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STATUTORY INSTRUMENTS

2024 No. 474

BUILDING AND BUILDINGS, ENGLAND

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

Made - - - - at 1.25 p.m. on 5th April 2024

Laid before Parliament at 2.50 p.m. on 5th April 2024

Coming into force

*Regulations 1 and 2(1) and (5) to
(7)* 6th April 2024

Regulation 2(2) to (4) 30th April 2024

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 1(1), 47(1) 50(6), 51(1) and (2), 53D(5) and 58Z4(5) of, and paragraphs 1A and 10 of Schedule 1 to, the Building Act 1984(a).

In accordance with section 120B(3) of the Building Act 1984(b) the Secretary of State has consulted the Health and Safety Executive and such persons as the Secretary of State considers appropriate.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Building (Registered Building Control Approvers etc.) (England) (Amendment) Regulations 2024.

(2) These Regulations come into force on 6th April 2024 subject to paragraph (3).

(3) Paragraphs (2) to (4) of regulation 2 come into force on 30th April 2024.

(4) These Regulations extend to England and Wales.

(a) 1984 c. 55. Section 1 was amended by section 1 of the Sustainable and Secure Buildings Act 2004 (c. 22) (“the 2004 Act”) and by paragraph 2 of Schedule 5 to the Building Safety Act 2022 (c. 30) (“the 2022 Act”). See section 126 of the Building Act 1984 (as amended by paragraph 81 of Schedule 5 to the 2022 Act) for the meaning of “appropriate national authority” in section 1. Section 47(1) was amended by section 8 of the 2004 Act, S.I. 1996/1905 and sections 43, 46 and 48 of and Schedule 4 to the 2022 Act. The amendments made by section 43 of and Schedule 4 to the 2022 come into force on 6th April 2024. Section 51(1) was substituted by S.I. 1996/1905 and was amended by paragraph 7 of Schedule 4 to the 2022 Act. Section 53D was inserted by section 51 of the 2022 Act. Section 58Z4 was inserted by section 42 of the 2022 Act. See section 126 of the Building Act 1984 for the meaning of “prescribed” and section 1(2) for the meaning of “building regulations”. Paragraph 1A of Schedule 1 was inserted by section 33 of the 2022 Act. Paragraph 10 of Schedule 1 was substituted by paragraph 83(8) of Schedule 5 to the 2022 Act.

(b) Section 120B was inserted by paragraph 77 of Schedule 5 to the 2022 Act. See the definition of “the regulator” at section 126 of the Building Act 1984, by virtue of which the Health and Safety Executive is the regulator.

Amendment of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024

2.—(1) The Building (Registered Building Control Approvers etc.) (England) Regulations 2024^(a) are amended as follows.

(2) In regulation 4(2)(a)(xviii) after “calculation” insert “)”.

(3) In regulation 27(2)(a) for “relate” substitute “relates”.

(4) In regulation 32 (notices to local authorities on disciplinary matters in relation to approvers) for paragraph (3) substitute—

“(3) For the purposes of section 58Z4(5) of the 1984 Act, the following cases are prescribed—

(a) any improvement notice given to a registered building control approver;

(b) where such a notice order is revoked.”.

(5) In regulation 44 (transitional provisions: approved inspectors who became approvers), in paragraph (3)(b)(iii), for “paragraphs 11 and 12” substitute “paragraphs 10 and 11”.

(6) In regulation 46 (transitional provisions: higher-risk building work regarded as sufficiently progressed), in paragraph (4)(f)(iii) for “paragraphs 11, 12 and 14” substitute “paragraphs 10, 11 and 13”.

(7) In Schedule 4 (grounds for rejecting a final certificate) omit paragraph 6 (no plans certificate).

Lee Rowley

Minister of State

at 1.25 p.m. on 5th April 2024

Department for Levelling Up, Housing and Communities

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make miscellaneous corrections to the Building (Registered Building Control Approvers etc.) (England) Regulations 2024 (S.I. 2024/110).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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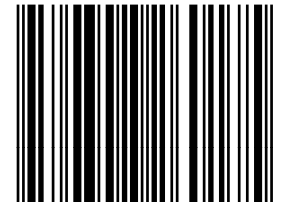
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