
STATUTORY INSTRUMENTS

2023 No. 753

**The Building Safety (Responsible Actors
Scheme and Prohibitions) Regulations 2023**

PART 3

Planning and Building Control Prohibitions

CHAPTER 3

Building Control Prohibitions

[^{F1}Exception to building control prohibition: emergency repair work to existing HRB

34A.—(1) Where an applicable person proposes to carry out work to existing HRB which consists of emergency repairs then—

- (a) the provision by them of a notice under regulation 10(1)(a) (notification of emergency repairs to existing HRB) of the Building (Higher-Risk Buildings Procedures) (England) Regulations 2023, and
- (b) an application for a certificate in relation to that work under regulation 47 (regularisation of unauthorised building work) of those Regulations,

are not to be treated as a breach of the building control prohibition.

(2) Where paragraph (1) applies, the regulator is not prohibited from giving the applicable person a certificate under regulation 47 (regularisation of unauthorised building work) of the Building (Higher-Risk Buildings Procedures) (England) Regulations 2023.

(3) In this regulation—

“emergency repairs” has the meaning given in regulation 10(2) of the Building (Higher-Risk Buildings Procedures) (England) Regulations 2023;

“the regulator” has the meaning in section 126 of the Building Act 1984;

“work to existing HRB” has the meaning given in regulation 2 of the Building (Higher-Risk Buildings Procedures) (England) Regulations 2023.]

Textual Amendments

F1 Reg. 34A inserted (1.10.2023) by [The Building \(Higher-Risk Buildings Procedures\) \(England\) Regulations 2023 \(S.I. 2023/909\)](#), regs. 1(1), **65(3)** (with Sch. 3 Pt. 1)

Changes to legislation:

There are currently no known outstanding effects for the The Building Safety (Responsible Actors Scheme and Prohibitions) Regulations 2023, Section 34A.