

**PROVINCE OF BRITISH COLUMBIA**  
**REGULATION OF THE MINISTER OF HOUSING**

*Building Act*

Ministerial Order No. M40

I, Ravi Kahlon, Minister of Housing, order that, effective May 1, 2023, the Building Act General Regulation, B.C. Reg. 131/2016, is amended as set out in the attached Appendix.

February 8, 2023

Date

Minister of Housing

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*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section: *Building Act*, S.B.C. 2015, c. 2, s. 41

Other: M209/2016

R10639337

## APPENDIX

### ***1 Section 2.2 of the Building Act General Regulation, B.C. Reg. 131/2016, is repealed and the following substituted:***

#### **Energy conservation and reduction of greenhouse gas emissions**

- 2.2** (1) The following matters are prescribed as unrestricted matters for the purposes of section 5 (4) [*restrictions on local authority jurisdiction*] of the Act, subject to the conditions set out in subsection (2) or (3), as applicable:
- (a) the conservation of energy;
  - (b) the reduction of greenhouse gas emissions.
- (2) A local building requirement related to the conservation of energy may not do any of the following:
- (a) require buildings within the jurisdiction of the local authority to be constructed except in conformance with a step described in Article 9.36.6.3. or 10.2.3.3. of Division B of the building code;
  - (b) modify a requirement of, or impose requirements in addition to those set out in, Subsection 9.36.6. or 10.2.3. of Division B of the building code;
  - (c) subject to subsection (4), require buildings within the jurisdiction of the local authority to be constructed except in conformance with a step described in Subsection 9.36.6. of Division B of the building code.
- (3) A local building requirement related to the reduction of greenhouse gas emissions may not do either of the following:
- (a) require buildings within the jurisdiction of the local authority to be constructed except in conformance with a level described in Article 9.37.1.3. or 10.3.1.3. of Division B of the building code;
  - (b) modify a requirement of, or impose requirements in addition to those set out in, Article 9.37.1.3. or 10.3.1.3. of Division B of the building code.
- (4) Subsection (2) (c) does not operate to prohibit a local building requirement that
- (a) has been enacted by a local authority in relation to the conservation of energy, and
  - (b) permits buildings to be constructed in conformance with Subsections 9.36.2. to 9.36.4. of Division B of the building code.