
STATUTORY INSTRUMENTS

2013 No. 1959

**The Building Regulations
&c. (Amendment) (No.2) Regulations 2013**

PART 2

Amendment of the Building Regulations 2010

Amendment of the Building Regulations 2010

2. The Building Regulations 2010(1) are amended as set out in this Part.

Interpretation

3. In regulation 2(1), in the definition of “energy efficiency requirements”, after “26” insert “26A”.

Minimum energy performance requirements for new buildings

4. For regulation 25 substitute—

“25. Minimum energy performance requirements shall be approved by the Secretary of State, in accordance with the methodology approved pursuant to regulation 24, for—

- (a) new buildings (which shall include new dwellings), in the form of target CO₂ emission rates; and
- (b) new dwellings, in the form of target fabric energy efficiency rates.”

Fabric energy efficiency rates for new dwellings

5. After regulation 26, insert—

“26A. Where a dwelling is erected, it shall not exceed the target fabric energy efficiency rate for the dwelling which have been approved pursuant to regulation 25.”

Fabric energy efficiency rate calculations

6. After regulation 27, insert—

“Fabric energy efficiency rate calculations

27A.—(1) This regulation applies where a dwelling is erected and regulation 26A applies.

(2) Not later than the day before the work starts, the person carrying out the work shall give the local authority a notice which specifies—

- (a) the target fabric energy efficiency rate for the dwelling;
 - (b) the calculated fabric energy efficiency rate for the dwelling as designed; and
 - (c) a list of specifications to which the dwelling is to be constructed.
- (3) Not later than five days after the work has been completed, the person carrying out the work shall give the local authority—
- (a) a notice which specifies—
 - (i) the target fabric energy efficiency rate for the dwelling;
 - (ii) the calculated fabric energy efficiency rate for the dwelling as constructed; and
 - (iii) whether the dwelling has been constructed in accordance with the list of specifications referred to in paragraph (2)(c), and if not a list of any changes to those specifications; or
 - (b) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraph (a).
- (4) A local authority is authorised to accept, as evidence that the requirements of regulation 26A have been satisfied, a certificate to that effect by an energy assessor who is accredited to produce such certificates for that category of building.
- (5) In this Regulation, “specifications” means specifications used for the calculation of the fabric energy efficiency rate.”

Application of building regulations to educational buildings, buildings of statutory undertakers and Crown Buildings

7. In regulation 34, for “25” substitute “25(a)”.

Interpretation of Part 6

8. In regulation 35, after the definition of “energy assessor”, insert—
- ““fabric energy efficiency” means the space heating and cooling requirements per square metre of floor area of a new dwelling;”.

Transitional provisions

- 9.—(1) The amendment made by regulation 5 does not apply in any case where on the date these Regulations come into force—
- (a) building work has started in accordance with any relevant notification provision; or
 - (b) a relevant notification provision has been complied with in relation to proposed building work and the building work is started within the period of twelve months beginning on the day this Part of these Regulations come into force.
- (2) In this regulation, “relevant notification provision” means regulation 12(2) of the Building Regulations 2010 and sections 47(1), 50, 51A(2) and 54 of the Building Act 1984.