accommodation which opens directly from a kitchen to contain a wash hand basin (regulation P4).

6. In Part R (Access and facilities for disabled people) the regulations have been extended to require new dwellings to have access and facilities to enable disabled people to visit. The main changes are to require—

- (a) means of access suitable for disabled people to dwellings and to the common entrances of blocks of flats;
- (b) means of circulation for disabled people within the entrance storey of dwellings (or the principal storey if there are no habitable rooms in the entrance storey);
- (c) wc facilities for disabled people on the entrance storey of dwellings (or the principal storey);
- (d) suitable facilities for disabled people in lifts where they are provided in blocks of flats; and
- (e) switches and socket outlets to be located at suitable heights for disabled people.

7. In Part V (Glazing) the scope has been extended to reflect the requirements of the Workplace (Health, Safety and Welfare) Regulations (NI) 1993. The main changes are new requirements to reduce the risk of people injuring themselves when they are opening or closing windows and when cleaning windows or glazed surfaces (regulations V4 and V5).

Other minor and consequential amendments have been made including the necessary changes to take account of amendments to DOE (NI) Technical Booklets and revised editions of Technical Booklets, British Standards and other publications.

A regulatory impact assessment has been carried out in respect of the change of format introduced by these Regulations and the principal changes from the 1994 Regulations. The Regulatory Impact Assessment publication can be obtained from—

The Department of Finance and Personnel, Accommodation and Construction Division, River House, 48 High Street, Belfast BT1 2AW.

The publications referred to in these Regulations may be purchased from the following sources—

- (a) British Standards and British Standard Codes of Practice from the Sales Department, British Standards Institution, Linford Wood, Milton Keynes MK14 6LE;
- (b) The Government's Standard Assessment Procedure for Energy Rating of Dwellings: 1998 edition, from the Building Research Establishment, Garston, Watford WD2 7JR;

- (c) Radon: guidance on protective measures for new dwellings in Northern Ireland from Construction Research Communications Ltd, PO Box 202, Bucknalls Lane, Garston, Watford, WD2 7QG;
- (d) CIBSE Guides from CIBSE Publications Department, Delta House, 222 Balham High Road, London SW12 9BS; and
- (e) all other publications from branches of The Stationery Office.

If any works to which these Regulations apply contravene these Regulations, the district council in whose areas those works are being or have been done may by notice served on the owner under Article 18(1) of the Order require him to pull down or remove those works, or, if he so elects and the council so agrees, to effect such alterations or additions therein as are necessary to make the works comply with the requirements of these Regulations.

Any person who contravenes any provisions contained in these Regulations or a notice under Article 18(1) of the Order is guilty of an offence under the Order and is liable on summary conviction to a fine not exceeding level 5 on the standard scale of fines and penalties (presently £2,000) and to a further fine not exceeding £50 for each day during which the offence continues after conviction therefor.

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