Changes to legislation: *The Building Regulations (Northern Ireland) 2012 is up to date with all changes known to be in force on or before 09 March 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

STATUTORY RULES OF NORTHERN IRELAND

2012 No. 192

BUILDING REGULATIONS

The Building Regulations (Northern Ireland) 2012

Made - - - -	*15th May 2012*
Coming into operation	*31st October 2012*

The Department of Finance and Personnel, in exercise of the powers conferred by Articles 3, 5(1), (2) and (3), 5A(1), 8, 9, 12, 15, 16(1) and (2), 17(1), (2), (2A) and (5), 18(5), 18B, 18C(1) and 19 of, and paragraphs 1 to 7, 9 to 13 and 17 to 22 of Schedule 1 to, the Building Regulations (Northern Ireland) Order 1979 [F1], and now vested in it [F2], and after consultation with the Building Regulations Advisory Committee and such other bodies as appear to be representative of the interests concerned [F3] makes the following Regulations:

F1 S.I. 1979/1709 (N.I. 16) as amended by S.I. 1990/1510 (N.I. 14), **Article 38(1)** and Schedule 1, Part II and 2009 c.4
F2 *See* S.R. 1999 No. 481 Article 6 and Schedule 4, Part II
F3 S.I. 1979/1709 (N.I. 16) Article 5(4)

Modifications etc. (not altering text)
C1 Regulations applied (25.2.2014) by The Building (Amendment) Regulations (Northern Ireland) 2014 (S.R. 2014/44), regs. 1, **3(1)** (with reg. 3)

PART A

Interpretation and general

Citation and commencement

1. These regulations may be cited as the Building Regulations (Northern Ireland) 2012 and shall come into operation on 31st October 2012.

Interpretation and general

2.—(1) In these regulations—

"Agriculture" includes horticulture, fruit growing, seed growing, dairy farming, breeding and keeping of livestock, fish farming, the use of land as grazing land, meadow land, market

gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes;

"Boundary" means, in relation to a building, the boundary of the land to which the building belongs and, except for the purposes of Part R, such land shall be deemed to include any abutting part of any street, canal or river but only up to the centre line thereof; and "boundary of the premises" shall be construed so as to include any such part to the same extent;

"Building work" means the erection of a building, the structural alteration or extension of a building (including work in connection with the making of a material change of use) or the provision of a service or fitting;

"Conservatory" means a part or extension of a building attached to and having a door giving access from the attached building and having not less than three-quarters of the area of its roof and not less than one-half of the area of its external walls made of translucent material;

"Department" means the Department of Finance and Personnel;

"District council" means, in relation to any building or building work, the district council for the area in which the building is situated or the building work is carried out;

"Drain" means any pipe or drain used solely for or in connection with the rainwater or foul water drainage of one building or of any buildings or yards appurtenant to buildings within the same curtilage;

"Dwelling" (except in Part E and Part R) means a house or flat and includes any accommodation therein of not more than 50 m^2 in total floor area forming part of the dwelling and used by a resident of the dwelling for the purposes of any business, profession or calling;

"Educational building" means—

(a) a university;

(b) a school or college of education within the meaning of the Education and Libraries (Northern Ireland) Order 1986 [F4]; or

(c) any other institution providing facilities for further education under Article 27 of that Order;

"Exempted building" means any building falling within one of the classes described in Schedule 2;

"Extension" in relation to a building includes, but is not limited to, the conversion of—

(a) a roofspace; or

(b) a garage or other enclosed space attached to a dwelling,

to a room;

"Fixed building service" means any part of or any controls associated with—

(a) fixed internal or external lighting systems, but does not include emergency escape lighting or specialist process lighting; [F5]...

(b) fixed systems for heating (but excluding process heating), hot water service, air conditioning or mechanical ventilation; **[**[F6]or**]**

(c) **[**[F7]any combination of systems of the kinds referred to in paragraphs (a) and (b);**]**

"Flat" means a dwelling on one or more storeys forming part of a building from some other part of which it is divided horizontally and includes a maisonette;

"Floor area" means, in relation to any building or part of that building, the aggregate area of every floor in that building or part of that building, calculated by reference to the finished internal faces of the walls enclosing the building or extension, or if at any point there is no such wall, by reference to the outermost edge of the floor;

"Functional regulation" means any regulation that sets a requirement but does not prescribe in the regulation a specific standard that should be attained;

"Garage" includes a carport;

"Habitable room" means a room in any building (whether or not that building is or contains a dwelling) used or intended to be used for dwelling purposes, including any bedroom, but not any room used only for kitchen purposes;

"Institution" means—

(a) a hospital, nursing home, home for older people or for children, school, or other similar establishment used as living accommodation for, or for the treatment or care of, people with an illness or mental or physical disability; and

(b) a place of lawful detention,

where people sleep on the premises;

"Kitchen purposes" means the purposes of preparing, storing, treating, cooking or manufacturing food or drink intended for human consumption or the cleansing of utensils or appliances which come into contact with such food or drink;

"Material change of use" (except in regulation 3) has the meaning assigned to it by regulation 8(1);

"Materials" means any materials whether occurring naturally, recycled or manufactured, and includes products, components and fittings;

"Place of assembly or recreation" means a building consisting of or containing—

(a) a theatre, public library, hall, place of entertainment or similar building of public resort;

(b) a leisure centre, gymnasium, sports pavilion or similar building used for sport or recreation;

(c) an educational building;

(d) a place of public worship; or

(e) a non-residential day care centre or clinic, including a crèche, nursery, health centre, dental surgery or similar building,

but a building is not to be treated as a place of assembly or recreation because it is, or it contains, a shop, storehouse or warehouse, or is a dwelling to which members of the public are occasionally admitted;

"Porch" means a single storey enclosure providing protection to an access door to a building and having an external door;

"Private sewer" means any part of a sewer, not being a public sewer, which serves two or more properties;

"Processing council" means the council identified in an application under regulation 11 as the council within which boundary the applicant intends to first use any certificate issued under Article 8 of the Building Regulations (Northern Ireland) Order 1979;

"Provision of a service or fitting" in relation to any building includes the installation of any service or fitting to which these regulations apply or the alteration or the extension of any such service or fitting;

"Regularisation certificate" shall be construed in accordance with regulation 13(2);

"Room for residential purposes" means a room, or a suite of rooms, which is not a dwelling and which is used by one or more persons to live and sleep and includes a room in a hostel, a hotel, a boarding house, a hall of residence or a residential home, but does not include a room in a hospital or other similar establishment, used for patient accommodation;

"School" has the same meaning as in the Education and Libraries (Northern Ireland) Order 1986;

"Sewer" includes all sewers, pipes or drains, other than a drain as defined in this regulation, and includes any apparatus used in connection with a sewer;

"Shop" means—

(a) premises used for the retail of goods or services and includes premises—

(i) used for the sale to members of the public of food or drink for consumption on or off the premises;

(ii) used for retail sales by auction to members of the public;

(iii) used to provide hairdressing or similar personal services to members of the public;

(iv) where members of the public may take goods for repair or other treatment; and

(v) where members of the public may go to hire an item; and

(b) premises used for wholesale self-selection trading;

"Single storey building" means a building consisting of one storey, only the floor of which is at or about the level of the finished surface of the ground adjoining the building;

"Site", in relation to a building, means the area of ground covered or to be covered by the building, including its foundations;

"Statutory undertakers" means persons authorised by an enactment or statutory order to construct, work, or operate a railway, canal, inland navigation, dock, harbour, tramway or other public undertaking;

"Structural alteration" means the execution of any work (other than the erection of a building and the provision of a service or fitting) to which the requirements of these regulations would apply if the work were part of a building being newly erected and includes the replacement of windows (other than replacement by ones having essentially similar features) and the insertion of material into a cavity in a wall of an existing building for the purpose of insulation;

"Substantive requirements" means the requirements of these regulations or, if appropriate, of any of the statutory provisions referred to in regulation 3 with respect to the design and construction of buildings and the provision of a service or fitting, as distinct from procedural requirements;

"Type approval certificate" means any certificate issued in accordance with Article 8 of the Building Regulations (Northern Ireland) Order 1979;

"Window" means any sash, casement or other framing and associated glazing set in an opening in a wall or roof of a building; and

"Work of public utility" means a pipeline, gas holder, gas main, electricity supply line and supports, water main, public sewer or telephone line and supports.

(2) For the purposes of these regulations any of the following operations shall be deemed to be the erection of a building—

(a) the re-erection of any building or part of a building when an outer wall of that building or (as the case may be) that part of a building has been pulled down or burnt down to within 3 metres of the surface of the ground adjoining the lowest storey of the building or of that part of the building;

(b) the re-erection of any frame building or part of a frame building when that building or part of that building has been so far pulled down or burnt down as to leave only the framework of the lowest storey of the building or of that part of the building; and

(c) the roofing over of any open space between walls or buildings.

(3) For the purposes of these regulations, the installation of a cesspool, septic tank or similar structure shall be treated as the provision of a service and not as the erection of a building.

(4) In these regulations any reference to a building shall extend to and include any part of a building, and any reference to the purpose for which a building is used shall extend to, include or mean the purpose for which it is intended to be used.

(5) Any note in a Table or Schedule shall be treated for all purposes as a substantive provision.

(6) Any reference in these regulations to a publication shall be construed as follows—

(a) in any case where no date is included in the reference, the reference is to the edition thereof current at 15th May 2012;

(b) in any case where a date is included in the reference, the reference is to the edition of that date, together with any amendments, supplements or addenda thereto published at that date; and

(c) any reference to any publication is a reference to so much only thereof as is relevant in the context in which such publication is quoted.

(7) The abbreviations and symbols listed in the following Table are used in these regulations—

Abbreviation or symbol	Definitions
º	degree (angular measure)
ºC	degree Celsius
m	metre
m^2	square metre
m^3	cubic metre
mm	millimetre
%	percent
[F8Mbps]	[F9Megabits per second]

F4 S.I. 1986/594 (N.I. 3) Article 2 as amended by S.I. 2005/1963 (N.I. 13) Article 14(1) and Schedule 3, para. 2

F5 Word in reg. 2(1)(a) deleted (25.2.2014) by The Building (Amendment) Regulations (Northern Ireland) 2014 (S.R. 2014/44), regs. 1, **5(1)(a)** (with reg. 3)

F6 Word in reg. 2(1)(b) inserted (25.2.2014) by The Building (Amendment) Regulations (Northern Ireland) 2014 (S.R. 2014/44), regs. 1, **5(1)(b)** (with reg. 3)

F7 Reg. 2(1)(c) inserted (25.2.2014) by The Building (Amendment) Regulations (Northern Ireland) 2014 (S.R. 2014/44), regs. 1, **5(1)(c)** (with reg. 3)

F8 Word in reg. 2(7) Table inserted (28.11.2016) by The Building (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016/412), regs. 1, **5(1)(a)** (with reg. 3)

F9 Words in reg. 2(7) Table inserted (28.11.2016) by The Building (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016/412), regs. 1, **5(1)(b)** (with reg. 3)

Transitional provisions

3.—(1) In this regulation—