

STATUTORY INSTRUMENTS

S.I. No. 872 of 2005

**EUROPEAN COMMUNITIES (ENERGY PERFORMANCE OF BUILDINGS)
REGULATIONS 2005**

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**EUROPEAN COMMUNITIES (ENERGY PERFORMANCE OF BUILDINGS)
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The Minister for the Environment, Heritage and Local Government, in exercise of the powers conferred on him by Section 3 of the European Communities Act 1972 (No. 27 of 1972), and for the purposes of giving effect to Directive 2002/91/EC of the European Parliament and Council of 16 December 2002 on the energy performance of buildings (OJ No. L1/65 of 4 January 2003, P 65 to 71) hereby makes the following Regulations:

- | | |
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| Citation | 1. These Regulations may be cited as the European Communities (Energy Performance of Buildings) Regulations 2005. |
| Interpretation | 2. In these Regulations-

“the Act of 1990” means the Building Control Act 1990 (No.3 of 1990). |
| Amendment of Section 3 of the Building Control Act 1990 | 3. The following sub-section shall be substituted for subsection (2) of Section 3 of the Act of 1990:

“(2) Building regulations may be made for all or any of the following purposes-

(a) making provision for securing the health, safety and welfare of-

(i) persons in or about buildings, and

(ii) persons who may be affected by buildings or by matters connected with buildings;

(b) making provision for the special needs of people with disabilities in relation to buildings;

(c) making provision for the conservation of fuel and energy in relation to buildings

(d) making provision for securing in relation to buildings the efficient use of resources; |

- (e) making provision for the encouragement of good building practice;
- (f) making provision for the transposition of the requirements of Directive 2002/91/EC of the European Parliament and Council of 16 December 2002 on the energy performance of buildings; and
- (g) making provision for such other matters as appear to the Minister to be necessary and expedient and are specified in the regulations.”

L.S.

Given under the Official Seal of the
Minister for the Environment,
Heritage and Local Government
this 21st day of December 2005

DICK ROCHE

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 Section 3 of the Building Control Act 1990 to enable the Minister for the Environment, Heritage and Local Government to make Building Regulations transposing certain provisions of the EU Energy Performance of Buildings Directive- EPBD (2002/91/EC of 16 December 2002).

The Regulations came into effect on the date of the signing of the Regulations.