



STATUTORY INSTRUMENTS.

**S.I. No. 854 of 2007**

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BUILDING REGULATIONS (AMENDMENT) REGULATIONS 2007

**(Prn. A7/2372)**

## BUILDING REGULATIONS (AMENDMENT) REGULATIONS 2007

The Minister for the Environment, Heritage and Local Government, in exercise of the powers conferred on him by Sections 3 and 18 of the Building Control Act 1990 (No. 3 of 1990) hereby makes the following Regulations—

*Citation*

1. (1) These Regulations may be cited as the Building Regulations (Amendment) Regulations 2007.

(2) These Regulations and the Building Regulations 1997 (S.I. No. 497 of 1997) shall be construed as one and cited together as the Building Regulations 1997 to 2007.

*Commencement*

2. These Regulations shall, subject to Article 3 of these Regulations, come into operation on the 1st day of July 2008.

*Application*

3. (1) These Regulations shall apply to the provision of a new dwelling (including a flat), where works commence or take place, as the case may be, on or after the 1st day of July 2008 except where—

(a) a planning application is made on or before the 30th day of June 2008 for planning permission or approval pursuant to the Planning and Development Act 2000 (No. 30 of 2000) and where substantial work has been completed by the 30th day of June 2009.

(b) a notice pursuant to the provisions of Part 8 of the Planning and Development Regulations 2001 (S.I. No. 600 of 2001) has been published on or before the 30th day of June 2008 and where substantial work has been completed by the 30th day of June 2009.

(2) Regulations L2(e) and L3 shall apply to the installation of oil and gas fired boilers after the 31st day of March 2008.

(3) For the purposes of these Regulations, “substantial work has been completed” means that the structure of the external walls of the dwelling has been erected. “DEAP” means the relevant version of the Dwelling Energy Assessment Procedure published by Sustainable Energy Ireland.

4. The Second Schedule to the Building Regulations 1997 (S.I. No. 497 of 1997) is hereby amended in so far as it relates to dwellings by the substitution of the following for Part L:

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 8th January, 2008.*

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## Part L

## CONSERVATION OF FUEL AND ENERGY

L1 A dwelling shall be designed and constructed so as to ensure that the energy performance of the dwelling is such as to limit the amount of energy required for the operation of the dwelling and the amount of CO<sub>2</sub> emissions associated with this energy use insofar as is reasonably practicable.

L2 For new dwellings, the requirement of L1 shall be met by:

- (a) providing that the energy performance of the new dwelling is such as to limit the calculated primary energy consumption and related CO<sub>2</sub> emissions insofar as is reasonably practicable, when both energy consumption and CO<sub>2</sub> emissions are calculated using the Dwelling Energy Assessment Procedure (DEAP) published by Sustainable Energy Ireland;
- (b) providing that, for new dwellings, a reasonable proportion of the energy consumption to meet the energy performance of a dwelling is provided by renewable energy sources;
- (c) limiting heat loss and, where appropriate, availing of heat gain through the fabric of the dwelling;
- (d) providing and commissioning energy efficient space and water heating systems with efficient heat sources and effective controls;
- (e) providing that all oil and gas fired boilers shall meet a minimum seasonal net efficiency of 86%;
- (f) providing to the dwelling owner sufficient information about the dwelling, the fixed building services and their maintenance requirements so that the dwelling can be operated in such a manner as to use no more fuel and energy than is reasonable.

L3 All oil and gas fired boilers installed as replacements in existing dwellings shall meet a minimum seasonal net efficiency of 86% where practicable.

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GIVEN under the Official Seal of the Minister for the Environment,  
Heritage and Local Government  
24 December 2007

JOHN GORMLEY, T.D.  
Minister for the Environment, Heritage and Local Government.

## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations amend the Building Regulations in relation to new dwellings.

The Regulations primarily amend Part L of the Second Schedule to the 1997 Regulations (Conservation of Fuel and Energy) to set higher thermal performance standards with the aim of achieving at least a 40% reduction in energy use and related CO<sub>2</sub> emissions.

The operative date is subject to transitional arrangements in relation to—

- (a) dwellings for which planning permission or approval is applied for on or before the 30th day of June 2008, and where substantial work has been completed by the 30th day of June 2009, or
- (b) a Part 8 notice is published, on or before the 30th day of June 2008, provided substantial work has been completed by the 30th day of June 2009.

After the 31st day of March 2008, oil and gas fired boilers in new dwellings must meet a minimum seasonal net efficiency of 86% and where oil and gas fired boilers are being installed as replacements in existing dwellings, those boilers must meet a minimum seasonal net efficiency of 86% where practicable.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
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€2.54



Wt. (B25900). 885. 1/08. Cahill. Gr. 30-15.