



STATUTORY INSTRUMENTS.

**S.I. No. 4 of 2017**

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BUILDING REGULATIONS (AMENDMENT) REGULATIONS 2017

## BUILDING REGULATIONS (AMENDMENT) REGULATIONS 2017

I, SIMON COVENEY, Minister for Housing, Planning, Community and Local Government, in exercise of the powers conferred on me by section 3 (as amended by sections 4 and 7 of the Building Control Act 2007 (No. 21 of 2007)) and section 18 of the Building Control Act 1990 (No. 3 of 1990) (as adapted by the Environment, Community and Local Government (Alteration of Name of Department and Title of Minister) Order 2016 (S.I. No. 394 of 2016)), hereby make the following regulations:

*Citation*

1. (1) These Regulations may be cited as the Building Regulations (Amendment) Regulations 2017.

(2) These Regulations and the Building Regulations 1997 (S.I. No. 497 of 1997) may be cited together as the Building Regulations 1997 to 2017 and shall be construed together as one.

*Commencement*

2. These Regulations come into operation on the day after their making is notified in *Iris Oifigiúil*.

*Purpose of the Regulations*

3. The purpose for which these Regulations are made include, in particular, the giving of further effect to Directive 2010/31/EU of the European Parliament and of the Council of 9 March 2011<sup>1</sup>.

*Amendment of Article 5(4) of the Building Regulations 1997*

4. Article 5(4) of the Building Regulations 1997 is amended by inserting after the definition of “the Minister” the following:—

“ ‘nearly zero-energy building’ means a building that has a very high energy performance, as determined in accordance with Annex I to Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast) (O.J. No. L 153, 18.6.2010, page 13). The nearly zero or very low amount of energy required should be covered to a very significant extent by energy from renewable sources, including energy from renewable sources produced on-site or nearby;”.

<sup>1</sup>O.J. No. L 153, 18.6.2010, page 13.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 20th January, 2017.*



GIVEN under my Official Seal,  
16 January 2017.

SIMON COVNEY,  
Minister for Housing, Planning, Community 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 1997 (S.I. No. 497 of 1997) to include a definition of nearly zero energy buildings in accordance with the provisions of Article 2(2) of Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast).

Article 9(1) of Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast) requires that all new buildings:—

- (a) shall be nearly zero energy buildings by 31 December 2020;
- (b) occupied and owned by public authorities shall be nearly zero energy buildings after 31 December 2018.

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