STATUTORY INSTRUMENTS

# 2009 No. 2397

# BUILDING AND BUILDINGS, ENGLAND AND WALES

## The Building (Amendment No.2) Regulations 2009

| | |
|---|---|
| *Made - - - -* | *3rd September 2009* |
| *Laid before Parliament* | *8th September 2009* |
| *Coming into force - -* | *1st October 2009* |

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 1, 3, 34 and 35A(2) of, and paragraphs 1, 2, 4, 4A, 7, 8 and 10 of Schedule 1 to, the Building Act 1984(**a**), having consulted, in accordance with section 14(3) of that Act, the Building Regulations Advisory Committee and such other bodies as appear to the Secretary of State to be representative of the interests concerned.

### Citation and commencement

**1.**—(1) These Regulations may be cited as the Building (Amendment No.2) Regulations 2009.

(2) These Regulations shall come into force on 1st October 2009.

### Amendments to the Building Regulations 2000, with saving

**2.**—(1) The Building Regulations 2000(**b**) are amended as follows, but regulation 22A(**c**) (time limit for prosecution for contravention of certain regulations) shall continue to have effect in relation to contraventions of building regulations committed before 22nd September 2008 as if these Regulations had not been made.

(2) In regulation 17K(**d**) (water efficiency of new dwellings) after the words "the document "The Water Efficiency Calculator for New Dwellings"" insert ", published in September 2009 by the Department for Communities and Local Government(**e**)".

(3) Omit regulation 22A.

(4) In Schedule 2A(**f**) (self-certification schemes and exemptions from requirement to give building notice or deposit full plans) add the following paragraphs—

(**a**) 1984 c.55. Section 1 was amended by the Sustainable and Secure Buildings Act 2004 (c.22), section 1(1) to (3); paragraph 4A of Schedule 1 was inserted by section 8(1) of that Act; paragraph 7 of Schedule 1 was amended by section 3(1) and (4) of that Act- there are other amendments to that paragraph but none is relevant; paragraph 8 of Schedule 1 was amended by section 3(1) and (6) of that Act- there are other amendments to that paragraph but none is relevant.
(**b**) S.I. 2000/2531.
(**c**) Inserted by S.I. 2008/671.
(**d**) Inserted by S.I. 2009/1219.
(**e**) ISBN: 978-1-4098-1827-4.
(**f**) Inserted by S.I. 2002/440, and substituted by S.I. 2006/652; there are amendments, but none is relevant.

| | |
|---|---|
| " 13A. Installation of a wholesome cold water supply. | A person registered by Association of Plumbing and Heating Contractors (Certification) Limited(**a**), Building Engineering Services Competence Accreditation Limited(**b**), CORGI Services Limited(**c**), NAPIT Registration Limited(**d**) or NICEIC Group Limited(**e**) in respect of that type of work. |
| 13B. Installation of a supply of non-wholesome water to a sanitary convenience fitted with a flushing device. | A person registered by Association of Plumbing and Heating Contractors (Certification) Limited, Building Engineering Services Competence Accreditation Limited, CORGI Services Limited, NAPIT Registration Limited or NICEIC Group Limited in respect of that type of work..." |

Signed by authority of the Secretary of State

*Bill McKenzie*
Parliamentary Under Secretary of State
Department for Communities and Local Government

3rd September 2009

(**a**) A company incorporated under the Companies Act 1985 with the registration number 02876277.
(**b**) A company incorporated under the Companies Act 1985 with the registration number 03712932.
(**c**) A company incorporated under the Companies Act 1985 with the registration number 03268198.
(**d**) A company incorporated under the Companies Act 1985 with the registration number 05190452.
(**e**) A company incorporated under the Companies Act 1985 with the registration number 02513162.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Building Regulations 2000. The amendments are made in regulation 2 as follows.

Paragraph (2) amends regulation 17K to provide an updated reference to the newest edition of the document "The Water Efficiency Calculator for New Dwellings" (published in September 2009, ISBN 978-1-4098-1827-4, available from Communities and Local Government Publications, PO Box 236, Wetherby, West Yorkshire, LS23 7NB, or online via the Communities and Local Government website www.communities.gov.uk).

Paragraph (3) omits regulation 22A, which has been superseded with effect from 22nd September 2008 by virtue of amendments to section 35A of the Building Act 1984 made by section 317 of the Housing and Regeneration Act 2008 (c.17).

Paragraph (4) adds to the list in Schedule 2A of work that is exempt from the requirement to give a building notice or to deposit full plans when carried out by persons specified in that Schedule.

Paragraph (1) of regulation 2 also contains a saving relevant to the amendment made by paragraph (3). The effect of the saving is to preserve the extension of the time limit for the prosecution of certain contraventions of building regulations where the contravention occurred before 22nd September 2008.

A full impact assessment has not been produced for these Regulations as no effect on the private or voluntary sectors is foreseen.

---

© Crown copyright 2009

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

STATUTORY INSTRUMENTS

# 2009 No. 2397

# BUILDING AND BUILDINGS, ENGLAND AND WALES

## The Building (Amendment No.2) Regulations 2009

£4.00

E4838 9/2009 194838T 19585