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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the Building (Approved Inspectors etc.) Regulations 1985 (S.I. 1985/1066) (“the 1985 Regulations”) and provide that, where the Secretary of State has designated one or more bodies under the Building Act 1984 and the 1985 Regulations for the purpose of approving inspectors, all applications for approved inspector status shall be made to a designated body. Hitherto, bodies corporate wishing to be approved inspectors were required to apply to the Secretary of State, whilst individuals wishing to be approved inspectors were required to apply to a designated body.

The Regulations provide that if there is no designated body, all applications, whether from bodies corporate or from individuals, shall be made to the Secretary of State.

The Regulations also amend regulation 6 of the 1985 Regulations to provide that all approvals of inspectors given under those Regulations as amended will cease to have effect five years after the dates on which they are given. Hitherto, approvals given by the Secretary of State were of indefinite duration.

The Regulations make consequential changes in regulation 7(4) of, and in Schedule 2 to the 1985 Regulations.

Regulation 9 of the Regulations provides that applications made to the Secretary of State in accordance with the provisions of the 1985 Regulations and which have not been determined by him, will be transferred to a designated body when the Regulations come into force on 1st March 1999. Such applications will then be decided by the designated body as though they had been made to it under the provisions of regulation 3(1) of the 1985 Regulations, as amended by these Regulations.

In addition to the provisions relating to the approval of inspectors, the Regulations contain a provision, in regulation 7, which amends paragraph (2)(i) of regulation 16 of the 1985 Regulations, to increase the period prescribed there from one day to four weeks. This allows more time for the giving of an approved inspector’s final certificate in cases where a building or extension or materially altered part of a building is occupied before a final certificate is given, and the building is to be put to a use designated under section 1 of the Fire Precautions Act 1971.

A Regulatory Impact Assessment has been prepared in relation to these Regulations. A copy may be obtained from Building Regulations Division, Department of the Environment, Transport and the Regions, Zone 3/A1, Eland House, Bressenden Place, London SW1E 5DU, telephone 0171 890 5755.