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STATUTORY INSTRUMENTS

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**2012 No. 3118**

The Energy Performance of Buildings  
(England and Wales) Regulations 2012

PART 2

Duties relating to Energy Performance Certificates

**Application of Part 2**

5.—(1) This Part does not apply to—

- (a) buildings officially protected as part of a designated environment or because of their special architectural or historical merit, in so far as compliance with certain minimum energy performance requirements would unacceptably alter their character or appearance;
- (b) buildings used as places of worship and for religious activities;
- (c) temporary buildings with a time of use of two years or less;
- (d) industrial sites, workshops and non-residential agricultural buildings with low energy demand;
- (e) non-residential agricultural buildings which are in use by a sector covered by a national sectoral agreement on energy performance;
- (f) residential buildings which are used or intended to be used—
  - (i) for less than four months of the year, or
  - (ii) for a limited annual time of use and with an expected energy consumption of less than 25% of what would be the result of all-year use; and
- (g) stand-alone buildings with a total useful floor area of less than 50m<sup>2</sup>.

(2) Nothing in this Part requires an energy performance certificate to be given or made available to a prospective buyer or tenant at any time before the construction of the building has been completed.