

2000 No. 2532

**BUILDING AND BUILDINGS ENGLAND AND
WALES**

**The Building (Approved
Inspectors etc.) Regulations
2000**

Made - - - - 13th September 2000

Laid before Parliament 22nd September 2000

Coming into force 1st January 2001



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The Secretary of State, in exercise of the powers conferred on him by sections 1(1), 16(9), 17(1) and (6), 35, 47(1) to (5), 49(1) and (5), 50(1), (4), (6) and (7), 51(1) and (2), 52(1) to (3) and (5), 53(2) and (4), 54(1) to (3) and (5), and 56(1) and (2) of, and Schedule 1 and Schedule 4 to, the Building Act 1984(a), and of all other powers enabling him in that behalf, after consulting the Building Regulations Advisory Committee and such other bodies as appear to him to be representative of the interests concerned in accordance with section 14(3) of that Act, hereby makes the following Regulations:—

PART I

GENERAL

Citation, commencement and revocations

1. These Regulations may be cited as the Building (Approved Inspectors etc.) Regulations 2000 and shall come into force on 1st January 2001 on which date the regulations specified in Schedule 1 shall be revoked.

Interpretation

2.—(1) In these Regulations unless the context otherwise requires—

“the Act” means the Building Act 1984;

“building” means any permanent or temporary building but not any other kind of structure or erection, and a reference to a building includes a reference to part of a building;

“building work” has the meaning given in regulation 3(1) of the Principal Regulations;

“controlled service or fitting” means a service or fitting in relation to which Part G, H or J of Schedule 1 to the Principal Regulations imposes a requirement;

“day” means any period of 24 hours commencing at midnight and excludes any Saturday, Sunday, Bank holiday or public holiday;

“dwelling” includes a dwelling-house and a flat;

“dwelling-house” does not include a flat or a building containing a flat;

“energy rating” of a dwelling means a numerical indication of the overall energy efficiency of that dwelling obtained by the application of a procedure approved by the Secretary of State under regulation 16(2) of the Principal Regulations;

“fire authority” means the authority discharging in the area in which the premises are or are to be situated the functions of fire authority under the Fire Services Act 1947(b);

“flat” means separate and self-contained premises constructed or adapted for use for residential purposes and forming part of a building from some other part of which it is divided horizontally;

“material alteration” has the meaning given in regulation 3(2) of the Principal Regulations;

“material change of use” has the meaning given in regulation 5 of the Principal Regulations;

“the Principal Regulations” means the Building Regulations 2000(c).

(a) 1984 c. 55; for definitions used in these Regulations, see section 126 of the Building Act 1984.

(b) 1947 c. 41.

(c) S.I. 2000/2531.

(2) Where any regulation requires the use of a numbered form in Schedule 2, a form substantially to the like effect may be used.

(3) Any reference in these Regulations to the carrying out of work includes a reference to the making of a material change of use.

(4) Any reference in these Regulations to an initial notice (whether or not combined with a plans certificate) shall in an appropriate case be construed as a reference to that initial notice as amended by an amendment notice which has been accepted by a local authority.

PART II

GRANT AND WITHDRAWAL OF APPROVAL

Approval of inspectors

3.—(1) Where the Secretary of State has designated a body in accordance with regulation 4 (referred to in these Regulations as a “designated body”), a person seeking to be an approved inspector shall apply to a designated body giving particulars of—

- (a) in the case of a person other than a body corporate, his qualifications and experience; and
- (b) in the case of a body corporate, the number, qualifications and experience of the people to be employed in the discharge of its functions under these Regulations,

and the person shall answer any inquiries which that designated body makes about those matters.

(2) Where there is no designated body, a person seeking to be an approved inspector shall apply to the Secretary of State giving particulars of—

- (a) in the case of a person other than a body corporate, his qualifications and experience; and
- (b) in the case of a body corporate, the number, qualifications and experience of the people to be employed in the discharge of its functions under these Regulations,

and the person shall answer any inquiries which the Secretary of State makes about those matters.

Designation of bodies to approve inspectors

4. If it appears to the Secretary of State that a body might properly be designated as a body to approve inspectors he may, if the body consents, designate it for that purpose.

Manner of approval or designation

5. The approval of an inspector or the designation of a body to approve inspectors shall be given to that person or body by a notice in writing specifying any limitation on the approval or designation.

Termination of approval or designation

6.—(1) The approval of an inspector given by a designated body or by the Secretary of State shall cease to have effect at the end of a period of five years from the date on which it was given.

(2) The approval of an inspector may be withdrawn by a notice in writing given to the inspector by the person who approved him.

(3) The Secretary of State may withdraw the designation of a designated body by giving the body notice in writing, but—

- (i) such withdrawal shall not affect the operation of any subsisting approval given by the body, and
- (ii) a subsisting approval may be withdrawn by the Secretary of State as if it had been given by him.

(4) Where an approved inspector is convicted of an offence under section 57 of the Act (false or misleading notices and certificates etc.), the person by whom the approval was given may on receipt of a certificate of the conviction forthwith withdraw the approval and no further approval shall be given to an approved inspector whose approval has been withdrawn for a period of five years beginning with the date of his conviction.

Lists of approvals and designations

- 7.—(1) The Secretary of State shall maintain—
- (a) a list of bodies which are for the time being designated by him for the purpose of approving inspectors, and
 - (b) a list of inspectors for the time being approved by him.
- (2) The Secretary of State shall—
- (a) supply to every local authority in whose area these Regulations apply a copy of the first lists of approved inspectors and designated bodies prepared by him under this regulation; and
 - (b) notify every such local authority as soon as practicable of the withdrawal of any approval or designation and of any addition to the lists.
- (3) A designated body shall—
- (a) maintain a list of inspectors for the time being approved by it; and
 - (b) notify every local authority in whose area these Regulations apply as soon as practicable after withdrawing approval from any inspector.
- (4) Lists maintained under this regulation shall set out any limitation placed on the approval or designation of the persons or bodies listed and shall indicate the date on which each approval will expire.

PART III

SUPERVISION OF WORK BY APPROVED INSPECTORS

Initial notice

- 8.—(1) The prescribed form of an initial notice(**a**)—
- (a) which is not combined with a plans certificate, shall be form 1 in Schedule 2; or
 - (b) which is combined with a plans certificate, shall be form 4 in Schedule 2.
- (2) An initial notice shall be accompanied by the plans and documents described in the relevant form prescribed by paragraph (1).
- (3) The grounds on which a local authority shall reject an initial notice are those prescribed in Schedule 3.
- (4) The period within which a local authority may give notice of rejection of an initial notice is five days beginning with the day on which the notice is given.

Amendment notice

- 9.—(1) The prescribed form of an amendment notice(**b**) shall be form 2 in Schedule 2.
- (2) An amendment notice shall be accompanied by the plans and documents described in the form prescribed by paragraph (1).
- (3) The grounds on which a local authority shall reject an amendment notice are those prescribed in paragraphs 1 to 11 of Schedule 3.
- (4) The period within which a local authority may give notice of rejection of an amendment notice is five days beginning with the day on which the notice is given.

Independence of approved inspectors

- 10.—(1) For the purposes of this regulation “minor work” means—
- (a) the material alteration or extension of a dwelling-house which before the work is carried out has two storeys or less and which afterwards has no more than three storeys; or
 - (b) the provision, extension or material alteration of a controlled service or fitting in or in connection with any building; or

(a) See section 47 of the Building Act 1984.

(b) See section 51A of the Building Act 1984.

- (c) work consisting of the underpinning of a building;

and for the purposes of this paragraph a basement is not to be regarded as a storey.

(2) An approved inspector shall have no professional or financial interest in the work he supervises unless it is minor work.

(3) A person shall be regarded as having a professional or financial interest in the work described in any notice or certificate given under these Regulations if—

- (a) he is or has been responsible for the design or construction of any of the work in any capacity, or
- (b) he or any nominee of his is a member, officer or employee of a company or other body which has a professional or financial interest in the work, or
- (c) he is a partner or is in the employment of a person who has a professional or financial interest in the work.

(4) For the purposes of this regulation—

- (a) a person shall be treated as having a professional or financial interest in the work even if he has that interest only as trustee for the benefit of some other person,
- (b) in the case of married people living together, the interest of one spouse shall, if known to the other, be deemed to be also an interest of the other.

(5) For the purposes of this regulation—

- (a) involvement in the work as an approved inspector,
- (b) entitlement to any fee paid for his function as an approved inspector, and
- (c) potential liability to pay any sum if a claim is made under the insurance cover provided for the purposes of the Act,

shall not be regarded as constituting a professional or financial interest.

Functions of approved inspectors

11.—(1) Subject to paragraph (2), an approved inspector by whom an initial notice has been given shall, so long as the notice continues in force, take such steps as are reasonable to enable him to be satisfied within the limits of professional skill and care that—

- (a) regulations 4 and 6 of the Principal Regulations are complied with,
- (b) satisfactory provision is made for the conveyance of—
 - (i) refuse water, and
 - (ii) rain water from roofs,

from any building or extension of a building to the sewer, cesspool or other place shown on the plans which accompanied the initial notice, and

- (c) the requirements of regulation 12 of these Regulations are complied with.

(2) In a case where any requirement of Part L of Schedule 1 to the Principal Regulations is to be complied with by the insertion of insulating material into the cavity in a wall after that wall has been constructed, the approved inspector need not supervise the insertion of the insulating material but shall state in the final certificate whether or not at the date of that certificate the material has been inserted.

(3) Where an approved inspector by whom an initial notice has been given becomes aware that work is being carried out over a sewer shown on the relative map of sewers, he shall, unless information about that work was given to the local authority with the initial notice, as soon as practicable notify the local authority of the location of that work.

Energy rating

12.—(1) This regulation applies where a new dwelling is created by building work or by a material change of use in connection with which building work is carried out, and the building work in question is the subject of an initial notice.

(2) Where this regulation applies, the person carrying out the building work shall calculate the energy rating of the dwelling and give notice of that rating to the approved inspector who gave the initial notice.

(3) The notice referred to in paragraph (2) shall be given not later than five days after completion of the dwelling, and

(a) where the dwelling is created by building work, and

(i) the dwelling is occupied, and

(ii) no final certificate is given

the notice shall be given not later than the end of the period of eight weeks beginning with the date of occupation; or

(b) where the dwelling is created by a material change of use in connection with which building work is carried out, and

(i) the change of use takes place, and

(ii) no final certificate is given

the notice shall be given not later than the end of the period of eight weeks beginning with the date on which the change of use takes place.

(4) Where this regulation applies, subject to paragraphs (6) and (8), the person carrying out the building work shall affix, as soon as practicable, in a conspicuous place in the dwelling, a notice stating the energy rating of the dwelling calculated in accordance with paragraph (2).

(5) The notice referred to in paragraph (4) shall be affixed not later than five days after completion of the dwelling, and, in a case where subparagraph (b) of paragraph (3) applies, not later than the period of eight weeks beginning with the date on which the change of use takes place.

(6) Subject to paragraph (8), if, on the date the dwelling is first occupied as a residence, no notice has been affixed in the dwelling in accordance with paragraph (4), the person carrying out the building work shall give to the occupier of the dwelling a notice stating the energy rating of the dwelling calculated in accordance with paragraph (2).

(7) The notice referred to in paragraph (6) shall be given not later than five days after completion of the dwelling, and, in a case where subparagraph (a) of paragraph (3) applies, not later than the end of the period of eight weeks beginning with the date of occupation of the dwelling.

(8) Paragraphs (4) and (6) shall not apply in a case where the person carrying out the work intends to occupy, or occupies, the dwelling as a residence.

Approved inspector's consultation with the fire authority

13.—(1) In this regulation—

(a) a “relevant use” is a use as a workplace of a kind to which Part II of the Fire Precautions (Workplace) Regulations 1997^(a) applies or a use designated under section 1 of the Fire Precautions Act 1971^(b);

(b) a “relevant building” is a building where it is intended that, after completion of building work, the building or any part of it will be put or will continue to be put to a relevant use;

(c) a “relevant change of use” is a material change of use where it is intended that, after the change of use has taken place, the building or any part of it will be put or will continue to be put to a relevant use; and

(d) a “relevant amendment notice” is an amendment notice where any of the work specified in the initial notice, as varied by the amendment notice, being work which could not have been carried out under the original notice (“additional work”), concerns the erection, extension or material alteration of a relevant building or is building work in connection with a relevant change of use of a building and Part B of Schedule 1 to the Principal Regulations imposes requirements in relation to the additional work.

(2) This regulation applies where an initial notice is to be given or has been given in relation to the erection, extension or material alteration of a relevant building or in relation to building work in connection with a relevant change of use of a building and Part B of Schedule 1 to the Principal Regulations imposes requirements in relation to the work.

^(a) S.I. 1997/1840 as amended by S.I. 1999/1877.

^(b) 1971 c. 40.

- (3) Where this regulation applies, the approved inspector shall consult the fire authority—
- (a) before or as soon as practicable after giving an initial notice in relation to the work;
 - (b) before or as soon as practicable after giving a relevant amendment notice in relation to the work;
 - (c) before giving a plans certificate (whether or not combined with an initial notice); and
 - (d) before giving a final certificate.
- (4) Where an approved inspector is required by paragraph (3) to consult the fire authority, he shall give to the fire authority—
- (a) in a case where he is consulting them in connection with an initial notice or an amendment notice, sufficient plans to show whether the work would, if carried out in accordance with those plans, comply with the applicable requirements of Part B of Schedule 1 to the Principal Regulations; and
 - (b) in a case where he is consulting them in connection with the giving of a plans certificate, a copy of the plans in relation to which he intends to give the certificate.
- (5) Where an approved inspector is required by paragraph (3) to consult the fire authority—
- (a) he shall have regard to any views they express; and
 - (b) he shall not give a plans certificate or a final certificate until 15 days have elapsed from the date on which he consulted them, unless they have expressed their views to him before the expiry of that period.
- (6) Where a local enactment would, if plans were deposited in accordance with building regulations, require the local authority to consult the fire authority before or during the carrying out of any work, the approved inspector shall consult the fire authority in a manner similar to that required by the enactment.

PART IV

PLANS CERTIFICATES

Form of plans certificate

- 14.** The prescribed form of a plans certificate~~(a)~~—
- (a) which is not combined with an initial notice, shall be form 3 in Schedule 2; or
 - (b) which is combined with an initial notice, shall be form 4 in Schedule 2.

Grounds and period for rejecting plans certificate

15.—(1) The grounds on which a local authority shall reject a plans certificate which is not combined with an initial notice are those prescribed in Schedule 4.

(2) The grounds on which a local authority shall reject a plans certificate combined with an initial notice are those prescribed in Schedule 3 and Schedule 4.

(3) The period within which a local authority may give notice of rejection of a plans certificate (whether or not combined with an initial notice) is five days beginning on the day on which the certificate is given.

Effect of plans certificate

16. If an initial notice ceases to be in force as described in section 47(4)(b) of the Act (cancellation etc. of initial notice) and the conditions in section 53(2) of the Act (plans certificate given, accepted and not rescinded) are satisfied, the local authority may not—

- (a) give a notice under section 36(1) of the Act (removal or alteration of work which contravenes building regulations); or
- (b) institute proceedings under section 35 of the Act for a contravention of building regulations;

(a) See section 50 of the Building Act 1984.

in relation to any work described in the certificate which has been carried out in accordance with the plans to which the certificate relates.

PART V

FINAL CERTIFICATES

Form, grounds and period for rejecting final certificate

17.—(1) The prescribed form of a final certificate^(a) shall be form 5 in Schedule 2 and the grounds on which a local authority shall reject a final certificate are those prescribed in Schedule 5.

(2) The period within which a local authority may give notice of rejection of a final certificate is ten days beginning with the day on which the certificate is given.

PART VI

CESSATION OF EFFECT OF INITIAL NOTICE

Events causing initial notice to cease to be in force

18.—(1) Where a final certificate given in respect of work described in an initial notice is rejected, the initial notice shall cease to be in force in relation to the work described in the final certificate on the expiry of a period of four weeks beginning with the date on which notice of rejection is given.

(2) Where work described in an initial notice includes the erection, extension or material alteration of a building, and—

- (a) the building or, as the case may be, the extension or any part of the building which has been materially altered is occupied, and
- (b) no final certificate is given,

the initial notice shall cease to be in force in relation to the building, extension or part of a building which is occupied—

- (i) if the building is to be put to a relevant use as defined by regulation 13(1)(a), on the expiry of a period of four weeks beginning with the date of occupation; and
- (ii) in any other case, on the expiry of a period of eight weeks beginning with the date of occupation.

(3) Where work described in an initial notice involves a material change of use of a building, and—

- (a) no final certificate is given, and
- (b) that change of use takes place,

the initial notice shall cease to be in force in relation to that change of use on the expiry of a period of eight weeks beginning with the date on which the change of use takes place.

(4) In any other case where no final certificate is given, an initial notice ceases to be in force on the expiry of a period of eight weeks beginning with the date on which the work described in the initial notice is substantially completed.

(5) An initial notice shall not cease to be in force by virtue of paragraph (2) because part of a building or extension is occupied if a final certificate has been accepted in respect of that part.

(6) A local authority may extend any period referred to in this regulation either before or after its expiry.

Cancellation of initial notice

19.—(1) Where an approved inspector is of the opinion that any of the work described in an initial notice which has been carried out contravenes any provision of building regulations, he may give notice in writing to the person carrying out the work specifying—

- (a) the requirement of building regulations which in his opinion has not been complied with, and

^(a) See section 51 of the Building Act 1984.

(b) the location of the work which contravenes that requirement.

(2) A notice of contravention given in accordance with paragraph (1) shall inform the person carrying out the work that if within the prescribed period he has neither pulled down nor removed the work nor effected such alterations in it as may be necessary to make it comply with building regulations, the approved inspector will cancel the initial notice.

(3) The period within which the person carrying out the work is to remedy the contravention as described in paragraph (2) is three months beginning with the day on which the notice is given.

(4) Form 6 in Schedule 2 is the form of notice to be given by an approved inspector to cancel an initial notice in accordance with section 52(1) of the Act in circumstances referred to in section 52(2) of the Act; where notice of a contravention has been given under that subsection and no further initial notice relating to the work has been accepted, that notice shall specify the contravention.

(5) Form 7 in Schedule 2 is the form of notice to be given by a person carrying out or intending to carry out work to cancel an initial notice in accordance with section 52(3) of the Act.

(6) Form 8 in Schedule 2 is the form of notice to be given by the local authority to cancel an initial notice in accordance with section 52(5) of the Act.

Local authority powers in relation to partly completed work

20.—(1) This paragraph applies where—

- (a) any part of the work described in an initial notice has been carried out,
- (b) the initial notice has ceased to be in force, by reason of regulation 18 or has been cancelled by notice under section 52 of the Act, and
- (c) no other initial notice relating to that part of the work has been accepted.

(2) Where paragraph (1) applies, the owner shall—

- (a) on being given reasonable notice by the local authority, provide them with—
 - (i) sufficient plans of the work carried out, in respect of which no final certificate has been given, to show whether any part of that work would, if carried out in accordance with the plans, contravene any provision of the Principal Regulations, and
 - (ii) where a plans certificate was given and not rejected in respect of any such part of the work, a copy of the plans to which it relates; and
- (b) comply with any notice in writing from the local authority requiring him within a reasonable time to cut into, lay open or pull down so much of the work as prevents the local authority from ascertaining whether any work in relation to which there is no final certificate contravenes any requirement in the Principal Regulations.

(3) Where paragraph (1) applies and work in relation to a building has been begun but not completed, a person who intends to carry out further work in relation to the partly completed work shall give the local authority sufficient plans to show that the intended work will not contravene any requirement in the Principal Regulations, including such plans of any part of the work already carried out as may be necessary to show that the intended work can be carried out without contravening any such requirement.

(4) Plans given to a local authority in accordance with paragraph (3) are not to be regarded as plans deposited in accordance with building regulations.

PART VII

PUBLIC BODIES

Approval of public bodies

21.—(1) In England if it appears to the Secretary of State, or in Wales, if it appears to the National Assembly for Wales, that—

- (a) public bodies of a certain description should be enabled to supervise their own work under section 54 of the Act, or

(b) that a public body should be approved for the purpose of so supervising its own work, the Secretary of State or, as the case may be, the National Assembly for Wales, shall approve that description of body or, as the case may be, that body in writing and take such steps as appear to them appropriate to inform those local authorities and public bodies which will be affected by the giving of the approval.

(2) In England the Secretary of State, and in Wales, the National Assembly for Wales, may withdraw the approval by a notice in writing given to any public body affected, and shall take such steps as appears to them appropriate to inform local authorities of such withdrawal.

Public body's notice

22.—(1) the prescribed form of a public body's notice**(a)**—

- (a) which is not combined with a public body's plans certificate, shall be form 9 in Schedule 2; or
- (b) which is combined with a public body's plans certificate**(b)**, shall be form 11 in Schedule 2.

(2) A public body's notice shall be accompanied by the plans and documents described in the relevant form prescribed by paragraph (1).

(3) The grounds on which a local authority shall reject a public body's notice are those prescribed in Schedule 6.

(4) The period within which a local authority may give notice of rejection of a public body's notice is ten days beginning with the day on which the notice is given.

Public body's consultation with the fire authority

23. Regulation 13 applies where a public body's notice is given as it does where an initial notice is given; and for that purpose there shall be substituted for references in that regulation to an initial notice, a plans certificate and a final certificate respectively references to a public body's notice, a public body's plans certificate and a public body's final certificate.

Public body's plans certificate

24. The prescribed form of a public body's plans certificate**(c)**—

- (a) which is not combined with a public body's notice, shall be form 10 in Schedule 2; or
- (b) which is combined with a public body's notice, shall be form 11 in Schedule 2.

Grounds and period for rejecting public body's plans certificate

25.—(1) The grounds on which a local authority shall reject a public body's plans certificate are those prescribed in Schedule 7.

(2) The grounds on which a local authority shall reject a public body's plans certificate combined with a public body's notice are those prescribed in Schedule 6 and Schedule 7.

(3) The period within which a local authority may give notice of rejection of a public body's plans certificate or combined notice and certificate is ten days beginning on the day on which the certificate is given.

Effect of public body's plans certificate

26. If a public body's notice ceases to be in force and the conditions in paragraph 4(2) of Schedule 4 to the Act (public body's plans certificate accepted and not rescinded) are satisfied, the local authority may not—

- (a) give a notice under section 36(1) of the Act (removal or alteration of work which contravenes building regulations); or
- (b) institute proceedings under section 35 of the Act for a contravention of building regulations;

(a) See section 54 of the Building Act 1984.

(b) See paragraph 2(2) of Schedule 4 to the Building Act 1984.

(c) See paragraph 2 of Schedule 4 to the Building Act 1984.

in relation to any work which is described in the certificate and is carried out in accordance with the plans to which the certificate relates.

Public body's final certificate

27.—(1) The prescribed form of a public body's final certificate^(a) shall be form 12 in Schedule 2 and the grounds on which a local authority shall reject a final certificate are those prescribed in Schedule 8.

(2) The period within which a local authority may give notice of rejection of a public body's final certificate is ten days beginning with the day on which the certificate is given.

Events causing public body's notice to cease to be in force

28. Regulation 18 applies where a public body's notice is given as it does where an initial notice is given; and for that purpose there shall be substituted for references in that regulation to an initial notice and a final certificate respectively references to a public body's notice and a public body's final certificate.

PART VIII

CERTIFICATES RELATING TO DEPOSITED PLANS

Certificates given under section 16(9) of the Act

29.—(1) Regulations 3 to 7 shall apply in relation to—

(a) the approval and the termination of approval of persons to certify plans in accordance with section 16(9) of the Act, and

(b) the designation and the termination of designation of bodies to approve such persons, as they do in relation to the approval of inspectors and the designation of bodies to approve inspectors respectively.

(2) Regulations 4 and 6 of the Principal Regulations are hereby prescribed for the purposes of section 16(9) of the Act insofar as either requires compliance with—

(a) Part A (structure) of Schedule 1 to the Principal Regulations, and

(b) Part L (conservation of fuel and power) of Schedule 1 to the Principal Regulations.

(3) Where deposited plans are accompanied by a certificate as mentioned in section 16(9) of the Act, the evidence of insurance required by that provision is a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the certificate which accompanies the plans.

(4) For the purposes of section 16(9) of the Act, the circumstances in which the local authority may reject deposited plans on the grounds referred to in section 16(9)(i) or (ii) are where—

(a) the certificate states that the work shown in the plans complies with the requirements of Part A (structure) of Schedule 1 to the Principal Regulations;

(b) paragraph A3 of that Schedule applies to the work shown in the plans; and

(c) the certificate does not contain a declaration that the person giving the certificate does not, and will not until the work is complete, have a professional or financial interest in the work.

(5) The provisions of regulation 10(2) to (5) shall have effect for the purpose of determining whether a person has a professional or financial interest in the work shown in the plans as if references in those provisions to approved inspectors were references to persons approved for the purposes of section 16(9) of the Act.

PART IX

REGISTERS

Register of notices and certificates

30.—(1) The register which local authorities shall keep under section 56 of the Act shall contain the information set out in paragraph (2) with respect to—

(a) See paragraph 3 of Schedule 4 to the Building Act 1984.

- (a) initial notices, amendment notices, notices under section 51C of the Act or public body's notices currently in force, and
- (b) certificates described in paragraph (3) which have been accepted or are presumed to have been accepted.
- (2) The information to be registered is—
- (a) the description of the work to which the notice or certificate relates and of the location of the work;
- (b) the name and address of any person who signed the notice or certificate;
- (c) the name and address of the insurer who signed any declaration which accompanied the notice or certificate; and
- (d) the date on which the notice or certificate was accepted or was presumed to have been accepted.
- (3) The certificates referred to in paragraph (1) are plans certificates, final certificates, public body's plans certificates, public body's final certificates and certificates given under section 16(9) of the Act.
- (4) A register shall include an index for enabling a person to trace any entry in the register by reference to the address of the land to which the notice or certificate relates.
- (5) The information prescribed in paragraph (2) shall be entered in the register as soon as practicable and in any event within 14 days of the occurrence to which it relates.

PART X

EFFECT OF CONTRAVENING BUILDING REGULATIONS

Contravention of certain regulations not to be an offence

31. Each of these Regulations, other than regulations 12 and 20, is designated as a provision to which section 35 of the Act (penalty for contravening building regulations) does not apply.

PART XI

MISCELLANEOUS PROVISIONS

Transitional provisions

32.—(1) Subject to paragraph (2), the Regulations specified in Schedule 1 shall continue to apply in relation to any building work as if these Regulations had not been made where—

- (a) before 1st January 2001 an initial notice, an amendment notice or a public body's notice has been given to a local authority; and
- (b) building work is carried out or is to be carried out on or after that date in accordance with any such notice.

(2) Where an initial notice given before 1st January 2001 is varied by an amendment notice given on or after that date, the Regulations specified in Schedule 1 shall continue to apply, as if these Regulations had not been made, in relation to so much of the building work as could have been carried out under that initial notice if the amendment notice had not been given.

Nick Raynsford
Minister of State,
Department of the Environment,
Transport and the Regions

13th September 2000

SCHEDULE 1

Regulation 1

REVOCATION OF REGULATIONS

<i>Title</i>	<i>Reference</i>	<i>Extent of revocation</i>
The Building (Approved Inspectors etc.) Regulations 1985	S.I. 1985/1066	The whole of the regulations
The Building (Inner London) Regulations 1985	S.I. 1985/1936	In regulation 2(1) the words “the Building (Approved Inspectors etc.) Regulations 1985” and paragraph 2 of Schedule 2
The Building (Inner London) Regulations 1987	S.I. 1987/798	In regulation 2(1) the words “the Building (Approved Inspectors etc.) Regulations 1985” and paragraph 2 of Schedule 2
The Building (Amendment) Regulations 1989	S.I. 1989/1119	Regulation 3
The Building (Approved Inspectors etc.) (Amendment) Regulations 1992	S.I. 1992/740	The whole of the regulations
The Building (Approved Inspectors etc.) (Amendment) Regulations 1995	S.I. 1995/1387	The whole of the regulations
The Building (Approved Inspectors etc.) (Amendment) Regulations 1996	S.I. 1996/1906	The whole of the regulations
The Building (Approved Inspectors etc.) (Amendment) Regulations 1998	S.I. 1998/2332	The whole of the regulations

SCHEDULE 2

Regulations 8(1), 9(1), 14, 17(1),
19(4), (5) and (6), 22(1), 24 and 27(1)

FORMS

FORM 1

Section 47 of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

INITIAL NOTICE

To: **(1)**

1. This notice relates to the following work: **(2)**
2. The approved inspector in relation to the work is: **(3)**
3. The person intending to carry out the work is: **(3)**
4. With this notice are the following documents, which are those relevant to the work described in this notice **(4)**:
 - [(a) in the case of a notice given by an inspector approved following an application under regulation 3(1) of the 2000 Regulations, a copy of the notice of approval,]
 - (b) a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work described in the notice,
 - [(c) in the case of the erection or extension of a building, a plan to a scale of not less than 1:1250 showing the boundaries and location of the site and a statement—
 - (i) as to the approximate location of any proposed connection to be made to a sewer, or
 - (ii) if no connection is to be made to a sewer, as to the proposals for the discharge of any proposed drain, including the location of any cesspool, or
 - (iii) if no provision is to be made for drainage, of the reasons why none is necessary,]
 - [(d) where it is proposed to erect a building or extension over a sewer or drain shown on the relative map of sewers, a statement as to the location of the building or extension and the precautions to be taken in building over the sewer or drain,]
 - [(e) a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]
5. The work [is]/[is not] **(5)** minor work **(6)**.
6. [I **(7)** declare that I do not, and will not while this notice is in force, have any financial or professional interest **(8)** in the work described.] **(9)**
7. The approved inspector [will]/[will not] **(10)** be obliged to consult the fire authority by regulation 13 of the 2000 Regulations.
8. [I **(7)** undertake to consult the fire authority before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(9)**
9. I **(7)** am aware of the obligations laid upon me by Part II of the Act and by regulation 11 of the 2000 Regulations.

Signed

Signed

Approved Inspector

Person intending to carry out the work

Date

Date

NOTES

- (1) Name and address of local authority.
- (2) Location and description of the work, including the use of any building to which the work relates.
- (3) Name and address.
- (4) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in Schedule 3 to the 2000 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 4 of the notice relevant to the work described above should therefore be sent with this notice. Any sub-paragraph which does not apply should be deleted.
- (5) Delete whichever does not apply.
- (6) “Minor work” has the meaning given in regulation 10(1) of the 2000 Regulations. If the work is not minor work, the declaration in paragraph 6 must be made.
- (7) Name of the approved inspector.
- (8) “Professional or financial interest” has the meaning given in regulation 10 of the 2000 Regulations.
- (9) Delete this statement if it does not apply.
- (10) Delete whichever does not apply. If the inspector is obliged to consult the fire authority, the declaration in paragraph 8 must be made.

FORM 2

Section 51A of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

AMENDMENT NOTICE

To: **(1)**

1. This notice amends the initial notice a copy of which accompanies this notice.
2. This notice amends the work in the initial notice in the following manner: **(2)**
3. With this notice are the following documents, which are those relevant to the work described in this notice **(3)**:

(a) a copy of the original notice,

[(b) in the case of a notice given by an inspector approved following an application under regulation 3(1) of the 2000 Regulations, a copy of the notice of approval,]

(c) either:

(i) a statement to the effect that all plans submitted with the original notice remain unchanged; or

(ii) all amended plans are included with the notice with a statement to the effect that any plans not included remain unchanged, **(4)**

(d) a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work described in the notice,

[(e) in the case of the erection or extension of a building, a plan to a scale of not less than 1:1250 showing the boundaries and location of the site and a statement—

(i) as to the approximate location of any proposed connection to be made to a sewer, or

(ii) if no connection is to be made to a sewer, as to the proposals for the discharge of any proposed drain, including the location of any cesspool, or

(iii) if no provision is to be made for drainage, of the reasons why none is necessary,]

[(f) where it is proposed to erect a building or extension over a sewer or drain shown on the relative map of sewers, a statement as to the location of the building or extension and the precautions to be taken in building over the sewer or drain,]

[(g) a statement of any local enactment relevant to the work, and of the steps taken to comply with it.]

4. The work [is]/[is not] **(4)** minor work **(5)**.

[**5.** I **(6)** declare that I do not, and will not while this notice is in force, have any financial or professional interest **(7)** in the work described.] **(8)**

[**6.** I **(6)** am satisfied that plans relating to the work described above have been submitted to me, and that they neither are defective nor show work which, if carried out in accordance with them, would contravene any provision of building regulations.] **(8)**

7. The approved inspector [will]/[will not] **(9)** be obliged to consult the fire authority by regulation 13 of the 2000 Regulations.

[**8.** I **(6)** undertake to consult the fire authority before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(8)**

9. I (6) am aware of the obligations laid upon me by Part II of the Act and by regulation 11 of the 2000 Regulations.

Signed

Signed

Approved Inspector

Person intending to carry out the work

Date

Date

NOTES

- (1) Name and address of local authority.
- (2) Location and/or description of the new work in the amendment notice and how it amends the work mentioned in the initial notice including the use of any building to which the new work relates.
- (3) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in paragraphs 1 to 11 of Schedule 3 to the 2000 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 3 of the notice relevant to the work described above should therefore be sent with this notice. Any sub-paragraph which does not apply should be deleted.
- (4) Delete whichever does not apply.
- (5) "Minor work" has the meaning given in regulation 10(1) of the 2000 Regulations. If the work is not minor work, the declaration in paragraph 5 must be made.
- (6) Name of the approved inspector.
- (7) "Professional or financial interest" has the meaning given in regulation 10 of the 2000 Regulations.
- (8) Delete this statement if it does not apply.
- (9) Delete whichever does not apply. If the inspector is obliged to consult the fire authority, the declaration in paragraph 8 must be made.

FORM 3

Section 50 of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

PLANS CERTIFICATE

1. This certificate relates to the following work: **(1)**
2. I am an approved inspector for the purposes of Part II of the Act and the above work is [the whole]/[part] **(2)** of the work described in an initial notice given by me and dated **(3)**.
3. With this certificate is the declaration, signed by the insurer, that a named scheme of insurance approved by the Secretary of State applies in relation to the work to which the certificate relates.
4. Plans of the work specified above have been submitted to me and I am satisfied that the plans neither are defective nor show that work carried out in accordance with them would contravene any provision of building regulations.
5. The work [is]/[is not] **(2)** minor work. **(4)**
- [6. I declare that I have had no financial or professional interest **(5)** in the work described since giving the initial notice described in paragraph 2.] **(6)**
- [7. I have consulted the fire authority in accordance with regulation 13.] **(6)**
8. The plans to which this certificate relates bear the following date and reference number: **(7)**

Signed

Approved Inspector

Date

NOTES

- (1)** Location and description of the work, including the use of any building to which the work relates.
- (2)** Delete whichever does not apply.
- (3)** Insert date.
- (4)** “Minor work” has the meaning given in regulation 10(1) of the 2000 Regulations. If the work is not minor work, the declaration in paragraph 6 must be made.
- (5)** “Professional or financial interest” has the meaning given in regulation 10 of the 2000 Regulations.
- (6)** Delete this statement if it does not apply.
- (7)** Insert the date and reference number.

FORM 4

Sections 47 and 50 of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

COMBINED INITIAL NOTICE AND PLANS CERTIFICATE

To: **(1)**

1. This notice relates to the following work: **(2)**

2. The approved inspector in relation to the work is: **(3)**

3. The person intending to carry out the work is: **(3)**

4. With this notice are the following documents, which are those relevant to the work described in this notice **(4)**:

[(a) in the case of a notice given by an inspector approved following an application under regulation 3(1) of the 2000 Regulations, a copy of the notice of approval,]

(b) a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work described in the notice,

[(c) in the case of the erection or extension of a building, a plan to a scale of not less than 1:1250 showing the boundaries and location of the site and a statement—

(i) as to the approximate location of any proposed connection to be made to a sewer, or

(ii) if no connection is to be made to a sewer, as to the proposals for the discharge of any proposed drain, including the location of any cesspool, or

(iii) if no provision is to be made for drainage, of the reasons why none is necessary,]

[(d) where it is proposed to erect a building or extension over a sewer or drain shown on the relative map of sewers, a statement as to the location of the building or extension and the precautions to be taken in building over the sewer or drain,]

[(e) a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]

5. The work [is]/[is not] **(5)** minor work **(6)**.

[**6.** I **(7)** declare that I do not, and will not while this notice is in force, have any financial or professional interest **(8)** in the work described.] **(9)**

7. I **(7)** am satisfied that plans relating to the work described above have been submitted to me, and that they neither are defective nor show work which, if carried out in accordance with them, would contravene any provision of building regulations.

8. The approved inspector [is]/[is not] **(10)** obliged to consult the fire authority by regulation 13 of the 2000 Regulations.

[**9.** I **(7)** have consulted the fire authority in accordance with regulation 13.] **(9)**

[**10.** [I **(7)** undertake to consult the fire authority before giving a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(9)**

11. The plans to which this certificate relates bear the following date and reference number: **(11)**

12. I **(7)** am aware of the obligations laid upon me by Part II of the Act and by regulation 11 of the 2000 Regulations.

Signed

Signed

Approved Inspector

Person intending to carry out the work

Date

Date

NOTES

- (1)** Name and address of local authority.
- (2)** Location and description of the work, including the use of any building to which the work relates.
- (3)** Name and address.
- (4)** The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in Schedules 3 and 4 to the 2000 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 4 of the notice relevant to the work described above should therefore be sent with this notice. Any subparagraph which does not apply should be deleted.
- (5)** Delete whichever does not apply.
- (6)** “Minor work” has the meaning given in regulation 10(1) of the 2000 Regulations. If the work is not minor work, the declaration in paragraph 6 must be made.
- (7)** Name of the approved inspector.
- (8)** “Professional or financial interest” has the meaning given in regulation 10 of the 2000 Regulations.
- (9)** Delete this statement if it does not apply.
- (10)** Delete whichever does not apply. If the inspector is obliged to consult the fire authority, the declarations in paragraph 9 and 10 must be made.
- (11)** Insert the date and reference number.

FORM 5

Section 51 of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

FINAL CERTIFICATE

1. This certificate relates to the following work: **(1)**
2. I am an approved inspector and the work described above was [the whole]/[part] **(2)** of the work described in an initial notice given by me and dated **(3)**.
3. Subject to what is said in paragraph 4 below, the work described above has been completed and I have performed the functions assigned to me by regulation 11 of the 2000 Regulations.
- [4. The work described above involves the insertion of insulating material into a cavity wall and this [has]/[has not] **(2)** been carried out.] **(4)**
- [5. Final certificates have now been issued in respect of all the work described in the initial notice referred to in paragraph 2 above.] **(4)**
6. With this certificate is the declaration, signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work to which the certificate relates.
7. The work [is]/[is not] **(2)** minor work **(5)**.
- [8. I have had no professional or financial interest in the work described above since giving the initial notice described in paragraph 2 above.] **(4)**

Signed

Approved Inspector

Date

NOTES

- (1)** Location and description of the work, including the use of any building to which the work relates.
- (2)** Delete whichever does not apply.
- (3)** Insert date.
- (4)** Delete this statement if it does not apply.
- (5)** “Minor work” has the meaning given in regulation 10(1) of the 2000 Regulations. If the work is not minor work, the declaration in paragraph 8 must be made.

FORM 6

Section 52(1) of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

NOTICE OF CANCELLATION BY APPROVED INSPECTOR

To: **(1)**

1. This notice relates to the following work: **(2)**
2. An initial notice dated **(3)** has been given and the above work was specified in it.
3. I am the approved inspector in relation to that work.
4. I hereby cancel the initial notice.

[**5.** I gave notice to the person carrying out the work in accordance with regulation 19 of the 2000 Regulations and he failed to remedy the contravention within the prescribed period. The contravention is **(4).**]

Signature

Date

NOTES

- (1)** Insert the name and address of the person to whom the notice is given. It must be given to the local authority and the person carrying out or intending to carry out the work.
- (2)** Location and description of the work, including the use of any building to which the work relates.
- (3)** Insert date.
- (4)** Delete this statement if it does not apply. If it applies, specify the provision of building regulations (including the specific requirement) which is contravened.

FORM 7

Section 52(3) of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

NOTICE OF CANCELLATION BY PERSON CARRYING OUT WORK

To: **(1)**

1. This notice relates to the following work: **(2)**
2. An initial notice dated **(3)** has been given and the above work was specified in it.
3. I am [the person carrying out the work]/[intending to carry out the work]. **(4)**
4. I hereby cancel the initial notice.

Signature

Date

NOTES

- (1)** Insert the name and address of the person to whom the notice is given. It must be given to the local authority and, if practicable, to the approved inspector.
- (2)** Location and description of the work, including the use of any building to which the work relates.
- (3)** Insert date.
- (4)** Delete whichever does not apply.

FORM 8

Section 52(5) of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

NOTICE OF CANCELLATION BY LOCAL AUTHORITY

To: **(1)**

1. This notice relates to the following work: **(2)**
2. I am authorised to sign this notice by the following local authority: **(3)**
3. The authority accepted an initial notice on **(4)** and the above work was described in it.
4. It appears to the local authority that the work to which the initial notice relates has not been commenced within the period of three years beginning on the date on which the initial notice was accepted, and the local authority hereby cancel the initial notice.

Signature

Date

NOTES

- (1)** Insert the name and address of the person to whom the notice is given. This notice must be given to the approved inspector and the person shown in the initial notice as the person intending to carry out the work.
- (2)** Location and description of the work, including the use of any building to which the work relates.
- (3)** Name and address of the local authority.
- (4)** Insert date.

FORM 9

Section 54 of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

PUBLIC BODY’S NOTICE

To: **(1)**

1. This notice relates to the following work: **(2)**

2. **(3)** is approved under Part II of the Act and intends to carry out in relation to a building belonging to it the work described above which can be adequately supervised by its own servants or agents.

3. With this notice are the following documents, which are those relevant to the work described in this notice **(4)**:

[**(a)** in the case of the erection or extension of a building, a plan to a scale of not less than 1:1250 showing the boundaries and location of the site and a statement—

(i) as to the approximate location of any proposed connection to be made to a sewer, or

(ii) if no connection is to be made to a sewer, as to the proposals for the discharge of any proposed drain, including the location of any cesspool, or

(iii) if no provision is to be made for drainage, of the reasons why none is necessary,]

[**(b)** where it is proposed to erect a building or extension over a sewer or drain shown on the relative map of sewers, a statement as to the location of the building or extension and the precautions to be taken in building over the sewer or drain,]

[**(c)** a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]

4. The public body [will]/[will not] **(5)** be obliged to consult the fire authority by regulation 23 of the 2000 Regulations.

[**5.** **(3)** undertakes to consult the fire authority before giving a public body’s plans certificate in accordance with paragraph 2 of Schedule 4 to the Act or a public body’s final certificate in accordance with paragraph 3 of Schedule 4 to the Act in respect of any of the work described above.] **(6)**

Signature

Date

NOTES

- (1)** Name and address of local authority.
- (2)** Location and description of the work, including the use of any building to which the work relates.
- (3)** Name and address of public body.
- (4)** The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in Schedule 6 to the 2000 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 3 relevant to the work described above should therefore be sent with this notice. Any sub-paragraph which does not apply should be deleted.
- (5)** Delete whichever does not apply. If the public body is obliged to consult the fire authority, the declaration in paragraph 5 must be made.
- (6)** Delete this statement if it does not apply.

FORM 10

Paragraph 2 of Schedule 4 to the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

PUBLIC BODY’S PLANS CERTIFICATE

1. This certificate relates to the following work: **(1)**
2. **(2)** is an approved public body under Part II of the Act and the above work is [the whole]/ [part] **(3)** of work described in a public body’s notice given by the body and dated **(4)**.
3. Plans of the work described above have been inspected by a servant or agent of the public body who is competent to assess the plans and he is satisfied that the plans neither are defective nor show work which, if carried out in accordance with them, would contravene any provision of building regulations.
- [4. The fire authority has been consulted in accordance with regulation 23.] **(5)**
5. The plans inspected bear the following date and reference number: **(6)**

Signature

Date

NOTES

- (1)** Location and description of the work, including the use of any building to which the work relates.
- (2)** Name and address of public body.
- (3)** Delete whichever does not apply.
- (4)** Insert date.
- (5)** Delete this statement if it does not apply.
- (6)** Insert the date and reference number.

FORM 11

Paragraph 2(2) of Schedule 4 to the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

COMBINED PUBLIC BODY’S NOTICE AND PLANS CERTIFICATE

To: **(1)**

1. This certificate relates to the following work: **(2)**

2. **(3)** is an approved public body under Part II of the Act.

3. With this notice are the following documents, which are those relevant to the work described in this notice **(4)**:

[(a) in the case of the erection or extension of a building, a plan to a scale of not less than 1:1250 showing the boundaries and location of the site and a statement—

(i) as to the approximate location of any proposed connection to be made to a sewer, or

(ii) if no connection is to be made to a sewer, as to the proposals for the discharge of any proposed drain, including the location of any cesspool, or

(iii) if no provision is to be made for drainage, of the reasons why none is necessary,]

[(b) where it is proposed to erect a building or extension over a sewer or drain shown on the relative map of sewers, a statement as to the location of the building or extension and the precautions to be taken in building over the sewer or drain,]

[(c) a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]

4. Plans of the work described above have been inspected by a servant or agent of the public body who is competent to assess the plans and he is satisfied that the plans neither are defective nor show work which, if carried out in accordance with them, would contravene any provision of building regulations.

[**5.** The fire authority has been consulted in accordance with regulation 23 of the 2000 Regulations.] **(5)**

[**6.** The body undertakes to consult the fire authority before giving a final certificate in accordance with paragraph 3 of Schedule 4 to the Act in respect of the work described above.] **(5)**

7. The plans inspected bear the following date and reference number: **(6)**

Signature

Date

NOTES

(1) Name and address of local authority.

(2) Location and description of the work, including the use of any building to which the work relates.

(3) Name and address of public body.

(4) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in Schedules 6 and 7 of the 2000 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 3 relevant to

the work described above should therefore be sent with this notice. Any sub-paragraph which does not apply should be deleted.

- (5) Delete this statement if it does not apply.
- (6) Insert the date and reference number.

FORM 12

Paragraph 3 of Schedule 4 to the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

PUBLIC BODY’S FINAL CERTIFICATE

1. This certificate relates to the following work: **(1)**

2. The work described above is [the whole]/[part] **(2)** of the work described in a public body’s notice given by **(3)** on **(4)**. Subject to what is said in paragraph 3 below, the work has been supervised by the servant or agent of **(3)** to ensure compliance with those substantive requirements of building regulations which apply to it.

[3. The work to which this certificate relates involves the insertion of insulating material into a cavity wall and this [has]/[has not] **(2)** been carried out.] **(5)**

[4. A public body’s final certificate has now been issued in respect of all the work specified in the public body’s notice referred to in paragraph 2.] **(5)**

[5. The fire authority has been consulted in accordance with regulation 23.] **(5)**

Signature

Date

NOTES

- (1)** Location and description of the work, including the use of any building to which the work relates.
- (2)** Delete whichever does not apply.
- (3)** Insert the name of the public body.
- (4)** Insert the date.
- (5)** Delete this statement if it does not apply.

GROUNDS FOR REJECTING AN INITIAL NOTICE, AN AMENDMENT NOTICE,
OR A PLANS CERTIFICATE COMBINED WITH AN INITIAL NOTICE

Deficiencies in initial notice

Form

1. The notice is not in the prescribed form.

Wrong local authority

2. No part of the work described in the notice is to be carried out in the area of the local authority to whom the notice has been given.

Capacity of approved inspector

3. The person who signed the notice as approved inspector is not an approved inspector.

Deficiencies in information

Information about the proposed work

4. Neither the notice nor the accompanying plans and documents include—
 - (a) the location and a description of the work, including the use of any building to which the work relates;
 - (b) information needed by the local authority to decide whether the notice is to be rejected on ground 9, 10 or 11.

Notice of approval

5. In the case of a notice signed by an inspector approved in accordance with regulation 3(1) by a designated body, the initial notice is not accompanied by a copy of the notice of his approval.

Lack of declaration or undertakings

Insurance

6. The notice is not accompanied by a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work described in the notice.

Fire authority

7. The approved inspector will be obliged by regulation 13 to consult the fire authority before giving a plans certificate or final certificate, and the notice does not contain an undertaking to do so.

Independence

8. Except where the work described in the notice is stated in it to be minor work within the meaning of regulation 10(1), the notice does not contain a declaration by the approved inspector that he does not, and while the initial notice is in force will not, have any professional or financial interest in that work.

Deficiencies in the proposed work

Drain outfall

9. In the case of the erection or extension of a building, the local authority are not satisfied that either—
 - (a) any proposed drain or private sewer will be deemed to be a satisfactory drain by virtue of section 21(4) and (5) of the Act, or

- (b) in the particular case they may properly dispense with any provision for drainage.

Building over sewers

10. The work described includes the erection of a building or extension over a sewer or drain shown on the relative map of sewers, and the local authority are not satisfied that in the circumstances of the particular case they may properly consent to the erection of the proposed building or extension either unconditionally or subject to compliance with any requirements imposed as a condition of accepting the notice.

Local enactments

11. The local authority are not satisfied that the work described will comply with any local enactment which requires or authorises them to reject plans submitted in accordance with building regulations.

Overlap with earlier notice

Earlier notice

12.—(1) Except where paragraph (2) applies, an initial notice (“an earlier notice”) has already been given in respect of any part of the work described in the notice.

(2) The ground in paragraph (1) does not apply if—

- (a) an earlier notice has ceased to be in force and the local authority have taken no positive step to supervise the work described in it; or
- (b) the notice is accompanied by an undertaking by the approved inspector who gave an earlier notice to the effect that he will cancel that notice as soon as the initial notice under consideration is accepted.

SCHEDULE 4

Regulations 15(1) and 15(2)

GROUNDS FOR REJECTING A PLANS CERTIFICATE, OR A PLANS
CERTIFICATE COMBINED WITH AN INITIAL NOTICE*Deficiencies in form and information***Form**

1. The certificate is not in the prescribed form.

Work

2. The certificate does not describe the work to which it relates.

Plans

3. The certificate does not specify the plans to which it relates.

*Absence of power to give certificate***No initial notice**

4. Except where the plans certificate is combined with an initial notice, no initial notice was in force with respect to the work described in the certificate at the time the certificate was given.

Capacity of approved inspector

5. An initial notice was in force with respect to the work described in the certificate at the time the certificate was given, but—

- (a) the certificate is not signed by the approved inspector who gave that notice; or
- (b) that person is no longer an approved inspector.

*Lack of declarations***Insurance**

6. The certificate is not accompanied by a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work to which the certificate relates.

Fire authority

7. The approved inspector was obliged by regulation 13 to consult the fire authority before giving the certificate, but the certificate does not contain a declaration that he has consulted them in accordance with that regulation.

Independence

8. Except where the work to which it relates is stated in the certificate to be minor work, within the meaning of regulation 10(1), the certificate does not contain a declaration by the approved inspector that he has not since giving the initial notice in question had any professional or financial interest in that work.

GROUNDS FOR REJECTING A FINAL CERTIFICATE

*Deficiencies in form and information***Form**

1. The certificate is not in the prescribed form.

Work

2. The certificate does not describe the work to which it relates.

*Absence of power to give certificate***No initial notice**

3. No initial notice was in force with respect to the work described in the certificate at the time the certificate was given.

Capacity of approved inspector

4. An initial notice was in force with respect to the work described in the certificate at the time the certificate was given, but—
 - (a) the certificate is not signed by the approved inspector who gave that notice, or
 - (b) that person is no longer an approved inspector.

*Lack of declarations***Insurance**

5. The certificate is not accompanied by a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work to which the certificate relates.

Independence

6. Except where the work to which it relates is stated in the certificate to be minor work within the meaning of regulation 10(1), the certificate does not contain a declaration by the approved inspector that he has not since giving that notice had any professional or financial interest in that work.

GROUNDS FOR REJECTING A PUBLIC BODY'S NOTICE, OR A COMBINED
PUBLIC BODY'S NOTICE AND PLANS CERTIFICATE

Deficiencies in public body's notice

Form

1. The notice is not in the prescribed form.

Wrong local authority

2. No part of the work described in the notice is to be carried out in the area of the local authority to whom the notice has been given.

Capacity of public body

3. The body on behalf of which the notice was signed is not a public body within the meaning of section 54 of the Act.

Deficiencies in information

Information about the proposed work

4. Neither the notice nor the accompanying plans and documents include—
 - (a) the location and a description of the work, including the use of any building to which the work relates;
 - (b) information needed by the local authority to decide whether the notice is to be rejected on ground 6, 7 or 8.

Lack of undertaking

Fire authority

5. The public body will be obliged by regulation 23 to consult the fire authority before giving a public body's plans certificate or a public body's final certificate, and the notice does not contain an undertaking to do so.

Deficiencies in the proposed work

Drain outfall

6. In the case of the erection or extension of a building, the local authority are not satisfied that either—
 - (a) any proposed drain or private sewer will be deemed to be a satisfactory drain by virtue of section 21(4) and (5) of the Act, or
 - (b) in the particular case they may properly dispense with any provision for drainage.

Building over sewers

7. The work described includes the erection of a building or extension over a sewer or drain shown on the relative map of sewers, and the local authority are not satisfied that in the circumstances of the particular case they may properly consent to the erection of the proposed

building or extension either unconditionally or subject to compliance with any requirements imposed as a condition of accepting the notice.

Local enactments

8. The local authority are not satisfied that the work described will comply with any local enactment which requires or authorises them to reject plans submitted in accordance with building regulations.

SCHEDULE 7

Regulations 25(1) and 25(2)

GROUNDS FOR REJECTING A PUBLIC BODY'S PLANS CERTIFICATE, OR A
COMBINED PUBLIC BODY'S NOTICE AND PLANS CERTIFICATE*Deficiencies in form and information***Form**

1. The certificate is not in the prescribed form.

Work

2. The certificate does not describe the work to which it relates.

Plans

3. The certificate does not specify the plans to which it relates.

*Absence of power to give certificate***No public body's notice**

4. Except where the public body's plans certificate is combined with a public body's notice, no public body's notice was in force in respect of work described in the certificate at the time the certificate was given.

Capacity of public body

5. A public body's notice was in force with respect to the work described in the certificate at the time the certificate was given, but—

- (a) the certificate is not signed by or on behalf of the public body which gave that notice; or
- (b) that body has ceased to be a public body within the meaning of section 54 of the Act.

*Lack of declaration***Fire authority**

6. The public body was obliged by regulation 23 to consult the fire authority before giving the certificate, but the certificate does not contain a declaration that they have been consulted in accordance with that regulation.

GROUNDS FOR REJECTING A PUBLIC BODY'S FINAL CERTIFICATE

*Deficiencies in form and information***Form**

1. The certificate is not in the prescribed form.

Work

2. The certificate does not describe the work to which it relates.

*Absence of power to give certificate***Capacity of public body**

3. No public body's notice was in force with respect to the work described in the certificate at the time the certificate was given.

No proper signature

4. A public body's notice was in force with respect to the work described in the certificate at the time when the certificate was given, but the certificate is not signed by or on behalf of the public body which gave that notice.

*Lack of declaration***Fire authority**

5. The public body was obliged by regulation 23 to consult the fire authority before giving the certificate, but the certificate does not contain a declaration that they were consulted in accordance with that regulation.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Building Act 1984 (“the Act”). They revoke and replace with amendments the Building (Approved Inspectors etc.) Regulations 1985 (“the 1985 Regulations”) and consolidate all subsequent amendments to those Regulations.

The Regulations for the most part carry forward the provisions of the 1985 Regulations, as successively amended, with minor alterations to clarify the sense. Additional or revised requirements are introduced by regulations 12 and 13 (see below).

These Regulations are principally concerned with the inspection of plans and of building work. The Act provides that the responsibility for inspecting plans and building work for compliance with building regulations may, at the option of the person intending to carry out the work, be given to an approved inspector instead of to the local authority. The Act further provides that approved public bodies may supervise their own work.

Regulation 1 revokes the Regulations specified in Schedule 1.

Regulation 2 contains definitions used in these Regulations.

Regulations 3 to 7 deal with the procedures for approving inspectors. Regulation 3 sets out the information to be provided by those wishing to become approved inspectors. Regulation 4 provides for the Secretary of State to designate bodies to approve inspectors. Regulation 6 provides for the termination of approvals and designations. Regulation 7 provides for the Secretary of State to maintain lists of designated bodies and of inspectors approved by him; and for designated bodies to maintain lists of inspectors approved by them. Local authorities are to be given information about designated bodies and approved inspectors.

Regulations 8(1), 9(1), 14 and 17(1) and Schedule 2 (forms 1 to 5) prescribe the forms of various notices and certificates to be given where an approved inspector supervises building work.

Regulations 8(3), 9(3), 15(1), 15(2) and 17(1) and Schedules 3 to 5 prescribe the grounds on which approved inspectors’ notices and certificates are to be rejected.

Regulation 10 requires that approved inspectors have no professional or financial interest in the work that they supervise unless it is minor work.

Regulation 11 specifies the functions of approved inspectors when supervising building work.

Regulation 12 requires the calculation of an energy rating for a new dwelling where the work is being supervised by an approved inspector. It corresponds to regulation 16 of the Building Regulations 2000, which does not apply in cases where work is being so supervised. Regulation 12 requires notification of the energy rating to the approved inspector. Regulation 12 further requires the posting in the dwelling of a notice of that rating, or, in certain circumstances, the giving of a notice of that rating to the occupier of the dwelling—these requirements are additional to those arising under the equivalent provisions in the 1985 Regulations, as amended, i.e. those in regulation 10A, introduced by S.I. 1995/1387.

Regulation 13 specifies the consultations to take place between an approved inspector and the fire authority. The requirements of regulation 13 differ from those of the corresponding provisions of the 1985 Regulations, i.e. those in regulation 11 of those Regulations. This is to align the requirements for consultation more closely with those applicable to local authorities under section 16 of the Fire Precautions Act 1971.

Regulations 16, 18 and 19 deal with the consequences of the cessation and cancellation of an initial notice. Schedule 2 (forms 6 to 8) prescribes the cancellation notices.

Regulation 20 provides for the position where an initial notice ceases to be in force and the local authority’s powers to supervise the building work are consequently revived.

Regulations 21 to 28, Schedule 2 (forms 9 to 12) and Schedules 6 to 8 are concerned with public bodies and their supervision of their own work. These provisions are generally comparable to those relating to approved inspectors.

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Regulation 29 is concerned with the approval of persons to certify under section 16(9) of the Act plans deposited with the local authority. They adapt certain provisions of the Regulations applying to approved inspectors. No form of certificate is prescribed.

Regulation 30 is a general provision. Local authorities are to keep registers of all notices provided for in these Regulations that are in force and of all certificates that they have accepted in accordance with these Regulations.

Regulation 31 provides that these Regulations, except regulations 12 and 20, are designated as a provision to which section 35 of the Act does not apply; accordingly, contravention of regulation 12 or regulation 20 is an offence.

Regulation 32 sets out the transitional provisions that apply to these Regulations.

A Regulatory Impact Assessment has been prepared for the new and expanded requirements contained in regulations 12 and 13. A copy may be obtained from Building Regulations Division, DETR, Zone 3/A1, Eland House, Bressenden Place, London, SW1E 5DU (Tel: 020 7944 5753; Fax: 020 7944 5739; E-mail: bregsa.br@detr.gov.uk).

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