



Department of
**Finance and
Personnel**

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**The Energy Performance of Buildings (Certificates and Inspections)
Regulations (Northern Ireland) 2008 - SR 2008/170, as amended (the
EPB Regulations)**

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leading reform, delivering value and promoting sustainability

Department of Finance and Personnel

Properties Division
River House
48 High Street
Belfast
BT1 2AW

Enquiry number : 028 9025 7326

Website: www.epb.dfpni.gov.uk

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It is the law that an **Energy Performance Certificate (EPC)** must be provided for all buildings constructed, sold or rented.

This guide applies to new homes completed after 30th September 2008 and has been prepared to provide builders with an overview of how they may meet their obligations in respect of EPCs.

An EPC gives information about a home's energy efficiency. An accompanying recommendation report provides advice on how to improve a home's energy efficiency.

EPC requirements have been in operation from 30th June 2008 for sales of marketed homes and from 30th December 2008 for rentals. (There are separate requirements for sales and rentals of non-domestic buildings.)

What does this mean in practice?

As a **builder**, you will most likely be working to plans deposited with Building Control before or after the last amendment to Part F (Conservation of fuel and power) of the Building Regulations came into operation on 30th November 2006. As part of the approval process you will be providing an energy rating to Building Control for new homes you build using SAP, the Government's Standard Assessment Procedure for the energy rating of dwellings.

In addition to compliance with the Building Regulations,

- for all newly constructed homes; and
- for any building work to a home which creates (or combines) a separate home¹ that has heating, hot water, air conditioning and mechanical ventilation,

completed on or after 30th September 2008, there is now an additional requirement on the person responsible for having the construction work carried out to obtain a valid EPC. The EPC is to be given, by the person responsible for having the construction work carried out, to the owner of the home not more than five days after its completion.

For more information on the relationship between the EPB Regulations and the Building Regulations, see the Appendix attached.

¹ A separate home is one which is suitable for separate occupation by an independent household and may have its own front door and its own cooking and washing facilities.

Energy efficiency and new homes - requirements

The Building (Amendment) Regulations (Northern Ireland) 2006 introduced new requirements for the conservation of fuel and power (Part F) and raised the standard for energy efficiency which new homes must meet.

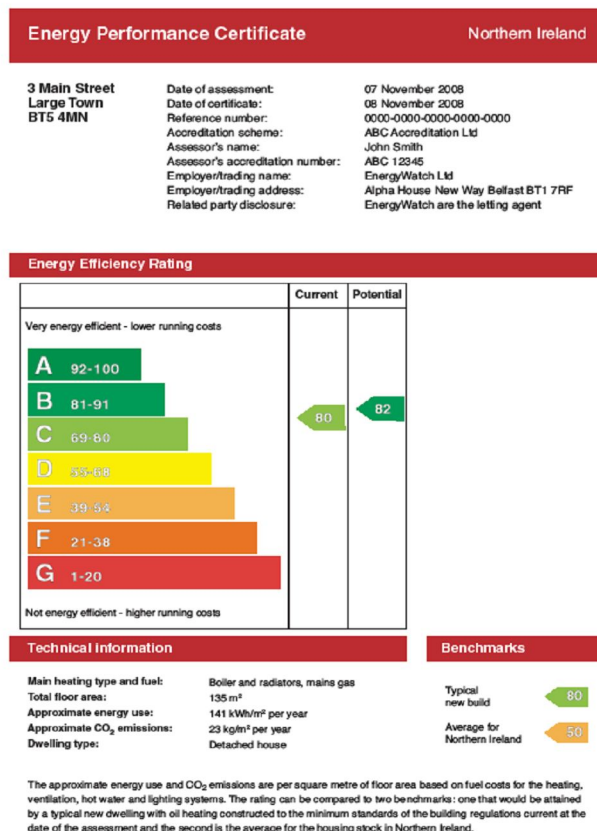
New homes that are built to meet these Regulations consume less energy, have lower carbon emissions and cost less to run.

In order to meet the standard set by these Regulations, builders need to make sure that any new homes they build meet a minimum target for energy performance, the Target Emissions Rate (TER).

The EPB Regulations implement, in Northern Ireland, obligations set by the EU Directive on the Energy Performance of Buildings. The objective of the Directive, in relation to homes, is to ensure that prospective buyers or tenants are made aware of the energy performance of the home that they are considering buying or renting (and can therefore make an informed choice in this regard). This requirement is fulfilled when a valid EPC is made available to a prospective buyer or tenant and given to them as part of the purchase or rental.

What is an EPC?

(for a larger image of an EPC for a new dwelling, visit www.epb.dfpni.gov.uk)



An EPC for a home is a certificate which shows potential buyers and tenants, in an easily readable way, how energy efficient that new home is and how its efficiency may be cost-effectively improved.

The energy efficiency rating shown on the EPC is in a familiar format, similar to the energy labels that are on many new household appliances and on new cars.

The EPC also shows the approximate energy use and carbon dioxide (CO₂) emissions.

The ratings, energy use and emissions shown on the EPC are calculated using SAP, the Government's Standard Assessment Procedure for the energy rating of dwellings (used to assess compliance with the Building Regulations) and are based on a standardised occupancy of the home.

The EPC must be accompanied by a report which contains recommendations for the cost-effective improvement of the energy performance of the home. The EPC also shows the rating that could be achieved if all the recommendations are followed.

In the case of new homes, the recommendation report will be shorter than for existing homes as most money-saving improvements will have already been included in the design of the home (so the actual and potential ratings are likely to be very similar). The report may therefore contain more advanced energy recommendations, such as providing solar panels.

How do I get an EPC?

By law, a valid EPC can only be produced by an accredited Energy Assessor. For new homes, the only category of accredited assessor is an **On-Construction Energy Assessor**¹ (OCEA). People who are currently doing SAP calculations as part of the Building Regulations compliance procedures will need to join an Accreditation Scheme before they can produce an EPC².

The Accreditation Scheme protects builders and potential homeowners by making sure Energy Assessors have the appropriate skills to carry out energy assessments, and that EPCs are always of the same high quality.

So that they can produce an EPC, the OCEA will need to use an approved version of the SAP software. Version SAP 2005, or later versions approved by the Department, have the facility to produce EPCs by accredited Energy Assessors.

The Energy Assessor will, through their Accreditation Scheme, register and store the EPC data for a home in the national register at www.epbniregister.com

Each valid EPC is given a Unique Property Reference Number (UPRN). This UPRN facilitates checking the validity of an EPC on the register.

¹ see www.epb.dfpni.gov.uk for all categories of Energy Assessor.

² For plans of new buildings deposited for Building Regulations approval with Building Control after 30th September 2008 an EPC will have to be provided to Building Control as part of the building completion inspection process.

How do I find / become an accredited Energy Assessor?

For information on finding or becoming an accredited Energy Assessor, visit www.epbniregister.com or visit the Department of Finance and Personnel's dedicated website www.epb.dfpni.gov.uk, which provides advice on all aspects of the requirements for EPCs and includes answers to frequently asked questions.

What happens if I am not satisfied with the energy assessment or EPC?

If you are not satisfied with any part of the energy assessment or the quality or accuracy of the EPC, you should contact the Energy Assessor in the first instance.

If the matter is not resolved you should then contact the Accreditation Scheme of the Energy Assessor who produced the EPC. Each Accreditation Scheme is legally required to have a formal complaints procedure.

For more information please contact:

Building Regulations Unit
10th Floor
River House
48 High Street
Belfast
BT1 2AW

You may also wish to consult the websites:

- www.epb.dfpni.gov.uk for detailed information relating to the Energy Performance of Buildings Regulations;
- www.buildingregulationsni.gov.uk for information relating to the Building Regulations; and
- www.epbniregister.com to find an EPC or for information on finding or becoming an accredited energy assessor.

Any general queries may be sent by email to:
info@epb.dfpni.gov.uk

For telephone enquires contact:
028 9025 7326

How do the EPB Regulations and the Building Regulations interrelate?

The Building Regulations and the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (EPB Regulations) are distinct pieces of legislation and stand alone. This means that each set of regulations has to be complied with separately.

However, the Building Regulations were amended by the EPB Regulations and require that any building submitted to a district council for building regulations approval after 30th September 2008 must have an Energy Performance Certificate (EPC) produced and a copy submitted to Building Control within 5 days of completion of the building.

In relation to building regulations applications made to Building Control prior to 30th September 2008 the requirements of both pieces of legislation in relation to homes are explained below.

Homes subject to Part F 1999

Any home subject to these Regulations requires a SAP Energy Rating to be submitted to Building Control at design stage. When the home is constructed the SAP Energy Rating on completion must be notified in writing to Building Control not more than 5 days after completion. Anyone can produce the SAP Energy Rating.

Where a home subject to the above Regulations is completed after 30 September 2008 it also becomes subject to the EPB Regulations. Under these Regulations, an EPC has to be produced on completion and must be given to the owner not more than 5 days after the work has been completed. The EPC can only be produced by an On-Construction Energy Assessor (OCEA)¹. Building Control has no role to play in this process.

¹ the only category of Energy Assessor accredited to produce an EPC for a completed dwelling.

Homes subject to Part F 2006 and submitted for Building Control approval before 30th September 2008

Homes subject to Part F 2006 and submitted for approval before 30th September 2008 must have a TER² and DER³ submitted to Building Control at design stage. The DER must not exceed the calculated TER.

When the home is completed the TER and DER 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 calculations can be done by anyone.

In addition an Energy Rating Notice (ERN) must be produced for the home and a copy submitted to Building Control not more than 5 days after completion. This ERN is simply a statement of the SAP Energy Rating for the home.

From 30th September 2008 the ERN was replaced in SAP software by an EPC 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 ERN.

Where a home subject to the 2006 Regulations is completed after 30th September 2008 it also becomes subject to the EPB Regulations. Under these Regulations, an EPC has to be produced on completion and must be given to the owner not more than 5 days after the work has been completed. The EPC can only be produced by an accredited Energy Assessor. Building Control has no role to play in this process.

Homes subject to Part F 2006 and submitted for Building Control approval after 30th September 2008

Homes subject to Part F 2006 and submitted for approval after 30th September 2008 must have a TER and DER submitted to Building Control at design stage. The DER must not exceed the calculated TER. When the home is completed the TER and DER 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 calculations can be done by anyone.

² TER means the Target CO₂ Emissions Rate measured in kilograms of CO₂ per square metre of floor area per year.

³ DER means the Dwelling CO₂ Emissions Rate measured in kilograms of CO₂ per square metre of floor area per year.

The Building Regulations have been amended from 30th September 2008 by the EPB Regulations to require that when a home is completed, an EPC must be produced for it and given to the owner and a copy to Building Control not more than 5 days after completion. The EPC can only be produced by an accredited Energy Assessor.

Table 1 overleaf summarises the requirements.

Table 1

Relationship between Building Regulations and EPB Regulations

Summary of requirements and application

Regulations	Building Regulations 1994 (amended 1998)	Building Regulations 2000 (amended 2006)	Building Regulations 2000 (amended by EPB regulations ⁴)	EPB Regulations ⁴
Operational date	Applications after 1 st April 1999	Applications after 30 th Nov 2006	Applications after 30 th Sept 2008	Completion after 30 th Sept 2008
Type of development	Home newly erected, or material change of use	Home newly erected, or material change of use	Any new building	Any new building, or modified building ⁵
Energy rating	SAP energy rating ⁶	Energy Rating Notice ⁶	EPC	EPC
Assessor	Anybody	Anybody	OCEA ⁷	OCEA ⁷
Given to	Building Control	Building Control	Building Control	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

⁴The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 as amended.

⁵Where 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.

⁶Some versions of SAP 2005 software and later versions will not be able to produce an ERN and an EPC may be provided instead.

⁷Only On-Construction Energy Assessors are permitted to produce an EPC for a completed home.