
STATUTORY INSTRUMENTS

2023 No. 909

**The Building (Higher-Risk Buildings
Procedures) (England) Regulations 2023**

PART 7

Miscellaneous

Requirement for completion certificate before occupation and transitional cases

58.—(1) Each of the following is prescribed as a completion certificate for the purposes of section 76(5) of the 2022 Act—

- (a) a completion certificate issued under regulation 44 (completion certificate applications: decisions);
- (b) a partial completion certificate issued under regulation 45 (partial completion certificates).

(2) For type A transitional work each of the following is also prescribed as a completion certificate for the purposes of section 76(5) of the 2022 Act—

- (a) a completion certificate issued under regulation 17 of the 2010 Regulations;
- (b) a partial completion certificate issued under regulation 17A of the 2010 Regulations;
- (c) a final certificate given by an approved inspector to a local authority in accordance with the Building (Approved Inspectors etc.) Regulations 2010⁽¹⁾ and not rejected by the authority.

(3) For type B transitional work each of the following is also prescribed as a completion certificate for the purposes of section 76(5) of the 2022 Act—

- (a) a transfer and completion certificate provided for by the modifications in paragraph 5(9), 10(4), or, as the case may be, 11(4) of Schedule 3;
- (b) a transfer and partial completion certificate provided for by the modifications in the paragraph 5(9), 10(4), or, as the case may be, 11(4) of Schedule 3;
- (c) a final certificate given by an approved inspector to a local authority in accordance with the Building (Approved Inspectors etc.) Regulations 2010 and not rejected by the authority.

(4) In this regulation—

“type A transitional work” means work of a kind referred to in section 76(1) of the 2022 Act which is—

- (a) completed before 1st October 2023 but occupied on or after that date,
- (b) completed before 6th April 2024 and paragraph 1 of Schedule 3 (transitional provisions) applied to the work but paragraphs 3 and 4 of that Schedule did not apply, or
- (c) completed on or after 6th April 2024 and paragraph 7 of Schedule 3 applied to the work;

(1) [S.I. 2010/2215](#) as amended by [S.I. 2012/3119](#), [S.I. 2013/1959](#), [S.I. 2014/579](#), [S.I. 2015/767](#), [S.I. 2016/285](#), [S.I. 2021/1391](#), [S.I. 2021/1392](#), [S.I. 2022/717](#), [S.I. 2022/984](#) and [S.I. 2023/520](#). There are other amendments not relevant to this instrument.

“type B transitional work” means work of a kind referred to in section 76(1) of the 2022 Act which is completed on or after 6th April 2024 and paragraph 5, 10 or 11 of Schedule 3 (transitional provisions) applies.