



## Department for Communities and Local Government

To:

The Chief Executive

Unitary, Metropolitan, District and London Borough Councils in England  
County and County Borough Councils in Wales

The Town Clerk, City of London

The Clerk, Council of the Isles of Scilly

The Sub-Treasurer, Inner Temple

The Under Treasurer, Middle Temple

The Head of Building Control

Unitary Metropolitan, District and London Borough Councils in England  
County and County Borough Councils in Wales

City of London

Council of the Isles of Scilly

Approved Inspectors

cc: The Chief Executive:

County Councils in England

National Park Authorities in England & Wales

The Chief Fire Officer: Fire and Rescue Authorities in England & Wales

13 May 2013

Dear Sir or Madam

### **The Building (Amendment) Regulations 2013**

I am writing to inform you about the Building (Amendment) Regulations 2013 (S.I. 2013/1105) (the "Amendment Regulations"). The regulations were made on 8 May 2013 and laid before Parliament on 13 May 2013.

The Amendment Regulations amend the Building Regulations 2010.

### ***Scope of this Circular Letter***

The guidance in this Circular Letter applies to buildings and building work in England, and also to excepted energy buildings, buildings of statutory undertakers and Crown buildings in Wales.

## ***Publications***

DCLG Circular 01/2013, which describes the amendments more fully is available at: <https://www.gov.uk/government/publications/the-building-act-1984-building-amendment-regulations-2013-circular-012013>.

## ***Coming into force date***

The Amendment Regulations come fully into force on 3 June 2013. There are no transitional provisions.

## ***Regulation 11 of the Building Regulations 2010***

The Amendment Regulations make consequential amendments to regulation 11 of the Building Regulations 2010. The amendments arise from the transposition of Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast) ("EPBD"). The amendment makes clear that local authorities have no powers to relax or dispense with the requirements of the EPBD.

## ***Competent Person Schemes***

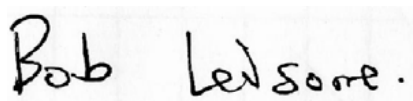
The Amendment Regulations authorise two new competent person scheme operators and extend the scope for an existing competent person scheme operator. For ease of use, an informal consolidation of Schedule 3 incorporating all the amendments made to it since the Building Regulations 2010 came into force is at Annex A to this Circular Letter. This informal consolidation applies only to England, and also to excepted energy buildings in Wales, and is only provided for the purposes of providing an informal guide.

## ***Enquiries***

Telephone enquiries on this Circular Letter should be addressed to Alison Lockyer on 0303 44 43420

All e-mail enquiries to [enquiries.br@communities.gsi.gov.uk](mailto:enquiries.br@communities.gsi.gov.uk).

Yours faithfully

A handwritten signature in black ink that reads "Bob Ledsome." The signature is written in a cursive, slightly informal style.

**R J Ledsome**

Deputy Director

Building Regulations and Standards Division

## Annex A

### Schedule 3 to the Building Regulations 2010, as at 3 June 2013

**Self-certification schemes and exemptions from requirement to give building notice or deposit full plans.**

<b>Column 1</b> <b>Type of Work</b>	<b>Column 2</b> <b>Person carrying out work</b>
1. Installation of a heat-producing gas appliance. (This paragraph does not apply to the provision of a masonry chimney.)	A person, or an employee of a person, who is a member of a class of persons approved in accordance with regulation 3 of the Gas Safety (Installation and Use) Regulations 1998.
2. Installation of heating or hot water system connected to a heat-producing gas appliance, or associated controls.	A person registered by, Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited (in respect of work carried out in England and excepted energy buildings in Wales), Capita Gas Registration and Ancillary Services Limited, HETAS Limited, NAPIT Registration Limited, Oil Firing Technical Association Limited or Stroma Certification Limited in respect of that type of work.
3. Installation of— (a) an oil-fired combustion appliance; or (b) oil storage tanks and the pipes connecting them to combustion appliances.  (This paragraph does not apply to the provision of a masonry chimney.)	A person registered by, Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited (in respect of work carried out in England and excepted energy buildings in Wales), HETAS Limited, NAPIT Registration Limited, Oil Firing Technical Association Limited or Stroma Certification Limited (in respect of work carried out in England and excepted energy buildings in Wales) in respect of that type of work.
4. Installation of a solid fuel burning combustion appliance. (This paragraph does not apply to the provision of a masonry chimney.)	A person registered by, Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales), Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited (other than in respect of work carried out in England and excepted energy buildings in Wales), Building Engineering Services Competence Assessment Limited, HETAS Limited or NAPIT Registration Limited in respect of that type of work.
5. Installation of a heating or hot water system connected to an oil-fired combustion appliance or its associated controls.	A person registered by Ascertiva Group Limited, Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited (in respect of work carried out in England and excepted energy buildings in Wales), ECA Certification Limited, HETAS Limited, NAPIT Registration Limited, Oil Firing Technical Association Limited or Stroma Certification Limited in respect of that type of work.
6. Installation of a heating or hot water	A person registered by Certsure LLP (in respect of work carried out in

system connected to a solid fuel burning combustion appliance or its associated controls.	England and excepted energy buildings in Wales), Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited (other than in respect of work carried out in England or in relation to excepted energy buildings in Wales), Building Engineering Services Competence Assessment Limited (in respect of work carried out in England and excepted energy buildings in Wales), HETAS Limited, NAPIT Registration Limited, Oil Firing Technical Association Limited or Stroma Certification Limited in respect of that type of work.
7. Installation of a heating or hot water system connected to an electric heat source or its associated controls.	A person registered by Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales), Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited (in respect of work carried out in England and excepted energy buildings in Wales), HETAS Limited, NAPIT Registration Limited, Oil Firing Technical Association Limited or Stroma Certification Limited in respect of that type of work.
8. Installation of a mechanical ventilation or air conditioning system or associated controls, which does not involve work on a system shared with parts of the building occupied separately, in a building other than a dwelling.	A person registered by, Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales), Benchmark Certification Limited (other than work carried out in England or in relation to excepted energy buildings in Wales), Building Engineering Services Competence Assessment Limited (in respect of work carried out in England and excepted energy buildings in Wales), NAPIT Registration Limited (in respect of work carried out in England and excepted energy buildings in Wales), or Stroma Certification Limited (in respect of work carried out in England and excepted energy buildings in Wales), in respect of that type of work.
9. Installation of an air conditioning or ventilation system in a dwelling, which does not involve work on systems shared with other dwellings.	A person registered by Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales), Benchmark Certification Limited (other than work carried out in England or in relation to excepted energy buildings in Wales), Building Engineering Services Competence Assessment Limited, (in respect of work carried out in England and excepted energy buildings in Wales), NAPIT Registration Limited or Stroma Certification Limited (in respect of work carried out in England and excepted energy buildings in Wales) in respect of that type of work.
10. Installation of a lighting system or electric heating system, or associated electrical controls in buildings other than dwellings.	A person registered by Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales), Benchmark Certification Limited (in respect of work carried out in England and excepted energy buildings in Wales),, Building Engineering Services Competence Assessment Limited (in respect of work carried out in England and excepted energy buildings in Wales), NAPIT Registration Limited or Stroma Certification Limited in respect of that type of work.
11. Installation of fixed low or extra-low voltage electrical installations in dwellings.	A person registered by Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales), Benchmark Certification Limited, British Standards Institution, Building Engineering Services Competence Assessment Limited (in respect of work carried out in England and excepted energy buildings in Wales), NAPIT Registration Limited, Oil Firing Technical Association Limited or Stroma Certification Limited in respect of that type of work.

<p>12. Installation of fixed low or extra-low voltage electrical installations in dwellings as a necessary adjunct to or arising out of other work being carried out by the registered person.</p>	<p>A person registered by Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales), Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited (in respect of work carried out in England and excepted energy buildings in Wales), NAPIT Registration Limited, Oil Firing Technical Association Limited or Stroma Certification Limited in respect of that type of electrical work.</p>
<p>13. Installation, as a replacement, of a window, rooflight, roof window or door in an existing dwelling.</p>	<p>A person registered under the Fenestration Self-Assessment Scheme by Fensa Ltd, or a person registered by BM Trada Certification Limited, Benchmark Certification Limited (in respect of work carried out in England and excepted energy buildings in Wales), the British Standards Institution, CERTASS Limited, NAPIT Registration Limited (in respect of work carried out in England and excepted energy buildings in Wales), Network VEKA Limited or Stroma Certification Limited (in respect of work carried out in England and excepted energy buildings in Wales) or Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales in respect of that type of work.</p>
<p>14. Installation of a sanitary convenience, sink, washbasin, bidet, fixed bath, shower or bathroom in a dwelling, which does not involve work on shared or underground drainage.</p>	<p>A person registered by Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales), Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited (in respect of work carried out in England and excepted energy buildings in Wales), HETAS Limited (in respect of work carried out in England and excepted energy buildings in Wales), NAPIT Registration Limited or Stroma Certification Limited (in respect of work carried out in England and excepted energy buildings in Wales) in respect of that type of work.</p>
<p>15. Installation of a wholesome cold water supply or a softened wholesome cold water supply.</p>	<p>A person registered by Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales), Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited (in respect of work carried out in England and excepted energy buildings in Wales), HETAS Limited (in respect of work carried out in England and excepted energy buildings in Wales),, or NAPIT Registration Limited in respect of that type of work.</p>
<p>16. Installation of a supply of non-wholesome water to a sanitary convenience fitted with a flushing device which does not involve work on shared or underground drainage.</p>	<p>A person registered by Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales), Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited (in respect of work carried out in England and excepted energy buildings in Wales), HETAS Limited (in respect of work carried out in England and excepted energy buildings in Wales), NAPIT Registration Limited or Stroma Certification Limited (in respect of work carried out in England and excepted energy buildings in Wales in respect of that type of work.</p>
<p>17. Installation in a building of a system to produce electricity, heat or cooling— (a) by microgeneration, or</p>	<p>A person registered by Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales), Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, British Standards Institution, Building Engineering Services Competence Assessment Limited (in respect of work carried</p>

(b)from renewable sources (as defined in European Parliament and Council Directive 2009/28/EC of 23 April 2009 on the promotion of the use of energy from renewable sources).	out in England and excepted energy buildings in Wales), HETAS Limited, NAPIT Registration Limited, Oil Firing Technical Association Limited, Stroma Certification Limited or BRE Global Limited (in respect of work carried out in England and excepted energy buildings in Wales in respect of that type of work.
18. Insertion of insulating material into the cavity walls of an existing building.	A person registered under the Cavity Wall Insulation Self Certification Scheme by Cavity Insulation Guarantee Agency Limited, Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales), Benchmark Certification Limited (in respect of work carried out in England and excepted energy buildings in Wales),, NAPIT Registration Limited (in respect of work carried out in England and excepted energy buildings in Wales), or Stroma Certification Limited (in respect of work carried out in England and excepted energy buildings in Wales) in respect of that type of work.
19. Installation, as a replacement, of the covering of a pitched or flat roof and work carried out by the registered person as a necessary adjunct to that installation. This paragraph does not apply to the installation of solar panels.	A a person registered by NAPIT Registration Limited (in respect of work carried out in England and excepted energy buildings in Wales), or National Federation of Roofing Contractors Limited in respect of that type of work.
21. Installation, as a replacement, of a window, rooflight, roof window or door in an existing building other than a dwelling. This paragraph does not apply to glass which is load bearing or structural or which forms part of glazed curtain walling or a revolving door.	A person registered by BM Trada Certification Limited, CERTASS Limited, (in respect of work carried out in England and excepted energy buildings in Wales), Stroma Certification Limited (in respect of work carried out in England and excepted energy buildings in Wales),, Certsure LLP (in respect of work carried out in England and excepted energy buildings in Wales) or under the Fenestration Self-Assessment Scheme by Fensa Limited in respect of that type of work.
22. Installation of insulating material to the internal walls of a building.	In respect of work carried out in England or in relation to excepted energy buildings in Wales, a person registered by Certsure LLP, Benchmark Certification Limited, CERTASS Limited, NAPIT Registration Limited, Stroma Certification Limited or British Board of Agrément in respect of that type of work.
23. Installation of insulating material to the external walls of a building, not including insulation of demountable-clad buildings.	In respect of work carried out in England or in relation to excepted energy buildings in Wales, a person registered by Certsure LLP, Benchmark Certification Limited, CERTASS Limited, NAPIT Registration Limited, Stroma Certification Limited or British Board of Agrément in respect of that type of work.
24. Installation of insulation material to both external and internal walls of a building ("hybrid insulation"), not including insulation of demountable-clad buildings.	In respect of work carried out in England or in relation to excepted energy buildings in Wales, a person registered by Certsure LLP, Benchmark Certification Limited, NAPIT Registration Limited or British Board of Agrément in respect of that type of work.