



## **How do the EPC regulations and the Building Regulations interrelate?**

If you are asking this question you obviously have some knowledge of both pieces of legislation. Basically, the Building Regulations and Energy Performance Certificate (EPC) regulations stand alone. This means that each set of regulations has to be complied with separately. However, the amendment to the building regulations by the EPC regulations from 30<sup>th</sup> September requires that any building submitted to district councils for building regulations approval after 30<sup>th</sup> September must have an EPC produced and a copy submitted to the district council within 5 days of completion of the building.

The calculation programs used for building regulations purposes are the same as those used to produce an EPC. Anyone capable of doing so may produce the calculations required to demonstrate compliance with the building regulations. However, where an EPC is to be calculated and issued, the calculations can only be done by an accredited energy assessor working under a Government Approved Scheme.

The interrelationship between the building regulations and EPC regulations is a little complicated due to past changes to the building regulations involving SAP Energy Ratings, Energy Rating Notices and now Energy Performance Certificates. However, the requirements are explained in detail in the following paragraphs.

### **Dwellings subject to Part F 1999**

SAP Energy Ratings were first introduced from 1 April 1999 by amendment 1998 No. 453 to the Building Regulations (Northern Ireland) 1994. These regulations were supported by a new Technical Booklet F 1998. Any dwelling subject to these regulations requires a SAP Energy Rating to be submitted to district councils at design stage. A SAP Energy Rating of 60 or less triggers more onerous thermal standards than those for a dwelling having a design SAP rating of greater than 60. When the building is constructed the SAP Energy Rating on completion must be notified to the district council not more than 5 days after completion. Anyone can produce the SAP Energy Rating.

Where a dwelling subject to the above regulations is completed after 30<sup>th</sup> September 2008 it also becomes subject to the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (EPB Regulations). Under these regulations, the dwelling requires an Energy Performance Certificate (EPC) on completion which must be given to the owner not more than 5 days after the work has been completed. The Energy Performance Certificate can only be produced by an Accredited Energy Assessor. Building Control has no role to play in this process.

## Buildings subject to Part F 2006

Buildings subject to Part F 2006 and submitted for approval before 30th September 2008 must have a TER and DER/BER submitted to district councils at design stage. The DER/BER must not exceed the calculated TER. When the building is completed the TER and DER/BER on completion must be submitted to building control not more than 5 days after completion to demonstrate that the target has been met. The TER and DER/BER calculations can be done by anyone.

Where the completed building is a dwelling, an Energy Rating Notice must be produced for the dwelling and a copy submitted to the district council not more than 5 days after completion. This Energy Rating Notice is simply a statement of the SAP Energy Rating for the dwelling. The Energy Rating Notice will be superseded in SAP software from 30th September by an Energy Performance Certificate which can only be produced by an Accredited Energy Assessor. In these circumstances, building control may accept a SAP Energy Rating, which can be calculated by anyone, or an EPC produced by an Accredited Energy Assessor in lieu of the Energy Rating Notice.

Where a building subject to the above regulations is completed after 30<sup>th</sup> September 2008 it also becomes subject to the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008. Under these regulations, the building requires an Energy Performance Certificate on completion which must be given to the owner not more than 5 days after the work has been completed. The Energy Performance Certificate can only be produced by an Accredited Energy Assessor. Building Control has no role to play in this process.

## Buildings subject to Part F 2006 and submitted for BC approval after 30<sup>th</sup> September 2006

Buildings subject to Part F 2006 and submitted for approval after 30th September 2008 must have a TER and DER/BER submitted to district councils at design stage. The DER/BER must not exceed the calculated TER. When the building is completed the TER and DER/BER on completion must be submitted to building control not more than 5 days after completion to demonstrate that the target has been met. The TER and DER/BER calculations can be done by anyone.

The Building Regulations have been amended from 30<sup>th</sup> September by the EPB Regulations<sup>§</sup> to require that when a building is completed, an Energy Performance Certificate must be produced for the building and a copy given to the owner and to the district council not more than 5 days after completion. The Energy Performance Certificate can only be produced by an Accredited Energy Assessor.

The following Table summarises the requirements -

Provision of energy ratings

Regulations	Building regulations 1994 (amended 1998)	Building regulations 2000 (amended 2006)	Building regulations 2000 (amended by EPB regulations <sup>§</sup> )	EPB regulations <sup>§</sup>
Operational date	Applications after 1 April 1999	Applications after 30 Nov 2006	Applications after 30 Sept 2008	Completion after 30 Sept 2008
Type of development	Dwelling newly erected, or material change of use	Dwelling newly erected, or material change of use	Any new building	Any new building, or modified building*
Energy rating	SAP energy rating <sup>#</sup>	Energy Rating Notice <sup>#</sup>	EPC	EPC
Assessor	Anybody	Anybody	OCEA <sup>~</sup>	OCEA <sup>~</sup>
Given to	District council	District council	District council	Owner
Date to be provided	Not more than 5 days after completion	Not more than 5 days after completion	Not more than 5 days after completion	Not more than 5 days after completion

<sup>§</sup>The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 as amended.

\*Where a building is so modified that the number of parts designed or altered for separate use is changed and where such modification includes the provision or extension of any fixed services for heating, hot water, air-conditioning and mechanical ventilation.

<sup>#</sup>Current versions of SAP software may not be able to produce an Energy Rating Notice and an EPC may be provided instead.

<sup>~</sup>Only On Construction Energy Assessors are permitted to produce an EPC.