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STATUTORY INSTRUMENTS

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**2024 No. 110**

**The Building (Registered Building Control Approvers etc.) (England) Regulations 2024**

**PART 8**

Miscellaneous

**Transitional provisions: approved inspectors who became approvers**

**44.**—(1) Subject to paragraph (6), this regulation applies where an approved inspector who gave an initial notice before 6th April 2024 has become a suitably qualified approver in relation to the work described in that notice before that date.

(2) Where this regulation applies then with effect from 6th April 2024 any initial notice given by the approved inspector before 6th April 2024 is to be treated as if it were given instead by that person in their capacity as an approver and these Regulations apply with the modifications in paragraph (3) in relation to that person in undertaking functions in relation to the work described in the initial notice.

(3) The modifications referred to in paragraph (2) are that these Regulations have effect as if—

(a) in regulation 4 (functions of approvers), paragraph (4)(a)(iv) (Part 2A) were omitted;

(b) in relation to any pre-1st October 2023 work—

(i) regulations 15 to 18 were omitted;

(ii) where an amendment notice is given by the approver to vary the work described in the initial notice referred to in paragraph (1), in paragraph 4 of form 2 (amendment notice) in Schedule 1, sub-paragraph (g) were omitted;

(iii) where a final certificate is given by the approver in relation to the work described in the initial notice referred to in paragraph (1), [F]paragraphs 10 and 11] of form 5 (final certificates) in Schedule 1 were omitted.

(4) Subject to paragraph (5), for the purposes of this regulation, an approver is suitably qualified in relation to the work described in the initial notice referred to if the building work is of a type within the scope of the registration of the registered building control approver.

(5) Where an approver is suitably qualified in relation to some of the work described in an initial notice then paragraph (2) has effect in relation only to the part of the building work within the scope of the registration and they continue to be treated as an approved inspector, and regulation 45 (transitional provisions: approved inspectors who did not become approvers) applies, in relation to the other part of the work described in the initial notice.

(6) This regulation does not apply to higher-risk building work(1).

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(1) See the definition of “higher-risk building work” in section 91ZA of the Building Act 1984, which was inserted by section 32 of the Building Safety Act 2022.

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**Changes to legislation:** There are currently no known outstanding effects for the *The Building (Registered Building Control Approvers etc.) (England) Regulations 2024, Section 44.* (See end of Document for details)

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**Textual Amendments**

- F1** Words in [reg. 44\(3\)\(b\)\(iii\)](#) substituted (6.4.2024) by [The Building \(Registered Building Control Approvers etc.\) \(England\) \(Amendment\) Regulations 2024 \(S.I. 2024/474\)](#), regs. 1(2), **2(5)**
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**Commencement Information**

- I1** [Reg. 44](#) in force at 6.4.2024, see [reg. 1\(3\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Building (Registered Building Control Approvers etc.) (England) Regulations 2024, Section 44.