

DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT

Communities and Local Government Circular 01/2013
Department for Communities and Local Government
Eland House, Bressenden Place, London SW1E 5DU

13 May 2013

THE BUILDING ACT 1984

THE BUILDING REGULATIONS 2010

- **AUTHORISATION OF NEW AND EXTENDED COMPETENT PERSON SELF-CERTIFICATION SCHEMES**
- **AMENDMENT TO REGULATION 11 OF THE BUILDING REGULATIONS**

INTRODUCTION

1. I am directed by the Secretary of State to draw your attention to the Building (Amendment) Regulations 2013 (S.I. 2013/1105) (“the Amendment Regulations”) which were made on 8 May 2013 and will come into force on 3 June 2013.
2. In accordance with section 14(3) of the Building Act 1984, these Amendment Regulations were made after consultation with the Building Regulations Advisory Committee for England and with other bodies representative of the interests concerned.
3. The purpose of this Circular is to:
 - draw attention to the amendment to Regulation 11 of the Building Regulations 2010;
 - announce the authorisation of new and extended competent person schemes.
4. This Circular does not give advice on the technical requirements in the Building Regulations 2010 as these are matters covered by Approved Documents.
5. Annex A to this Circular sets out in tabular form the changes to the Building Regulations 2010 made by SI 2013/1105.

APPLICATION OF THE REGULATIONS

6. In relation to England, all the changes made by the Amendment Regulations apply. In relation to Wales, all the changes made by the Amendment Regulations apply only to exempted energy buildings and the changes that relate to regulation 11 of the Building Regulations 2010 (at regulations 3(2) and 3(3)) for the buildings and building work specified at regulation 1(4)

COMPETENT PERSON SELF-CERTIFICATION SCHEMES

7. Amendment regulations 3(4)(b), 3(4)(d), 3(4)(e) and 3(4)(f) authorise new competent person scheme operators for specific types of work. Amendment regulations 3(4)(a) and 3(4)(c) authorise the extension of an existing competent person scheme to types of work for which it was not previously authorised.

CONSEQUENTIAL AMENDMENT ON THE TRANSPOSITION OF THE ENERGY PERFORMANCE OF BUILDINGS DIRECTIVE (RECAST)

8. Amendment regulations 3(2) and 3(3) are consequential amendments resulting from the transposition of requirements in the Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast).

ENQUIRIES

9. All enquiries on matters covered by this Circular should be addressed to:

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Signed:

R J Ledsoe
An Assistant Secretary in the Department for Communities and Local
Government

Annex A

The Building Regulations etc (Amendment) Regulations 2013 (S.I. 2013/1105)

The following table lists all the changes made by S.I. 2013/1105 to the Building Regulations 2010:

S.I. 2010/2214 Regulation No.	S.I. 2013/1105 Regulation No.	Action
11(3)	3(2)	Power to dispense with or relax requirements. Clarifies which regulations are exempt from the power to dispense with or relax building regulations.
34(1)	3(3)	Application of building regulations to educational buildings, buildings of statutory undertakers and Crown buildings. Adds regulation 11(3) to the list of regulations applying to such buildings/building work.
Schedule 3	3(4)(a) and (c)	Self-certification schemes and exemptions from requirement to give building notice or deposit full plans. Authorises extensions to existing self certification schemes.
Schedule 3	3(4)(b) and (d)-(f)	Self-certification schemes and exemptions from requirement to give building notice or deposit full plans. Authorises new self certification schemes for specified types of work.

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