
EXPLANATORY NOTE

(This note is not part of the Order)

This Order facilitates the use of electronic communications for the service of a document required or authorised as part of the building control process and specified in articles 2, 3 and 4.

Article 2 inserts a new section 94A into the Building Act 1984. Subsection (1) of that section provides that the section applies to a document of a kind mentioned in subsection (7) which section 94 authorises the giving or serving on a person by one of the methods set out in section 94. Subsection (2) provides that transmission of the document electronically to that person has the effect of delivery for the purposes of section 94 if the conditions in subsection (3) of section 94A are met. Subsection (8) defines for the purposes of section 94A “electronic address”, “electronic communication” and “specified”.

Article 3 inserts a new regulation 22B into the Building Regulations 2000. Paragraph (1) of that new regulation lists documents in those Regulations which may be electronically delivered and have effect under section 94A. Paragraph (2) of regulation 22B provides that where plans are sent electronically there is no requirement for additional copies to be provided as required by regulation 14(2).

Article 4 inserts a new regulation 31A into the Building (Approved Inspectors etc.) Regulations 2000. That new regulation lists documents in those Regulations which may be electronically delivered and have effect under section 94A.

An Impact Assessment has been delivered in relation to this Order. It has been placed in the Library of each House of Parliament and copies may be obtained from the Department for Communities and Local Government, Sustainable Buildings Division, Eland House, Bressenden Place, London SW1E 5DU.