



October 2019

BUILDING REGULATIONS

PART F- Conservation of fuel and power.

NEARLY ZERO-ENERGY BUILDINGS (NZEB) REQUIREMENTS FOR NEW PUBLIC BUILDINGS

BACKGROUND

Regulation 43B of the Building Regulations (Northern Ireland) 2012 (as amended) ('the Building Regulations') requires that where a building is newly erected, it must be a nearly zero-energy building. This regulation implements Article 9(1) of Directive 2010/31/EU on the Energy Performance of Buildings as applicable to Northern Ireland.

PURPOSE

The purpose of this note is to clarify the implementation of the requirements for nearly zero-energy buildings for new public buildings, with respect to regulation 43B as applicable to new buildings occupied and owned by public authorities from 1st January 2019.

REGULATION 43B

Regulation 43B states

- (1) *Where a building is erected, it must be a nearly-zero energy building.*
- (2) *For the purposes of paragraph (1)—*
 - (a) *in respect of new buildings occupied and owned by public authorities, this regulation shall apply from 1st January 2019; and*
 - (b) *in respect of all new buildings, this regulation shall apply from 31st December 2020.*

COMPLIANCE WITH REGULATION 43B

Meeting the existing Building Regulations guidance and relevant Government procurement policies would be an adequate way to demonstrate compliance with the nearly zero-energy buildings requirement.

The minimum level of energy performance necessary for compliance may be achieved by meeting the Target Emission Rate required under regulation 40. Those carrying out the work should also undertake an analysis of the technical, environmental and economic feasibility of using high efficiency alternative systems, which include decentralised energy supply systems based on energy from renewable sources, and take this into account as required by regulation 43A.

Where an assessment has been undertaken using BREEAM or an equivalent methodology, a demonstration that energy credits have been achieved can be used as further evidence that regulation 43B has been met.

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