

## STATUTORY INSTRUMENTS

# 2012 No. 3119

## The Building Regulations &c. (Amendment) Regulations 2012

### Citation, extent, application, and commencement

1.—(1) These Regulations may be cited as The Building Regulations &c. (Amendment) Regulations 2012.

(2) These Regulations extend to England and Wales.

(3) Subject to paragraph (4), these Regulations do not apply in relation to any building in Wales, other than an excepted energy building.

(4) Regulations 14, 15, 16, 17, 18, 19, 22 and 23 apply in relation to—

(a) educational buildings and buildings of statutory undertakers <sup>M1</sup> in Wales;

(b) Crown buildings <sup>M2</sup> in Wales; and

(c) building work carried out or proposed to be carried out by Crown authorities <sup>M3</sup> in Wales.

(5) Each provision of these Regulations mentioned in the second column of the Table in Schedule 1 shall come into force on the date mentioned in the first column of that Table, for the purpose mentioned in the third column.

(6) In this regulation—

“excepted energy building” has the same meaning as in the Schedule to the Welsh Ministers (Transfer of Functions)(Order No.2) Order 2009 <sup>M4</sup>;

“Crown authority” means the Crown Estate Commissioners, a Minister of the Crown, a government department, any other person or body whose functions are performed on behalf of the Crown (not being a person or body whose functions are performed on behalf of Her Majesty in her private capacity), or a person acting in right of the Duchy of Lancaster or the Duchy of Cornwall;

“Crown building” means a building in which there is a Crown interest or Duchy interest;

“Crown interest” means an interest belonging to Her Majesty in right of the Crown, or belonging to a government department, or held in trust for Her Majesty for the purposes of a government department;

“Duchy interest” means an interest belonging to Her Majesty in right of the Duchy of Lancaster, or belonging to the Duchy of Cornwall; and

“educational buildings and buildings of statutory undertakers” means buildings that fall within section 4(1)(a), (b) or (c) of the Building Act 1984.

### Marginal Citations

**M1** In exercise of the powers conferred by section 2(2) of the [European Communities Act 1972 \(c.68\)](#), these regulations transpose the provisions of the European Parliament and the Council Directive 2010/31/EU of 19 May 2010 on the energy performance of buildings (recast)(2010/31/EU OJ No L 153,18.06.2010, p.0013) in relation to educational buildings, buildings of statutory undertakers and Crown buildings in England and Wales.

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**Changes to legislation:** There are currently no known outstanding effects for the The Building Regulations &c. (Amendment) Regulations 2012, Section 1. (See end of Document for details)

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- M2** Regulation 23 of these Regulations inserts a definition of the term “Crown building” into regulation 35(1) of the Building Regulations 2010.
- M3** Regulation 23 of these Regulations inserts a definition of the term “Crown authority” into regulation 35(1) of the Building Regulations 2010.
- M4** S.I. 2009/3019. The Welsh Ministers (Transfer of Functions)(No.2) Order transferred functions under the Building Act 1984 exercised by the Secretary of State, so far as the functions related to Wales, to the Welsh Ministers, subject to articles 3 and 4 of that Order. Article 3(a) provides that functions , so far as exercisable in relation to an excepted energy building (as defined in the Schedule to that Order) are not transferred.

**Changes to legislation:**

There are currently no known outstanding effects for the The Building Regulations &c. (Amendment) Regulations 2012, Section 1.