

Executive Order amending the Executive Order on the Publication of the Danish Building Regulations 2010 (BR10)

1.

The following amendments shall be made to Executive Order no. 810 of 28 June 2010 on Publication of the Danish Building Regulations 2010 (BR10) as amended by Executive Order no. 1309 of 29 November 2010:

- (1)** In *Appendix I, 1.2(3)*, the following shall be inserted after »8.4 and«: »combustion plants and«.
- (2)** *Appendix I, 1.3.2(4) para 3* shall have the following wording:
»3)The municipal council may obtain a declaration by a competent officer in respect of the fire safety documentation; see 1.3.2(4) paras 1 and 2. The costs must be met by the applicant.«
- (3)** In *Appendix I, 1.3.2(4) para 4*, »in the City of Copenhagen by the City Surveyor, and in Frederiksberg Municipality by the Municipal Surveyor« shall be amended as follows: »In the City of Copenhagen and the Municipality of Frederiksberg by the Danish National Survey and Cadastre«.
- (4)** *Appendix I, 1.3.3(3) para 3* shall have the following wording:
»3)The municipal council may obtain a declaration by a competent officer in respect of the fire safety documentation; see 1.3.3(3) paras 1 and 2. The costs must be met by the applicant.«
- (5)** In *Appendix I, 1.3.3(3) para 5*, »in the City of Copenhagen by the City Surveyor, and in Frederiksberg Municipality by the Municipal Surveyor« shall be amended as follows: »In the City of Copenhagen and the Municipality of Frederiksberg by the Danish National Survey and Cadastre«.
- (6)** In *Appendix I, 1.5(1) para 1*, »of no more than 50m²« shall be amended to »of more than 35 m² and maximum 50 m², but see 1.5(1) para 2.«
- (7)** In *Appendix I, 1.5(1)*, the following shall be inserted as new *para 2*:
»2)Garages, carports, outbuildings, greenhouses, roofed-over terraces and similar structures established in connection with buildings comprised by 1.3.2(1) para 1 of more than 20 m² and maximum 50 m².«
Para 2 will then become para 3.
- (8)** In *Appendix I, 1.5(1) para 2*, which becomes para 3, »does not exceed 50 m²« shall be amended to: »is over 35 m² and maximum 50 m²; but see 1.5(1) para 4«
- (9)** In *Appendix I, 1.5(1)*, the following shall be inserted after para 2, which will become para 3, as a new *para 4*:
»4) Extensions to garages, carports, outbuildings, greenhouses, roofed-over terraces and similar structures established in connection with buildings comprised by 1.3.2(1) para 1, provided the area after extension is over 20 m² and maximum 50 m².«
Paras 3 to 6 now become paras 5 to 8.
- (10)** In *Appendix I, 1.5(1)*, the following shall be inserted as *para 9*:
»9)Antenna systems used for radio communication in electronic communication networks as defined in section 2 paras 4 and 5 of the Telecommunications Act.«
- (11)** In *the explanatory comments to Appendix I, 1.5(1) para 9*, the following shall be included:
»(1.5(1) para 9) This provision solely concerns radio communication antennas. The Telecommunications Act defines electronic communication networks as any type of radio frequency or cable-based telecommunications infrastructures used to provide electronic communication services. In addition, public electronic communication networks are defined as electronic communication networks made available to an undefined circle of end-users or providers of electronic communication networks or services. Examples of antenna systems in electronic communication networks comprise public mobile networks, the SINE network and related radio links.
The notice provision does not relieve the antenna owner from obtaining permits required under other legislation such as rural zone permit under the Planning Act.«
- (12)** In *Appendix I 1.5(5)* »not exceed 50 m²« shall be amended to: »is over 35 m² and does not exceed 50 m²«.
- (13)** In *Appendix I, part 1.5(9)*, the following shall be inserted as *second to fourth sentences*: »Indication of antenna location must follow the address system stipulated in executive order on road names and addresses issued under the Act on Building and Housing Registration. The owner of an antenna used for radio communication and comprised by the provisions of the Mast

Act, must together with the notice submit documentation than an agreement has been made on establishment of a mobile antenna with the building owner. The agreement must show that the parties agree on the antenna location and any antenna colouring.«

(14) In *the explanatory comments to Appendix I, 1.5(9)*, the following shall be inserted:

»(1.5(9)) Indication of the antenna location on the building must be as accurate as possible and with a maximum inaccuracy of 1 m in respect of the geographical location.«

(15) In *Appendix I, 1.6(1)*, the following shall be inserted as new *para 2*:

»2) Garages, carports, roofed-over terraces, outbuildings, greenhouses and similar buildings with a maximum area of 35 m², but see para 3.«

(16) In *Appendix I, 1.6(1)*, the following shall be inserted after para 2 as new *para 3*:

»3) Garages, carports, outbuildings, greenhouses, roofed-over terraces and similar structures established in connection with buildings comprised by 1.3.2(1) para 1 of maximum 20 m².«

Paras 2 to 9 now become paras 4 to 11.

(17) In *the explanatory comments to Appendix I, 1.6(1) paras 2 and 3*, the following shall be inserted:

»(1.6(1) paras 2 and 3) This provision does not apply to integral garages.

Note that where more than one building covered by the provisions are erected, such building must be included in the plot ratio. The provisions of town planning by-laws and local plans on the location and layout of buildings still apply, even if the building work can be performed without a building permit and notice. Note that work on listed buildings which goes beyond ordinary external and internal maintenance requires permission under the Act on the Protection of Buildings. Buildings worthy of preservation and covered by a protective town planning by-law, a local preservation plan or a registered preservation order, remain subject to the provisions thereof governing conversions, alterations, etc.

See the executive order on owners' duty to provide information to the Building and Housing Register (BBR), requiring the owner, when establishing such buildings, to provide all information which is relevant to the operation and updating of the BBR.«

(18) In *explanatory comments to Appendix I, 1.6(1) para 9*, »1.5(1) para 5« shall be amended to: »1.5(1) para 7«.

(19) In *Appendix I, 1.7(1) para 2*, »paras 2-8« shall be amended to: »paras 2-11«.

(20) In *the explanatory comments to Appendix I, 1.12(4) para 4*, »1.5(1) para 7« shall be amended to: »1.5(1) para 8«.

(21) In *Appendix I, 2.7.1(1)*, »When calculating the plot ratio, the floor area of the property must not exceed:« shall be amended to: »When calculating floor area, the plot ratio of the property must not exceed:«

(22) In *Appendix I, 2.7.6(2) para 2*, »boundary« shall be amended to: »common boundary«.

(23) In *the explanatory comments to Appendix I, 4.2(1)*, the last paragraph shall have the following wording: »When a construction or building is designed by applying a standard, due regard must be paid to the eurocodes mentioned in 4.2(1) and the standards described in 4.2(2)-(4).«

(24) In *the explanatory comments to Appendix I, 4.4*, the first paragraph shall have the following wording: «

»(4.4(1)) The provision solely applies to equipment accessible to the public. The provision also applies to exercise equipment erected on areas accessible to the public. Reference is made to the following standards, stating the specifications which must be met in order to provide as much protection as possible against the risks associated with children using playground apparatus. Other technical specifications may also be used provided they ensure equally satisfactory safety conditions. This provision also applies to skateboarding ramps etc.«.

(25) In *the explanatory comments to Appendix I, 4.4*, the following text following the headline »Inflatable playground equipment« shall be deleted: » – These products fall under the entertainment circular – The require constant monitoring and are NOT for use on public playgrounds«.

(26) In *the explanatory comments to Appendix I, 4.4*, the following text following the headline »Artificial climbing structures« shall be deleted: »– These products are for sports climbing – NOT playground equipment«.

(27) In *the explanatory comments to Appendix I, part 4.5(1)*, the following shall be inserted as second sentence: »See the Danish Enterprise and Construction Authority's guide to handling moisture in construction.«

(28) In *Appendix I, 5.4(11)*, »- automatic warning system if the way in which the building section is used undermines its evacuation options.« shall be deleted and replaced by: »- warning system. The warning system must be established as an automatic warning system if the way in which the building section is used undermines its evacuation options.«

- (29)** In *Appendix I, 5.4(15) para 3*, »- has bedroom sections and – a total floor area greater than 1,000 m²« shall be deleted and replaced by: »- has bedroom sections and a total floor area greater than 1,000 m²«.
- (30)** *Appendix I, 5.4(15) para. 4* shall have the following wording:
»4) Escape and panic lighting on escape routes if the building section has a total floor area greater than 1,000 m².«
- (31)** *Appendix I, 7.4.1(3)*, shall have the following wording:
»7.4.1(3) For conversions and maintenance, cost-effective energy savings under 7.4.2(1)-(7) and Part 8 must be implemented. Regardless of cost-effectiveness, the work must not be carried out if it would be detrimental in terms of moisture-proofing. Conversion work which is necessitated by significant change of use is covered by 7.3 whose provisions must be implemented even if the alterations may not be cost-effective.«
- (32)** *The explanatory comments to Appendix I, 7.4.1(3)*, shall have the following wording:
»(7.4.1(3)) The implementation of energy-saving measures is limited to those that can be implemented without detriment to moisture-proofing. If energy performance certification of the property has been carried out, cost-effective works will normally be those cited in the energy performance certificate (EPC).«
- (33)** In *Appendix I, 7.4.1*, the following shall be inserted as *7.4.1(4)*:
»7.4.1(4) For replacement of building elements or services, the provisions of 7.4.2(1)-(7) and Part 8 must be observed regardless of their cost-effectiveness.«
- (34)** In *the explanatory comments to Appendix I, 7.4.1(4)*, the following shall be inserted:
»(7.4.1(4)) 'Replacement' means e.g. a brand new facade, a new roof structure, including roofing, rafters, insulation and attic and replacement of a gas furnace.«
- (35)** In *Appendix I, 7.4.1*, the following shall be inserted as *7.4.1(5)*:
»7.4.1(5) Structural alterations that increase energy consumption may be carried out provided that compensatory energy savings are made.«
- (36)** In *the explanatory comments to Appendix I, 7.4.1(5)*, the following shall be inserted:
»(7.4.1(5)) This provision applies, for example, to a proposal to fit new windows to a facade or roof. The reduced energy performance is compensated for by, for example, extra insulation, solar heating, a heat pump or solar cells.«
- (37)** In *the explanatory comments to Appendix I, 7.4.2(1)*, the following shall be inserted:
»(7.4.2(1)) Article 7 of Directive 2010/31 of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings is observed by the provisions in Part 7. Painting, rendering of facades, patching of holes in roof cladding and cavity wall insulation are alterations that do not result in a requirement for cost-effective energy savings.«
- (38)** In *the first paragraph of the explanatory comments to Appendix I, 7.4.2 (2)*, »The shortfall in efficiency must be compensated for by other energy solutions« shall be amended to: »See also 7.4.2(3).«
- (39)** In *Appendix I, 7.4.2(5)*, »rooflights« shall be amended to: »skylight domes«.
- (40)** *Appendix I, part 7.4.3* shall be repealed.
- (41)** In *Appendix 6*, under the headline Cost-effective energy savings, the *second paragraph*: »The solutions also apply to works included in major renovation work, see 7.4.3. For any works not included in the renovation work, but which may have to be carried out if they are cost-effective, all consequential works need to be included and a calculation of financial viability may be therefore necessary.« shall be deleted.
- (42)** In *Appendix 8*, under Declaration concerning technical documentation, »Place:« shall be amended to: »Location of building:«.

2.

This Executive Order shall take effect on 1 July 2011.

The Danish Enterprise and Construction Authority, 29. June 2011

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