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STATUTORY INSTRUMENTS

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**2023 No. 908**

**The Building Safety Act 2022 (Consequential Amendments etc.) Regulations 2023**

**Amendments to the London Building Acts (Amendment) Act 1939**

- 2.—(1) The London Building Acts (Amendment) Act 1939(1) is amended as follows.
- (2) In section 4(1) (interpretation)—
- (i) omit the definition of “notice is given or plans are deposited”;
- (ii) insert the following definition in the appropriate place—
- ““notice is given or application for building control approval is made” means a building notice is given or an application for building control approval is made under regulation 12 of the Building Regulations 2010 or an initial notice or public body’s notice is given under sections 47(1) or 54(1) of the Building Act 1984.”.
- (3) In section 82 (duties of district surveyor)—
- (a) in subsection (2)(a), for “notice is given or plans are deposited” substitute “notice is given or application for building control approval is made”;
- (b) in subsection (2)(b), for “notice has not been given or plans have not been deposited” substitute “notice has not been given or application for building control approval has not been made”.
- (4) In section 87(1) (service of notice of objection)—
- (a) for “notice is given or plans are deposited” substitute “notice is given or application for building control approval is made”;
- (b) for “those plans” substitute “that application”;
- (c) for “a court of summary jurisdiction who” substitute “the First-tier Tribunal which”.
- (5) In section 88(b) (service of notice of irregularity) for “notice has not been given or plans have not been deposited” substitute “notice has not been given or application for building control approval has not been made”.
- (6) In section 89(2) (notice of irregularity after completion of building work &c.) for “notice has not been given and plans have not been deposited” substitute “notice has not been given and application for building control approval has not been made”.