1993 No. 84

BUILDING REGULATIONS

Building (Amendment) Regulations (Northern Ireland) 1993

Made . . . . . *26th February 1993*

Coming into operation . . *1st May 1993*

The Department of the Environment, in exercise of the powers conferred by Articles 3 and 5(1) of, and paragraphs 4, 21 and 22 of Schedule 1 to, the Building Regulations (Northern Ireland) Order 1979(**a**) and now vested in it(**b**) and of every other power enabling it in that behalf, after consultation with the Building Regulations Advisory Committee and such other bodies as appear to the Department to be representative of the interests concerned, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Building (Amendment) Regulations (Northern Ireland) 1993 and shall come into operation on 1st May 1993.

Interpretation

2. In these Regulations "the principal Regulations" means the Building Regulations (Northern Ireland) 1990(**c**).

Transitional provisions

3.—(1) The principal Regulations shall continue to apply to:—

(*a*) plans deposited in accordance with the principal Regulations before the commencement of these Regulations;

(*b*) work carried out in accordance with such plans with or without any departure or deviation from those plans; and

(*c*) work completed before such commencement,

as if the amendments effected by these Regulations had not been made.

(2) For the purpose of paragraph (1) "work" means the erection of a building, the alteration or extension of a building, the execution of works, the installation of a fitting or the making of a material change of use.

(**a**) S.I. 1979/1709 (N.I. 16) as amended by Part III of S.I. 1990/1510 (N.I. 14)

(**b**) By S.I. 1982/338 (N.I. 6) Article 5 and Schedule 1 Part II

(**c**) S.R. 1990 No. 59 to which there are amendments not relevant to the subject matter of these Regulations

Amendment of principal Regulations

4. The principal Regulations shall be amended as provided in regulations 5, 6 and 7.

Amendment of Part A (Interpretation and General)

5. In regulation A2 (Interpretation) after paragraph (4) there shall be inserted:—

"(4A) Where in relation to a specific purpose, a European Council Directive prescribes requirements in relation to a particular characteristic of a material, component or other manufactured product, or part thereof, then where that characteristic complies with that requirement, it shall be deemed to satisfy any requirement of these Regulations insofar as it relates to that purpose.

And, accordingly, for the removal of doubt, it is hereby declared that products designed and manufactured in accordance with the requirements of a European Council Directive relating to a specific purpose do not have to comply with any standard or code of practice (British, international or other) prescribed or otherwise referred to in these Regulations relating to any purpose covered by that Directive.".

Part EE (Means of escape in case of fire)

6. For regulation EE1 there shall be substituted:—

"EE1 Application and interpretation

(1) Regulations EE2 and EE3 shall apply to a building which is or contains—

(*a*) a house;

(*b*) a flat or maisonette on or above the third storey;

(*c*) a shop; or

(*d*) an office.

(2) Subject to paragraph (3), regulations EE4 and EE5 shall apply to any building which is or contains a dwelling (including a dwelling created by a change of use to that building).

(3) Regulations EE4 and EE5 shall not apply to the alteration or extension of any existing dwelling where those regulations did not apply to that dwelling when it was first erected.

(4) In this Part—

(*a*) expressions which are also used in Part E shall have the same meaning as in that Part;

(*b*) AUTOMATIC FIRE DETECTION AND ALARM SYSTEM means a system, incorporating inter alia smoke detectors, sounders, control equipment, protected wiring and a back-up power supply, which is capable of automatically detecting smoke and thereupon giving an audible alarm; and

SELF-CONTAINED SMOKE ALARM means an electrical mains powered device (with or without a back-up power source) containing within a single housing all the components necessary for detecting smoke and thereupon giving an audible alarm."