

# The Building Regulations 2000

# **APPROVED DOCUMENT**

# to support regulation 7



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# **REGULATION 7**

# Contents

Ī	PAGE
Use of guidance	2
The Approved Documents	2
Materials and Workmanship The Requirement: Regulation 7	2 3 4 4
Guidance	4
Performance	4
Section 1: Materials	5
Ways of establishing the fitness of materials	5
Short-lived materials	6
Materials susceptible to changes in their properties	7
Resistance to moisture	7
Resistance to substances in the subsoil	7
Section 2: Workmanship	8
Ways of establishing the adequacy of workmanship	8 8 8 8 8 8 8
a. Standards	8
b. Technical approvals	0
c. Management systems	8
d. Past experience	8
e. Tests	8
Appendix A: Abbreviations and glossary	9
Appendix B: Standards referred to in this document	11
DIAGRAM	
1 CE marking	6

1. CE marking ONLINEVERSION

6

# **REGULATION 7** Use of guidance

### THE APPROVED DOCUMENTS

The Building Regulations 2000 (SI 2000/2531), which come into operation on 1 January 2001, replace the Building Regulations 1991 (SI 1991/2768) and consolidate all subsequent revisions to those regulations. This document is one of a series that has been approved and issued by the Secretary of State for the purpose of providing practical guidance with respect to the requirements of Schedule 1 to and Regulation 7 of the Building Regulations 2000 for England and Wales.

# At the back of this document is a list of all the documents that have been approved and issued by the Secretary of State for this purpose.

Approved Documents are intended to provide guidance for some of the more common building situations. However, there may well be alternative ways of achieving compliance with the requirements. Thus there is no obligation to adopt any particular solution contained in an Approved Document if you prefer to meet the relevant requirement in some other way.

### **Other requirements**

The guidance contained in an Approved Document relates only to the particular requirements of the Regulations which the document addresses. The building work will also have to comply with the Requirements of any other relevant paragraphs in Schedule 1 to the Regulations.

There are Approved Documents which give guidance on each of the Parts of Schedule 1.

### **Technical specifications**

Building Regulations are made for specific purposes: health and safety, energy conservation and the welfare and convenience of disabled people. Standards and technical approvals are relevant guidance to the extent that they relate to these considerations. However, they may also address other aspects of performance such as serviceability, or aspects which although they relate to health and safety are not covered by the Regulations.

When an Approved Document makes reference to a named standard, the relevant version of the standard is the one listed at the end of the publication. However, if this version has been revised or updated by the issuing standards body, the new version may be used as a source of guidance provided it continues to address the relevant requirements of the Regulations.

The appropriate use of a product which complies with a European Technical Approval as defined in the Construction Products Directive will meet the relevant requirements. The Department intends to issue periodic amendments to its Approved Documents to reflect emerging harmonised European Standards. Where a national standard is to be replaced by a harmonised European Standard, there will be a co-existence period during which either standard may be referred to. At the end of the co-existence period the national standard will be withdrawn.

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# **REGULATION 7**

# The Requirement

# This Approved Document deals with Regulation 7 of the Building Regulations 2000.

Requirement

Limits on application

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### Materials and workmanship

7. Building work shall be carried out:

(a) with adequate and proper materials which:

(i) are appropriate for the circumstances in which they are used;

(ii) are adequately mixed or prepared; and

(iii) are applied, used or fixed so as adequately to perform the functions for which they are designed; and

(b) in a workmanlike manner.

Note: Attention is drawn to the requirements of Regulation 8 (Limitation on requirements) of the Building Regulations 2000:

'8. Parts A to K and N of Schedule 1 to these regulations shall not require anything to be done except for the purpose of securing reasonable standards of health and safety for persons in or about buildings (and any others who may be affected by buildings or matters connected with buildings).'

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### Performance

**0.1** In the Secretary of State's view the requirements of Regulation 7 will be met where **materials** are:

a. of a suitable nature and quality in relation to the purposes and conditions of their use;

and the workmanship is such that

- b. where relevant, materials are adequately mixed or prepared; and
- c. applied, used or fixed so as to perform adequately the functions for which they are intended.

**Materials** include products, components, fittings, naturally occurring materials, e.g. stone, timber and thatch, items of equipment and backfilling for excavations in connection with building work.

### 0.2 Environmental impact of building work

The environmental impact of building work can be minimised by careful choice of materials, and where appropriate the use of recycled and recyclable materials should be considered. The use of such materials must not have any adverse implications for the health and safety standards of the building work.

### 0.3 Limitations

For Parts A to K and N of Schedule 1, the standards of materials and workmanship need be no more than are necessary to secure reasonable standards of health or safety for persons in or about the building.

For Parts L and M of Schedule 1, the standards of materials and workmanship need be no more than are necessary to conserve fuel and power and to provide access and facilities for disabled people respectively.

### 0.4 Continuing control

There are no provisions under the Building Regulations for continuing control over the use of materials following the completion of building work. It should be noted that Section 19 of the Building Act 1984 enables local authorities to impose conditions with regard to prescribed materials where it is proposed to construct a building of short-lived materials, notwithstanding that the plans conform with the Regulations. However, this section has no effect at present, as no materials are currently prescribed for its purpose.

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# Section 1: Materials

**1.1** Approved Documents contain references to materials or products covered by British Standards, by certificates issued by European Technical Approvals issuing bodies, or by other technical specifications but the references are not exclusive and other materials or products may be suitable in the particular circumstances.

### Ways of establishing the fitness of materials

**1.2** There are a number of ways in which the suitability of a material for use for a specific purpose may be assessed. The following are aids which may be used for establishing this:

### a. British Standards

The material conforms to the relevant provisions of an appropriate British Standard.

Note: Nearly all construction product British Standards will be revised to become the British 'transposition' of the new European Standards (ENs) presently being drafted. Traditionally, where an EN has been transposed and has replaced a British Standard on more-or-less the same material (but possibly a radically changed technical content), it has taken the previous number. The BSI numbering policy now is to adopt the CEN numbering, prefaced with BS. Again, each title may contain different characteristics and requirements from the superseded British Standard.

British Standards are normally withdrawn when their equivalent European Standards are published but, under certain circumstances, arrangements may be made for a deferred withdrawal of the British Standard.

Because it is impossible to change everything simultaneously, there will be a period during which the old British Standards will have to co-exist with the new. Some will be '**withdrawn**' but remain available for work which has already commenced; some will be retained as '**obsolescent**' where, for example, they are called up in Approved Documents not yet revised; some will co-exist for some years, fully maintained alongside the new transposed European originated standards (as with some of the structural codes).

Detailed enquiry will have to be made as to applicability in each context. Where the old standard retains applicability, it may reasonably be presumed that relevant products comply with Regulation 7. Where there is a new standard, it may again be necessary to check applicability during the transitional period, following which compliance may reasonably also be presumed.

The European originated standards will have specifically identified clauses, those which relate to the 'harmonised' requirements containing the (largely health and safety) requirements relevant to the Building Regulations, and 'non-harmonised' requirements containing additional matters relating to trading requirements of concern to the construction industry, but not to Regulation 7. The reference in this Approved Document only applies to the 'harmonised' requirements.

# b. Other national and international technical specifications

The material conforms to the national technical specifications of other Member States which are contracting parties to the European Economic Area, as long as such specifications provide in use at least an equivalent level of performance to the relevant British Standard. Where necessary, it is up to the person intending to carry out the work to provide translations and to demonstrate equivalence. It should be noted that the technical specifications of other Member States will, for the same reason, be in a process of change paralleling that of British Standards.

### c. Technical approvals

The material is covered by a national or European certificate issued by a European Technical Approvals issuing body, and the conditions of use are in accordance with the terms of the certificate. Where necessary it is up to the person intending to carry out the work to provide translations and to demonstrate equivalence.

### d. CE marking

The material has CE marking (see Diagram 1). The CE marking gives a presumption of conformity with the stated minimum legal requirements when placed on the market as set out in the Construction Products Regulations 1991. These requirements include compliance with a harmonised European Standard as formally announced in the Official Journal of the European Communities (or with part of a European Standard) or with a European Technical Approval, coupled with the appropriate attestation procedure.

If used appropriately and in satisfactory conditions, a product bearing CE marking shall be presumed by the building control body to satisfy the relevant requirements unless there are reasonable grounds for suspecting otherwise. In this context relevant requirements are defined in relation to the essential requirements of the Construction Products Directive, and are:

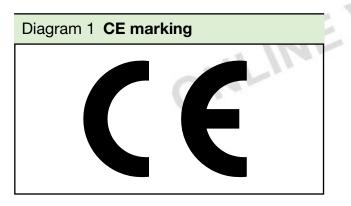
- mechanical resistance and stability;
- safety in case of fire;
- hygiene, health and the environment;
- safety in use;
- protection against noise;
- energy economy and heat retention.

## **REGULATION 7** MATERIALS

Depending on the intended use of the product and the particular regulatory requirements all, or some, of the essential requirements may be relevant.

A CE marked material can only be rejected if either its performance does not, in fact, conform to the particular technical specification against which the CE marking has been claimed or, in the case of a declared value or a class of performance, the resultant value does not meet the relevant requirements of the Building Regulations. If the building control body has reasonable grounds for suspecting that a CE marked material does not conform to the specification against which CE marking has been claimed, he would have to prove this. In such circumstances he should notify the relevant Trading Standards Officer. This will enable the UK Government, where necessary, to notify the Commission.

It should be noted that not all materials will necessarily be CE marked under the Construction Products Directive, and it will not, in any case, be possible for all products to be CE marked until all relevant technical specifications have become available. However, there are some products where CE marking is compulsory under other Directives (e.g. gas boilers, which should fully comply with all relevant Directives and should be installed in accordance with the appliance manufacturer's instructions).



### e. Independent certification schemes

There are many UK product certification schemes. Such schemes certify compliance with the requirements of a recognised document which is appropriate to the purpose for which the material is to be used. Materials which are not so certified may still conform to a relevant standard.

Many certification bodies which approve such schemes are accredited by UKAS.

If a product has been tested and certified as complying with a British Standard by an approved body in another Member State of the European Community, in accordance with the special procedure under Article 16 of the Construction Products Directive, then, if it is used appropriately and in satisfactory conditions, it should normally be accepted by the building control body as complying with that standard. If it is not so accepted then the onus of proof in such a case is on the building control body, who must notify the Trading Standards Officer. This will enable the UK Government, where necessary, to notify the Commission.

### f. Tests and calculations

It can be shown by tests, by calculation or by other means that the material will be capable of performing the function for which it is intended. The Accreditation Scheme for Testing Laboratories run by UKAS together with similar schemes run by equivalent certification bodies, including accreditation schemes operated by other Member States of the EU, and recognised by that State's government, provide a means of ensuring that such tests can be relied on.

### g. Past experience

The material can be shown by experience, such as in a building in use, to be capable of performing the function for which it is intended.

### h. Sampling

Local authorities have the power to take samples of materials to be used in building work. Regulation 17 allows the local authority (but not approved inspectors) to take such samples as they consider necessary to establish compliance with the provisions of the Regulations.

Approved inspectors may wish to consider entering into arrangements with their clients that will allow sampling of materials where they, the approved inspector, consider it to be necessary.

It should be noted that Regulation 17 does not apply to any work that has been specified in an initial notice or to any work for which a final certificate has been given by an approved inspector and accepted by the local authority.

### Short-lived materials

**1.3** Some materials, in the absence of special care, may be considered unsuitable because of their rapid deterioration in relation to the expected life of the building. It is not possible to set down any specific criteria from which the length of life of a material can be considered against the requirements of the Regulations.

**1.4** A short-lived material which is readily accessible for inspection, maintenance and replacement may meet the requirements of the Regulations provided that the consequences of failure are not likely to be serious to the health or safety of persons in and around the building.

**1.5** Where a short-lived material is not readily accessible for inspection and maintenance or replacement and the consequences of failure are likely to be serious for health or safety, it is most unlikely that the material will be suitable.

**1.6** It should be noted that Section 19 of the Building Act 1984 enables local authorities to impose conditions with regard to prescribed

materials where it is proposed to construct a building of short-lived materials, notwithstanding that the plans conform with the Regulations. However, this section has no effect at present, as no materials are currently prescribed for its purpose.

# Materials susceptible to changes in their properties

**1.7** Some materials may undergo changes to their properties when they are exposed to certain environmental conditions which may affect their performance over time.

Some examples are concrete made with cements containing a high proportion of calcium aluminates (HAC), certain stainless steels, structural silicone sealants and intumescent paints for enhancing fire resistance of building elements.

Such materials can be used in works where these changes do not adversely affect their performance. They will meet the requirements of the Regulations provided that their final residual properties, including their structural properties, can be estimated at the time of their incorporation in the work. It should also be shown that these residual properties will be adequate for the building to perform the function for which it is intended for the expected life of the building.

### **Resistance to moisture**

**1.8** Any material which is likely to be adversely affected by condensation, by moisture from the ground or by rain or snow will meet the requirements if:

- a. the construction will resist the passage of moisture to the material; or
- b. the material is treated or otherwise protected from moisture.

### Resistance to substances in the subsoil

1.9 Any material in contact with the ground or in the foundations will meet the requirements if it is capable of resisting attacks by deleterious material in the subsoil such as sulphates (see Section 2 of Approved Document C: Site preparation and resistance to moisture).

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### Ways of establishing the adequacy of workmanship

2.1 It may be useful to consider the following aids for establishing the adequacy of workmanship:

### a. Standards

- The method of carrying out the work is i. included in the recommendations of a British Standard Code of Practice. Note that BS 8000 Workmanship on building sites gathers together guidance from other BSI Codes and Standards. Or
- The method conforms to an equivalent ii. technical specification which may include a national technical specification of other Member States which are contracting parties to the European Economic Area.

### b. Technical approvals

The workmanship is specified for a material covered by a national or European certificate issued by a European Technical Approvals issuing body, and the conditions of use are in accordance with the terms of the certificate.

Alternatively the workmanship may be covered by an equivalent technical approval (including a technical approval of any other member of the European Organisation for Technical Approvals, EOTA), which provides an equivalent level of performance, and the conditions of use are in accordance with the terms of the technical approval. It is up to the person who intends to carry out the work to show that the method of workmanship will provide the equivalent level of protection and performance.

### c. Management systems

The workmanship is covered by a scheme which complies with the relevant recommendations of BS EN ISO 9000 Quality management systems, and related standards. There are a number of such UKAS accredited schemes. These schemes relate to products and processes for which EVERSION there may also be a suitable British or other technical standard.

There are also independent schemes for accreditation and registration of installers of materials, products and services that provide a means of ensuring that work has been carried out by knowledgeable contractors to appropriate standards.

### d. Past experience

It can be shown by experience, such as in a building in use, that the method of workmanship is capable of performing the function for which it is intended.

### e. Tests

The local authority has the power to test sewers and drains in or in connection with buildings. Regulation 16 allows the local authority (but not an approved inspector) to make such tests as they consider necessary to establish compliance with the requirements of Part H of Schedule 1 to the Regulations.

Approved inspectors may wish to consider entering into arrangements with their clients that will allow testing of drains where they, the approved inspector, consider it to be necessary.

The requirements of Part H of Schedule 1 to the Regulations cover:

- foul water drainage; i.
- cesspools, septic tanks and settlement ii. tanks; and
- iii. rainwater drainage.

The Approved Document for Part H (Drainage and waste disposal) contains guidance on testing drainage installations.

It should be noted that Regulation 16 does not apply to any work that has been specified in an initial notice or to any work for which a final certificate has been given by an approved inspector and accepted by the local authority.

# Appendix A: Abbreviations and glossary

### British Board of Agrément (BBA)

PO Box 195 Bucknalls Lane, Garston, Watford WD2 7NG Tel: 01923 665300 Fax: 01923 665301 E-mail: bba@btinternet.com Website: www.bbacerts.co.uk

See European Technical Approval issuing body.

### **British Standards (BSs)**

British Standards are issued by the British Standards Institution. To achieve British Standard status the draft document is submitted for public consultation and all comment received, considered and consensus reached.

### BSI

British Standards Institution 389 Chiswick High Road, London W4 4AL Tel: 020 8996 9001 Fax: 020 8996 7001 E-mail: info@bsi.org.uk Website: www.bsi.org.uk

### Building control body

This term is used to include both local authority building control and approved inspectors.

### **CE** marking

The CE marking is more fully described in Annex III 'Attestation of conformity with technical specifications' of the Construction Products Directive. The marking may be on the product, a label, the packaging or accompanying commercial documentation. It will be accompanied by a reference to the technical specification to which it conforms, and, where appropriate, by indications to identify the characteristics of the product.

### CEN

Comité Européen de Normalisation. The European standards body recognised by the Commission to prepare harmonised standards to support the Construction Products Directive. The members comprise the standards bodies of participating members of the EU and of EFTA (European Free Trade Association).

### **Construction Products Directive (CPD)**

The Council Directive reference 89/106/ÉEC dated 21 December 1988 and published in the Official Journal of the European Communities No. L40/12 dated 11.2.89. The CE Marking Directive (93/68/EEC) amends the CPD.

### **Construction Products Regulations**

The Construction Products Regulations 1991 (SI 1991/1620) came into force on 27 December 1991 and implement the Construction Products Directive.

The CE Marking Directive came into force on 1 January 1995, and was implemented in the UK by the Construction Products (Amendment) Regulations 1994 (SI 1994/3051).

### European Economic Area (EEA)

The European Economic Area consists of those states which signed the Agreement at Oporto on 2 May 1992 together with the Protocol adjusting that Agreement signed at Brussels on 17 March 1993. The states are Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Luxembourg, Liechtenstein, Netherlands, Norway, Portugal, Spain, Sweden, United Kingdom.

### ΕΟΤΑ

European Organisation for Technical Approvals is the umbrella organisation for bodies issuing European Technical Approvals for individual products. It operates over the same area as CEN. EOTA complements the work of CEN in that the guidelines it produces are for products for which standards do not exist as yet, possibly due to the innovative nature of the product.

General Secretary based in Brussels Tel: 0032 2 502 6900 Fax: 0032 2 502 3814 E-mail: eota@glo.be

### **European Commission**

The executive organisation of the EU, based in Brussels. It ensures implementation and observance of Community rules, has the sole power to propose legislation based on the Treaties and executes the decisions taken by the Council of Ministers.

### EN

European standards are implemented as identical national standards in each of the Member States, and in the United Kingdom as BS ENs. The British Standard will include additional guidance about its relationship with other standards in the family and possibly about the use of the standard. An EN does not have a separate existence as a formally published document.

### **European Technical Approval**

A favourable technical assessment of the fitness for use of a construction product for an intended use, issued for the purposes of the Construction Products Directive by a body authorised by a Member State to issue European Technical Approvals for those purposes and notified by that Member State to the European Commission.

### European Technical Approval issuing body

A body notified under Article 10 of the Construction Products Directive. The details of these institutions are published in the 'C' series of the Official Journal of the European Communities.

At the present time the listing for the United Kingdom is the British Board of Agrément and WIMLAS Ltd. An up to date listing can be found on the Building Regulations pages of the ODPM website www.odpm.gov.uk.

### EU

The 15 countries of the European Union, namely Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, United Kingdom.

### ISO

International Organisation for Standardisation. The worldwide standards organisation, some of whose standards may be adapted for use with the Construction Products Directive. Standards are identified by 'ISO' and a number. These may be transposed into the UK as BS ISO, or adopted as European standards and implemented as BS EN ISO. ISO standards are separately published standards (unlike ENs).

### **Technical specification**

A standard or a European Technical Approval Guide. It is the document against which compliance can be shown in the case of a standard and against which an assessment is made to deliver the European Technical Approval.

### UKAS

United Kingdom Accreditation Service 21–47 High Street Feltham, Middlesex TW3 4UN Tel: 020 8917 8400 Fax: 020 8917 8500

### Standard

A BS EN, etc.

### WIMLAS

WIMLAS Limited St Peter's House, 6–8 High Street, Iver Buckinghamshire SL0 9NG Tel: 01753 737744 Fax: 01753 792321 E-mail: wimlas@compuserve.com

See European Technical Approval issuing body.

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# Appendix B: Standards referred to in this document

### BS EN ISO 9000:2000

Quality management and systems. Fundamentals and vocabulary.

(Withdrawn and superseded by BS EN ISO 9000:2005 Quality management systems. Fundamentals and vocabulary.)

### BS EN ISO 9001:1994

Quality systems, Model for quality assurance in design, development, production, installation and servicing.

(Withdrawn and superseded by BS EN ISO 9001:2000 Quality management systems. Requirements.)

### BS EN ISO 9002:1994

Quality systems, Model for quality assurance in production, installation and servicing.

(Withdrawn and superseded by BS EN ISO 9001:2000 Quality management systems. Requirements.)

### BS 8000-1:1989

Workmanship on building sites. Code of practice for excavation and filling.

### BS 8000-2-1:1990

Workmanship on building sites. Code of practice for concrete work. Mixing and transporting concrete. AMD 9324 1997.

### BS 8000-2-2:1990

Workmanship on building sites. Code of practice for concrete work. Sitework with in situ and precast concrete.

### BS 8000-3:1989

Workmanship on building sites. Code of practice for masonry. AMD 6195 1990.

(Withdrawn and superseded by BS 8000-3:2001 Workmanship on building sites. Code of practice for masonry.)

### BS 8000-4:1989

Workmanship on building sites. Code of practice for waterproofing.

### BS 8000-5:1990

Workmanship on building sites. Code of practice for carpentry, joinery and general fixings.

### BS 8000-6:1990

Workmanship on building sites. Code of practice for slating and tiling of roofs and claddings.

### BS 8000-7:1990

Workmanship on building sites. Code of practice for glazing.

### BS 8000-8:1994

Workmanship on building sites. Code of practice for plasterboard partitions and dry linings.

### BS 8000-9:1989

Workmanship on building sites. Code of practice for cement/sand floor screeds and concrete floor toppings.

(Withdrawn and superseded by BS 8000-9:2003 Workmanship on building sites. Cementitious levelling screeds and wearing screeds. Code of practice.)

### BS 8000-10:1995

Workmanship on building sites. Code of practice for plastering and rendering. AMD 9271 1996.

### BS 8000-11:1989

Workmanship on building sites. Code of practice for wall and floor tiling.

### BS 8000-11-1:1989

Workmanship on building sites. Code of practice for wall and floor tiling. Ceramic tiles, Terrazzo tiles and mosaics (confirmed 1995).

### BS 8000-11-2:1990

Workmanship on building sites. Code of practice for wall and floor tiling. Natural stone tiles. AMD 8623 1995.

### BS 8000-12:1989

Workmanship on building sites. Code of practice for decorative wallcoverings and painting.

### BS 8000-13:1989

Workmanship on building sites. Code of practice for above ground drainage and sanitary appliances.

### BS 8000-14:1989

Workmanship on building sites. Code of practice for below ground drainage.

### BS 8000-15:1990

Workmanship on building sites. Code of practice for hot and cold water services (domestic scale).

### BS 8000-16:1997

Workmanship on building sites. Code of practice for sealing joints in buildings using sealants.

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