
STATUTORY INSTRUMENTS

2006 No. 652

**The Building and Approved Inspectors
(Amendment) Regulations 2006**

PART 2

Amendment of the Building Regulations 2000

Amendment of regulation 9 (exempt buildings and work)

8.—(1) In regulation 9(1)—

- (a) in paragraph (1), for “paragraph (2)” substitute “paragraphs (2) and (3)”;
(b) at the end add—

“(3) The energy efficiency requirements of these Regulations apply to—

- (a) the erection of any building of a kind falling within this paragraph;
- (b) the extension of any such building, other than an extension falling within class VII in Schedule 2; and
- (c) the carrying out of any work to or in connection with any such building or extension.

(4) A building falls within paragraph (3) if it—

- (a) is a roofed construction having walls;
- (b) uses energy to condition the indoor climate; and
- (c) does not fall within the categories listed in paragraph (5).

(5) The categories referred to in paragraph (4)(c) are—

- (a) buildings which are—
 - (i) listed in accordance with section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990(2);
 - (ii) in a conservation area designated in accordance with section 69 of that Act; or
 - (iii) included in the schedule of monuments maintained under section 1 of the Ancient Monuments and Archaeological Areas Act 1979(3),

where compliance with the energy efficiency requirements would unacceptably alter their character or appearance;

- (b) buildings which are used primarily or solely as places of worship;

(1) Amended by S.I.2004/3210.

(2) 1990 c. 9.

(3) 1979 c. 46; section 1 (3), (5), (6), (7) were amended, and section 1(6A), (7A), (8A) were inserted, by the National Heritage Act 1983 (c. 47), section 33 and Schedule 4, paragraph 25.

- (c) temporary buildings with a planned time of use of two years or less, industrial sites, workshops and non-residential agricultural buildings with low energy demand;
 - (d) stand-alone buildings other than dwellings with a total useful floor area of less than 50m².
- (6) In this regulation—
- (a) “building” means the building as a whole or parts of it that have been designed or altered to be used separately; and
 - (b) the following terms have the same meaning as in European Parliament and Council Directive [2002/91/EC](#) on the energy performance of buildings⁽⁴⁾—
 - (i) “industrial sites”;
 - (ii) “low energy demand”;
 - (iii) “non-residential agricultural buildings”;
 - (iv) “places of worship”;
 - (v) “stand-alone”;
 - (vi) “total useful floor area”;
 - (vii) “workshops”.

(4) OJ No L 1, 4.1.2003, p65.