
STATUTORY INSTRUMENTS

2024 No. 110

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

PART 2

Registered building control approvers

Modifications of 2010 Regulations etc.

5.—(1) The 2010 Regulations apply with the modifications in paragraphs (2) to (11).

(2) Subject to paragraph (3), regulations 20 (provisions applicable to self-certification schemes), 20A (provisions applicable to third party certification schemes), 25A (consideration of high-efficiency alternative systems for new buildings), 42 (mechanical ventilation air flow rate testing) and 43 (pressure testing) apply in relation to building work which is the subject of an initial notice as if references to the building control authority were references to the approver.

(3) The modification in paragraph (2) does not apply to the reference to building control authority in regulation 20(6A), 20A(7A), 25A(3A), 42(4) or 43(6).

(4) Regulation 27 (CO₂ emission rate calculations) applies in relation to building work which is the subject of an initial notice as if—

- (a) references to the building control authority, except in regulation 27(4A), were references to the approver, and
- (b) in paragraph (3), after “work has been completed,” there were inserted “or, if earlier, the date on which, in accordance with regulation 19 (events causing initial notice to cease to be in force) of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024, the initial notice ceases to be in force”.

(5) Regulation 27A (fabric energy efficiency rate calculations) applies in relation to building work which is the subject of an initial notice as if—

- (a) references to the building control authority, except in regulation 27A(4A), were references to the approver, and
- (b) in paragraph (3), after “work has been completed,” there were inserted “or, if earlier, the date on which, in accordance with regulation 19 (events causing initial notice to cease to be in force) of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024, the initial notice ceases to be in force”.

(6) Regulation 27C (target primary energy rate calculations for new buildings) applies in relation to building work which is the subject of an initial notice as if—

- (a) references to the building control authority, except in regulation 27C(4A), were references to the approver, and
- (b) in paragraph (3), after “work has been completed,” there were inserted “or, if earlier, the date on which, in accordance with regulation 19 (events causing initial notice to cease

to be in force) of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024, the initial notice ceases to be in force”.

(7) Regulation 37 (wholesome water consumption calculation) applies in relation to building work which is the subject of an initial notice as if—

- (a) references to the building control authority, except in regulation 37(3), were references to the approver, and
- (b) in paragraph (2), after “work has been completed” there were inserted “, or, if earlier, the date on which, in accordance with regulation 19 (events causing initial notice to cease to be in force) of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024, the initial notice ceases to be in force”.

(8) Regulation 38 (fire safety information) applies in relation to building work which is the subject of an initial notice as if—

- (a) references to the relevant authority were references to the approver, and
- (b) for paragraph (2) there were substituted—
 - “(2) The person carrying out the work must give the fire safety information to the responsible person no later than—
 - (a) the date of completion of the work to which the initial notice relates;
 - (b) the date of occupation of the building or extension;
 - (c) the date on which, in accordance with regulation 19 (events causing initial notice to cease to be in force) of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024, the initial notice ceases to be in force,whichever is the earlier.”.

(9) Regulation 41 (sound insulation testing) applies in relation to building work which is the subject of an initial notice as if—

- (a) references to the building control authority, except in regulation 41(3A), were references to the approver, and
- (b) for paragraph (3)(b) there were substituted—
 - “(b) given to the registered building control approver in accordance with paragraph (2)(b) not later than five days after completion of the work to which the initial notice relates.”;
- (c) in paragraph (4), for “regulation 16(1)” there were substituted “regulation 15(1) (notice before starting work) of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024,”.

(10) Regulation 44 (commissioning) applies in relation to building work which is the subject of an initial notice as if—

- (a) references to the building control authority, except in regulation 44(5), were references to the approver, and
- (b) for paragraph (4) there were substituted—
 - “(4) The notice must be given to the registered building control approver—
 - (a) subject to sub-paragraphs (b) and (c), not later than five days after completion of the work to which the initial notice relates;
 - (b) where regulation 19 (events causing initial notice to cease to be in force) of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024 applies, not later than the date on which the initial notice ceases to be in force or, if earlier, the end of the period referred to in sub-paragraph (a);

- (c) where regulation 20 (provisions applicable to self-certification schemes) applies by virtue of regulation 4 (functions of approvers) of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024, not later than the date on which the notice or certificate required by regulation 20 must be given.”.
- (11) Regulation 44ZA (commissioning in respect of a system for on-site electricity generation) applies in relation to building work which is the subject of an initial notice as if—
- (a) references to the building control authority, except in regulation 44ZA(4), were references to the approver, and
 - (b) for paragraph (3) there were substituted—
 - “(3) The notice must be given to the registered building control approver—
 - (a) subject to sub-paragraphs (b) and (c), not later than five days after completion of the work to which the initial notice relates;
 - (b) where regulation 19 (events causing initial notice to cease to be in force) of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024 applies, not later than the date on which the initial notice ceases to be in force or, if earlier, the end of the period referred to in sub-paragraph (a);
 - (c) where regulation 20 (provisions applicable to self-certification schemes) applies by virtue of regulation 4 (functions of approvers) of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024, not later than the date on which the notice or certificate required by regulation 20 must be given.”.
- (12) Regulation 7A of the Energy Performance of Buildings (England and Wales) Regulations 2012 applies in relation to building work which is the subject of an initial notice as if—
- (a) references to the local authority were references to the approver, and
 - (b) in paragraph (3), after “work has been completed” there were inserted “, or, if earlier, the date on which, in accordance with regulation 19 (events causing initial notice to cease to be in force) of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024, the initial notice ceases to be in force.”.