

The Building (Approved Inspectors etc.) Regulations 2000 (consolidated)(1)

PART 1

General

Citation, commencement and revocations

1. These Regulations may be cited as the Building (Approved Inspectors etc.) Regulations 2000 and shall come into force on 1st January 2001 on which date the regulations specified in Schedule 1 shall be revoked.

Interpretation

2.—(1) In these Regulations unless the context otherwise requires—

“the Act” means the Building Act 1984;

“building” means any permanent or temporary building but not any other kind of structure or erection, and a reference to a building includes a reference to part of a building;

“building work” has the meaning given in regulation 3(1) of the Principal Regulations;

“controlled service or fitting” means a service or fitting in relation to which Part G, H, J or L of Schedule 1 to the Principal Regulations imposes a requirement;

“day” means any period of 24 hours commencing at midnight and excludes any Saturday, Sunday, Bank holiday or public holiday;

“dwelling” includes a dwelling-house and a flat;

“dwelling-house” does not include a flat or a building containing a flat;

“energy rating” of a dwelling means a numerical indication of the overall energy efficiency of that dwelling obtained by the application of a procedure approved by the Secretary of State under regulation 16(2) of the Principal Regulations;

“flat” means separate and self-contained premises constructed or adapted for use for residential purposes and forming part of a building from some other part of which it is divided horizontally;

“material alteration” has the meaning given in regulation 3(2) of the Principal Regulations;

“material change of use” has the meaning given in regulation 5 of the Principal Regulations;

“the Principal Regulations” means the Building Regulations 2000.

(2) Where any regulation requires the use of a numbered form in Schedule 2, a form substantially to the like effect may be used.

(3) Any reference in these Regulations to the carrying out of work includes a reference to the making of a material change of use.

(4) Any reference in these Regulations to an initial notice (whether or not combined with a plans certificate) shall in an appropriate case be construed as a reference to that initial notice as amended by an amendment notice which has been accepted by a local authority.

(1) As amended by S.I. 2001/3336; 2002/2872; 2004/1466; 2004/3168; 2005/1541; 2005/2929; 2006/652; 2006/3318; 2007/991; 2007/3302; 2007/3384; 2008/2334; and 2008/2363.

PART 2

Grant and Withdrawal of Approval

Approval of inspectors

3.—(1) Where the Secretary of State has designated a body in accordance with regulation 4 (referred to in these Regulations as a “designated body”), a person seeking to be an approved inspector shall apply to a designated body giving particulars of—

- (a) in the case of a person other than a body corporate, his qualifications and experience; and
- (b) in the case of a body corporate, the number, qualifications and experience of the people to be employed in the discharge of its functions under these Regulations,

and the person shall answer any inquiries which that designated body makes about those matters.

(2) Where there is no designated body, a person seeking to be an approved inspector shall apply to the Secretary of State giving particulars of—

- (a) in the case of a person other than a body corporate, his qualifications and experience; and
- (b) in the case of a body corporate, the number, qualifications and experience of the people to be employed in the discharge of its functions under these Regulations,

and the person shall answer any inquiries which the Secretary of State makes about those matters.

Designation of bodies to approve inspectors

4. If it appears to the Secretary of State that a body might properly be designated as a body to approve inspectors he may, if the body consents, designate it for that purpose.

Manner of approval or designation

5. The approval of an inspector or the designation of a body to approve inspectors shall be given to that person or body by a notice in writing specifying any limitation on the approval or designation.

Termination of approval or designation

6.—(1) The approval of an inspector given by a designated body or by the Secretary of State shall cease to have effect at the end of a period of five years from the date on which it was given.

(2) The approval of an inspector may be withdrawn by a notice in writing given to the inspector by the person who approved him.

(3) The Secretary of State may withdraw the designation of a designated body by giving the body notice in writing, but—

- (a) such withdrawal shall not affect the operation of any subsisting approval given by the body, and
- (b) a subsisting approval may be withdrawn by the Secretary of State as if it had been given by him.

(4) Where an approved inspector is convicted of an offence under section 57 of the Act (false or misleading notices and certificates etc.), the person by whom the approval was given may on receipt of a certificate of the conviction forthwith withdraw the approval and no further approval shall be given to an approved inspector whose approval has been withdrawn for a period of five years beginning with the date of his conviction.

Lists of approvals and designations

7.—(1) The Secretary of State shall maintain—

- (a) a list of bodies which are for the time being designated by him for the purpose of approving inspectors, and

- (b) a list of inspectors for the time being approved by him.
- (2) The Secretary of State shall—
- (a) supply to every local authority in whose area these Regulations apply a copy of the first lists of approved inspectors and designated bodies prepared by him under this regulation; and
 - (b) notify every such local authority as soon as practicable of the withdrawal of any approval or designation and of any addition to the lists.
- (3) A designated body shall—
- (a) maintain a list of inspectors for the time being approved by it; and
 - (b) notify every local authority in whose area these Regulations apply as soon as practicable after withdrawing approval from any inspector.
- (4) Lists maintained under this regulation shall set out any limitation placed on the approval or designation of the persons or bodies listed and shall indicate the date on which each approval will expire.

PART 3

Supervision of Work by Approved Inspectors

Initial notice

- 8.**—(1) The prescribed form of an initial notice—
- (a) which is not combined with a plans certificate, shall be form 1 in Schedule 2; or
 - (b) which is combined with a plans certificate, shall be form 4 in Schedule 2.
- (2) An initial notice shall be accompanied by the plans and documents described in the relevant form prescribed by paragraph (1).
- (3) The grounds on which a local authority shall reject an initial notice are those prescribed in Schedule 3.
- (4) The period within which a local authority may give notice of rejection of an initial notice is five days beginning with the day on which the notice is given.

Amendment notice

- 9.**—(1) The prescribed form of an amendment notice shall be form 2 in Schedule 2.
- (2) An amendment notice shall be accompanied by the plans and documents described in the form prescribed by paragraph (1).
- (3) The grounds on which a local authority shall reject an amendment notice are those prescribed in paragraphs 1 to 11 of Schedule 3.
- (4) The period within which a local authority may give notice of rejection of an amendment notice is five days beginning with the day on which the notice is given.

Independence of approved inspectors

- 10.**—(1) For the purposes of this regulation “minor work” means—
- (a) the material alteration or extension of a dwelling-house which before the work is carried out has two storeys or less and which afterwards has no more than three storeys; or
 - (b) the provision, extension or material alteration of a controlled service or fitting in or in connection with any building; or
 - (c) work consisting of the underpinning of a building;

and for the purposes of this paragraph a basement is not to be regarded as a storey.

- (2) An approved inspector shall have no professional or financial interest in the work he supervises unless it is minor work.

(3) A person shall be regarded as having a professional or financial interest in the work described in any notice or certificate given under these Regulations if—

- (a) he is or has been responsible for the design or construction of any of the work in any capacity, or
- (b) he or any nominee of his is a member, officer or employee of a company or other body which has a professional or financial interest in the work, or
- (c) he is a partner or is in the employment of a person who has a professional or financial interest in the work.

(4) For the purposes of this regulation—

- (a) a person shall be treated as having a professional or financial interest in the work even if he has that interest only as trustee for the benefit of some other person,
- (b) in the case of married people living together, the interest of one spouse shall, if known to the other, be deemed to be also an interest of the other.

(5) For the purposes of this regulation—

- (a) involvement in the work as an approved inspector,
- (b) entitlement to any fee paid for his function as an approved inspector, and
- (c) potential liability to pay any sum if a claim is made under the insurance cover provided for the purposes of the Act,

shall not be regarded as constituting a professional or financial interest.

Functions of approved inspectors

11.—(1) Subject to paragraph (2), an approved inspector by whom an initial notice has been given shall, so long as the notice continues in force, take such steps (which may include the making of tests of building work and the taking of samples of material) as are reasonable to enable him to be satisfied within the limits of professional skill and care that—

- (a) regulations 4, 4A, 4B, 6, 7, 16B, 17C and 17D of the Principal Regulations are complied with,
- (b) . . . and
- (c) the requirements of regulations 12, 12A, 12B, 12C and 12D of these Regulations are complied with.

(2) In a case where any requirement of Part L of Schedule 1 to the Principal Regulations is to be complied with by the insertion of insulating material into the cavity in a wall after that wall has been constructed, the approved inspector need not supervise the insertion of the insulating material but shall state in the final certificate whether or not at the date of that certificate the material has been inserted.

(3) . . .

Provisions applicable to self certification schemes for building work

11A.—(1) This regulation applies to the extent that the building work consists only of work of a type described in column 1 of the Table in Schedule 2A to the Principal Regulations which is the subject of an initial notice, and the work is carried out by a person who is described in the corresponding entry in column 2 of that Table in respect of that type of work.

(2) Where this regulation applies, the approved inspector is authorised to accept, as evidence that the requirements of regulations 4 and 7 of the Principal Regulations have been satisfied, a certificate to that effect by the person carrying out the building work.

(3) Where this regulation applies, the person carrying out the work shall, not more than 30 days after completion of the work—

- (a) give to the occupier a copy of the certificate referred to in paragraph (2); and
- (b) give to the approved inspector—
 - (i) notice to that effect, or

(ii) the certificate referred to in paragraph (2).

(4) Paragraph (3) of this regulation does not apply where a person carries out the building work described in Schedule 2B to the Principal Regulations.

Energy performance certificates

12.—(1) This regulation applies where—

(a) a building is erected; or

(b) a building is altered so that it has a greater or fewer number of parts designed or altered for separate use than it previously had, where the modification includes the provision or extension of any of the fixed services for heating, hot water, air conditioning or mechanical ventilation,

and the building work in question is the subject of an initial notice.

(2) The person carrying out the work shall—

(a) give an energy performance certificate for the building to the owner of the building; and

(b) give notice to that effect, including the reference number under which the energy performance certificate has been registered in accordance with regulation 17F(4) of the principal regulations, to the approved inspector who gave the initial notice.

(3) The energy performance certificate and notice shall be given no later than—

(a) five days after the work has been completed; or

(b) the date on which, in accordance with regulation 18, the initial notice ceases to be in force, whichever is the earlier.

(4) The energy performance certificate must be accompanied by a recommendation report.

(5) In this regulation—

“energy performance certificate” means a certificate complying with regulation 17E(5) of the Principal Regulations; and

“recommendation report” means a report complying with regulation 17E(4) of those Regulations.

Sound insulation testing

12A.—(1) Subject to paragraph (4) below, this regulation applies to—

(a) building work in relation to which paragraph E1 of Schedule 1 to the Principal Regulations imposes a requirement; and

(b) work which is required to be carried out to a building to ensure that it complies with paragraph E1 of Schedule 1 to the Principal Regulations by virtue of regulation 6(1)(e) or 6(2)(b) of those Regulations,

which is the subject of an initial notice.

(2) Where this regulation applies, the person carrying out the work shall, for the purpose of ensuring compliance with paragraph E1 of Schedule 1—

(a) ensure that appropriate sound insulation testing is carried out in accordance with a procedure approved by the Secretary of State; and

(b) give a copy of the results of the testing referred to in sub-paragraph (a) to the approved inspector who gave the initial notice.

(3) The results of the testing referred to in paragraph (2)(a) shall be—

(a) recorded in a manner approved by the Secretary of State; and

(b) given to the approved inspector in accordance with paragraph (2)(b) not later than 5 days after completion of the work to which the initial notice relates.

(4) Where building work consists of the erection of a dwelling-house or a building containing flats, this regulation does not apply to any part of the building in relation to which the person

carrying out the building work notifies the approved inspector prior to commencement of the building work on site that, for the purpose of achieving compliance of the work with paragraph E1 of Schedule 1 to the principal Regulations, he is using one or more design details approved by Robust Details Limited, provided that—

- (a) the notification specifies—
 - (i) the part or parts of the building in respect of which he is using the design detail;
 - (ii) the design detail concerned; and
 - (iii) the unique number issued by Robust Details Limited in respect of the specified use of that design detail; and
- (b) the building work carried out in respect of the part or parts of the building identified in the notification is in accordance with the design detail specified in the notification.

Pressure testing

12B.—(1) This regulation applies to the erection of a building in relation to which paragraph L1(a)(i) of Schedule 1 to the Principal Regulations imposes a requirement, and which is the subject of an initial notice.

(2) Where this regulation applies, the person carrying out the work shall, for the purpose of ensuring compliance with regulation 17C of, and paragraph L1(a)(i) of Schedule 1 to, the Principal Regulations—

- (a) ensure that—
 - (i) pressure testing is carried out in such circumstances as are approved by the Secretary of State; and
 - (ii) the testing is carried out in accordance with a procedure approved by the Secretary of State; and
- (b) subject to paragraph (5), give notice of the results of the testing to the approved inspector who gave the initial notice.

(3) The notice referred to in paragraph (2)(b) shall—

- (a) record the results and the data upon which they are based in a manner approved by the Secretary of State; and
- (b) be given to the approved inspector not later than seven days after the final test is carried out.

(4) An approved inspector is authorised to accept, as evidence that the requirements of paragraph 2(a)(ii) have been satisfied, a certificate to that effect by a person who is registered by the British Institute of Non-destructive Testing in respect of pressure testing for the air tightness of buildings.

(5) Where such a certificate contains the information required by paragraph (3)(a), paragraph (2)(b) does not apply.

Commissioning

12C.—(1) This regulation applies to building work which is the subject of an initial notice, and in relation to which paragraph L1(b) of Schedule 1 to the Principal Regulations imposes a requirement, but does not apply to the provision or extension of any fixed building service where testing and adjustment is not possible or would not affect the energy efficiency of that fixed building service.

(2) Where this regulation applies the person carrying out the work shall, for the purpose of ensuring compliance with paragraph L1(b) of Schedule 1, give to the approved inspector a notice confirming that the fixed building services have been commissioned in accordance with a procedure approved by the Secretary of State.

(3) Subject to paragraphs (4) and (5), the notice shall be given to the approved inspector not later than five days after completion of the work to which the initial notice relates.

(4) Where regulation 11A applies, the notice shall be given not later than the date on which the notice or certificate required by that regulation must be given.

(5) Where regulation 18 applies, the notice shall be given 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 paragraph (3).

CO₂ emission rate calculations

12D.—(1) Subject to paragraph (4), where regulation 17C of the Principal Regulations applies to work which is the subject of an initial notice, the person carrying out the work shall give the inspector a notice which specifies—

- (a) the target CO₂ emission rate for the building; and
- (b) the calculated emission rate for the building as constructed.

(2) The notice shall be given to the approved inspector no later than—

- (a) five days after the work has been completed; or
- (b) the date on which, in accordance with regulation 18, the initial notice ceases to be in force, whichever is the earlier.

(3) An approved inspector is authorised to accept, as evidence that the requirements of regulation 17C would be satisfied if the building were constructed in accordance with an accompanying list of specifications, a certificate to that effect by an energy assessor as defined in regulation 17J of the principal regulations who is accredited to produce such certificates for that category of building.

(4) Where such a certificate is given to the approved inspector—

- (a) paragraph (1) does not apply; and
- (b) the person carrying out the work shall provide to the approved inspector not later than five days after the work has been completed; or the date on which, in accordance with regulation 18, the initial notice ceases to be in force, whichever is the earlier, a notice which—
 - (i) states whether the building has been constructed in accordance with the list of specifications which accompanied the certificate; and
 - (ii) if it has not, lists any changes to the specifications to which the building has been constructed.

Approved inspector's consultation with the fire and rescue authority

13.—(1) In this regulation—

- (a) . . .
- (b) a “relevant building” is a building or any part of it to which the Regulatory Reform (Fire Safety) Order 2005 applies, or will apply after the completion of building work;
- (c) a “relevant change of use” is a material change of use where, after the change of use takes place, the Regulatory Reform (Fire Safety) Order 2005 will apply, or continue to apply, to the building or any part of it;
- (d) a “relevant amendment notice” is an amendment notice where any of the work specified in the initial notice, as varied by the amendment notice, being work which could not have been carried out under the original notice (“additional work”), concerns the erection, extension or material alteration of a relevant building or is building work in connection with a relevant change of use of a building and Part B of Schedule 1 to the Principal Regulations imposes requirements in relation to the additional work.

(2) This regulation applies where an initial notice is to be given or has been given in relation to the erection, extension or material alteration of a relevant building or in relation to building work in connection with a relevant change of use of a building and Part B of Schedule 1 to the Principal Regulations imposes requirements in relation to the work.

(3) Where this regulation applies, the approved inspector shall consult the fire and rescue authority—

- (a) before or as soon as practicable after giving an initial notice in relation to the work;

- (b) before or as soon as practicable after giving a relevant amendment notice in relation to the work;
- (c) before giving a plans certificate (whether or not combined with an initial notice); and
- (d) before giving a final certificate.

(4) Where an approved inspector is required by paragraph (3) to consult the fire and rescue authority, he shall give to the fire and rescue authority—

- (a) in a case where he is consulting them in connection with an initial notice or an amendment notice, sufficient plans to show whether the work would, if carried out in accordance with those plans, comply with the applicable requirements of Part B of Schedule 1 to the Principal Regulations; and
- (b) in a case where he is consulting them in connection with the giving of a plans certificate, a copy of the plans in relation to which he intends to give the certificate.

(5) Where an approved inspector is required by paragraph (3) to consult the fire and rescue authority—

- (a) he shall have regard to any views they express; and
- (b) he shall not give a plans certificate or a final certificate until 15 days have elapsed from the date on which he consulted them, unless they have expressed their views to him before the expiry of that period.

(6) Where a local enactment would, if plans were deposited in accordance with building regulations, require the local authority to consult the fire and rescue authority before or during the carrying out of any work, the approved inspector shall consult the fire and rescue authority in a manner similar to that required by the enactment.

Approved inspector's consultation with the sewerage undertaker

13A.—(1) This regulation applies where an initial notice or amendment notice is to be given or has been given in respect of work in relation to which paragraph H4 of Schedule 1 to the Principal Regulations imposes requirements.

(2) Where this regulation applies, the approved inspector shall consult the sewerage undertaker—

- (a) before or as soon as practicable after giving an initial notice in relation to the work;
- (b) before or as soon as practicable after giving an amendment notice in relation to the work;
- (c) before giving a plans certificate (whether or not combined with an initial notice); and
- (d) before giving a final certificate.

(3) Where an approved inspector is required by paragraph (2) to consult the sewerage undertaker, he shall give to the sewerage undertaker—

- (a) in a case where he is consulting them in connection with an initial notice or an amendment notice, sufficient plans to show whether the work would, if carried out in accordance with those plans, comply with the applicable requirements of paragraph H4 of Schedule 1 to the Principal Regulations; and
- (b) in a case where he is consulting them in connection with the giving of a plans certificate, a copy of the plans in relation to which he intends to give the certificate.

(4) Where an approved inspector is required by paragraph (2) to consult the sewerage undertaker—

- (a) he shall have regard to any views they express; and
- (b) he shall not give a plans certificate or a final certificate until 15 days have elapsed from the date on which he consulted them, unless they have expressed their views to him before the expiry of that period.

PART 4

Plans Certificates

Form of plans certificate

- 14.** The prescribed form of a plans certificate—
- (a) which is not combined with an initial notice, shall be form 3 in Schedule 2; or
 - (b) which is combined with an initial notice, shall be form 4 in Schedule 2.

Grounds and period for rejecting plans certificate

15.—(1) The grounds on which a local authority shall reject a plans certificate which is not combined with an initial notice are those prescribed in Schedule 4.

(2) The grounds on which a local authority shall reject a plans certificate combined with an initial notice are those prescribed in Schedule 3 and Schedule 4.

(3) The period within which a local authority may give notice of rejection of a plans certificate (whether or not combined with an initial notice) is five days beginning on the day on which the certificate is given.

Effect of plans certificate

16. If an initial notice ceases to be in force as described in section 47(4)(b) of the Act (cancellation etc. of initial notice) and the conditions in section 53(2) of the Act (plans certificate given, accepted and not rescinded) are satisfied, the local authority may not—

- (a) give a notice under section 36(1) of the Act (removal or alteration of work which contravenes building regulations); or
- (b) institute proceedings under section 35 of the Act for a contravention of building regulations; in relation to any work described in the certificate which has been carried out in accordance with the plans to which the certificate relates.

PART 5

Final Certificates

Form, grounds and period for rejecting final certificate

17.—(1) The prescribed form of a final certificate shall be form 5 in Schedule 2 and the grounds on which a local authority shall reject a final certificate are those prescribed in Schedule 5.

(2) The period within which a local authority may give notice of rejection of a final certificate is ten days beginning with the day on which the certificate is given.

PART 6

Cessation of Effect of Initial Notice

Events causing initial notice to cease to be in force

18.—(1) Where a final certificate given in respect of work described in an initial notice is rejected, the initial notice shall cease to be in force in relation to the work described in the final certificate on the expiry of a period of four weeks beginning with the date on which notice of rejection is given.

(2) Where work described in an initial notice includes the erection, extension or material alteration of a building, and—

- (a) the building or, as the case may be, the extension or any part of the building which has been materially altered is occupied, and
- (b) no final certificate is given,

the initial notice shall cease to be in force in relation to the building, extension or part of a building which is occupied—

- (i) if the building is a relevant building as defined by regulation 13(1)(b), except where it contains only flats and common parts for those flats, on the expiry of a period of four weeks beginning with the date of occupation; and
- (ii) in any other case, on the expiry of a period of eight weeks beginning with the date of occupation.

(3) Where work described in an initial notice involves a material change of use of a building, and—

- (a) no final certificate is given, and
- (b) that change of use takes place,

the initial notice shall cease to be in force in relation to that change of use on the expiry of a period of eight weeks beginning with the date on which the change of use takes place.

(4) In any other case where no final certificate is given, an initial notice ceases to be in force on the expiry of a period of eight weeks beginning with the date on which the work described in the initial notice is substantially completed.

(5) An initial notice shall not cease to be in force by virtue of paragraph (2) because part of a building or extension is occupied if a final certificate has been accepted in respect of that part.

(6) A local authority may extend any period referred to in this regulation either before or after its expiry.

Cancellation of initial notice

19.—(1) Where an approved inspector is of the opinion that any of the work described in an initial notice which has been carried out contravenes any provision of building regulations, he may give notice in writing to the person carrying out the work specifying—

- (a) the requirement of building regulations which in his opinion has not been complied with, and
- (b) the location of the work which contravenes that requirement.

(2) A notice of contravention given in accordance with paragraph (1) shall inform the person carrying out the work that if within the prescribed period he has neither pulled down nor removed the work nor effected such alterations in it as may be necessary to make it comply with building regulations, the approved inspector will cancel the initial notice.

(3) The period within which the person carrying out the work is to remedy the contravention as described in paragraph (2) is three months beginning with the day on which the notice is given.

(4) Form 6 in Schedule 2 is the form of notice to be given by an approved inspector to cancel an initial notice in accordance with section 52(1) of the Act in circumstances referred to in section 52(2) of the Act; where notice of a contravention has been given under that subsection and no further initial notice relating to the work has been accepted, that notice shall specify the contravention.

(5) Form 7 in Schedule 2 is the form of notice to be given by a person carrying out or intending to carry out work to cancel an initial notice in accordance with section 52(3) of the Act.

(6) Form 8 in Schedule 2 is the form of notice to be given by the local authority to cancel an initial notice in accordance with section 52(5) of the Act.

Local authority powers in relation to partly completed work

20.—(1) This paragraph applies where—

- (a) any part of the work described in an initial notice has been carried out,

- (b) the initial notice has ceased to be in force, by reason of regulation 18 or has been cancelled by notice under section 52 of the Act, and
- (c) no other initial notice relating to that part of the work has been accepted.

(2) Where paragraph (1) applies, the owner shall—

- (a) on being given reasonable notice by the local authority, provide them with—
 - (i) sufficient plans of the work carried out, in respect of which no final certificate has been given, to show whether any part of that work would, if carried out in accordance with the plans, contravene any provision of the Principal Regulations, and
 - (ii) where a plans certificate was given and not rejected in respect of any such part of the work, a copy of the plans to which it relates; and
- (b) comply with any notice in writing from the local authority requiring him within a reasonable time to cut into, lay open or pull down so much of the work as prevents the local authority from ascertaining whether any work in relation to which there is no final certificate contravenes any requirement in the Principal Regulations.

(3) Where paragraph (1) applies and work in relation to a building has been begun but not completed, a person who intends to carry out further work in relation to the partly completed work shall give the local authority sufficient plans to show that the intended work will not contravene any requirement in the Principal Regulations, including such plans of any part of the work already carried out as may be necessary to show that the intended work can be carried out without contravening any such requirement.

(4) Plans given to a local authority in accordance with paragraph (3) are not to be regarded as plans deposited in accordance with building regulations.

PART 7

Public Bodies

Approval of public bodies

21.—(1) In England if it appears to the Secretary of State, or in Wales, if it appears to the National Assembly for Wales, that—

- (a) public bodies of a certain description should be enabled to supervise their own work under section 54 of the Act, or
- (b) that a public body should be approved for the purpose of so supervising its own work,

the Secretary of State or, as the case may be, the National Assembly for Wales, shall approve that description of body or, as the case may be, that body in writing and take such steps as appear to them appropriate to inform those local authorities and public bodies which will be affected by the giving of the approval.

(2) In England the Secretary of State, and in Wales, the National Assembly for Wales, may withdraw the approval by a notice in writing given to any public body affected, and shall take such steps as appears to them appropriate to inform local authorities of such withdrawal.

Public body's notice

22.—(1) The prescribed form of a public body's notice—

- (a) which is not combined with a public body's plans certificate, shall be form 9 in Schedule 2; or
- (b) which is combined with a public body's plans certificate, shall be form 11 in Schedule 2.

(2) A public body's notice shall be accompanied by the plans and documents described in the relevant form prescribed by paragraph (1).

(3) The grounds on which a local authority shall reject a public body's notice are those prescribed in Schedule 6.

(4) The period within which a local authority may give notice of rejection of a public body's notice is ten days beginning with the day on which the notice is given.

Public body's consultation with the fire authority

23. Regulation 13 applies where a public body's notice is given as it does where an initial notice is given; and for that purpose there shall be substituted for references in that regulation to an initial notice, a plans certificate and a final certificate respectively references to a public body's notice, a public body's plans certificate and a public body's final certificate.

Public body's consultation with the sewerage undertaker]

23A. Regulation 13A applies where a public body's notice is given as it does where an initial notice is given; and for that purpose there shall be substituted for references in that regulation to an initial notice, a plans certificate and a final certificate respectively references to a public body's notice, a public body's plans certificate and a public body's final certificate.

Public body's plans certificate

24. The prescribed form of a public body's plans certificate—

- (a) which is not combined with a public body's notice, shall be form 10 in Schedule 2; or
- (b) which is combined with a public body's notice, shall be form 11 in Schedule 2.

Grounds and period for rejecting public body's plans certificate

25.—(1) The grounds on which a local authority shall reject a public body's plans certificate are those prescribed in Schedule 7.

(2) The grounds on which a local authority shall reject a public body's plans certificate combined with a public body's notice are those prescribed in Schedule 6 and Schedule 7.

(3) The period within which a local authority may give notice of rejection of a public body's plans certificate or combined notice and certificate is ten days beginning on the day on which the certificate is given

Effect of public body's plans certificate

26. If a public body's notice ceases to be in force and the conditions in paragraph 4(2) of Schedule 4 to the Act (public body's plans certificate accepted and not rescinded) are satisfied, the local authority may not—

- (a) give a notice under section 36(1) of the Act (removal or alteration of work which contravenes building regulations); or
- (b) institute proceedings under section 35 of the Act for a contravention of building regulations;

in relation to any work which is described in the certificate and is carried out in accordance with the plans to which the certificate relates.

Public body's final certificate

27.—(1) The prescribed form of a public body's final certificate shall be form 12 in Schedule 2 and the grounds on which a local authority shall reject a final certificate are those prescribed in Schedule 8.

(2) The period within which a local authority may give notice of rejection of a public body's final certificate is ten days beginning with the day on which the certificate is given.

Events causing public body's notice to cease to be in force

28. Regulation 18 applies where a public body's notice is given as it does where an initial notice is given; and for that purpose there shall be substituted for references in that regulation to an initial

notice and a final certificate respectively references to a public body's notice and a public body's final certificate.

PART 8

Certificates Relating to Deposited Plans

Certificates given under section 16(9) of the Act

29.—(1) Regulations 3 to 7 shall apply in relation to—

- (a) the approval and the termination of approval of persons to certify plans in accordance with section 16(9) of the Act, and
- (b) the designation and the termination of designation of bodies to approve such persons,

as they do in relation to the approval of inspectors and the designation of bodies to approve inspectors respectively.

(2) Regulations 4 and 6 of the Principal Regulations are hereby prescribed for the purposes of section 16(9) of the Act insofar as either requires compliance with—

- (a) Part A (structure) of Schedule 1 to the Principal Regulations, and
- (b) Part L (conservation of fuel and power) of Schedule 1 to the Principal Regulations.

(3) Where deposited plans are accompanied by a certificate as mentioned in section 16(9) of the Act, the evidence of insurance required by that provision is a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the certificate which accompanies the plans.

(4) For the purposes of section 16(9) of the Act, the circumstances in which the local authority may reject deposited plans on the grounds referred to in section 16(9)(i) or (ii) are where—

- (a) the certificate states that the work shown in the plans complies with the requirements of Part A (structure) of Schedule 1 to the Principal Regulations;
- (b) paragraph A3 of that Schedule applies to the work shown in the plans; and
- (c) the certificate does not contain a declaration that the person giving the certificate does not, and will not until the work is complete, have a professional or financial interest in the work.

(5) The provisions of regulation 10(2) to (5) shall have effect for the purpose of determining whether a person has a professional or financial interest in the work shown in the plans as if references in those provisions to approved inspectors were references to persons approved for the purposes of section 16(9) of the Act.

PART 9

Registers

Register of notices and certificates

30.—(1) The register which local authorities shall keep under section 56 of the Act shall contain the information set out in paragraph (2) with respect to—

- (a) initial notices, amendment notices, notices under section 51C of the Act or public body's notices currently in force, and
- (b) certificates described in paragraph (3) which have been accepted or are presumed to have been accepted.

(2) The information to be registered is—

- (a) the description of the work to which the notice or certificate relates and of the location of the work;
- (b) the name and address of any person who signed the notice or certificate;

- (c) the name and address of the insurer who signed any declaration which accompanied the notice or certificate; and
- (d) the date on which the notice or certificate was accepted or was presumed to have been accepted.

(3) The certificates referred to in paragraph (1) are plans certificates, final certificates, public body's plans certificates, public body's final certificates and certificates given under section 16(9) of the Act.

(4) A register shall include an index for enabling a person to trace any entry in the register by reference to the address of the land to which the notice or certificate relates.

(5) The information prescribed in paragraph (2) shall be entered in the register as soon as practicable and in any event within 14 days of the occurrence to which it relates.

PART 10

Effect of Contravening Building Regulations

Contravention of certain regulations not to be an offence

31. Each of these Regulations, other than regulation 20, is designated as a provision to which section 35 of the Act (penalty for contravening building regulations) does not apply.

PART 11

Miscellaneous Provisions

Electronic service of documents

31A. Section 94A of the Act (electronic service of documents) shall have effect as if the following documents were documents mentioned in subsection (7) of that section—

- (a) a certificate under regulation 11A(2);
- (b) a notice under regulation 11A(3)(a);
- (c) an energy performance certificate under regulation 12(2)(a);
- (d) a notice under regulation 12(2)(b);
- (e) results of sound insulation testing under regulation 12A(2)(b);
- (f) a notice of the results of pressure testing under regulation 12B(2)(b);
- (g) a notice under regulation 12C(2);
- (h) a notice under regulation 12D(1) or (4)(b);
- (i) a notice under regulation 19(1);
- (j) a notice under regulation 20(2)(b).

Transitional provisions

32.—(1) Subject to paragraph (2), the Regulations specified in Schedule 1 shall continue to apply in relation to any building work as if these Regulations had not been made where—

- (a) before 1st January 2001 an initial notice, an amendment notice or a public body's notice has been given to a local authority; and
- (b) building work is carried out or is to be carried out on or after that date in accordance with any such notice.

(2) Where an initial notice given before 1st January 2001 is varied by an amendment notice given on or after that date, the Regulations specified in Schedule 1 shall continue to apply, as if these Regulations had not been made, in relation to so much of the building work as could have been carried out under that initial notice if the amendment notice had not been given.

SCHEDULE 1
REVOCATION OF REGULATIONS

Regulation 1

<i>Title</i>	<i>Reference</i>	<i>Extent of revocation</i>
The Building (Approved Inspectors etc.) Regulations 1985	SI 1985/1066	The whole of the regulations
The Building (Inner London) Regulations 1985	SI 1985/1936	In regulation 2(1) the words “the Building (Approved Inspectors etc) Regulations 1985” and paragraph 2 of Schedule 2
The Building (Inner London) Regulations 1987	SI 1987/798	In regulation 2(1) the words “the Building (Approved Inspectors etc) Regulations 1985” and paragraph 2 of Schedule 2
The Building (Amendment) Regulations 1989	SI 1989/1119	Regulation 3
The Building (Approved Inspectors etc.) (Amendment) Regulations 1992	SI 1992/740	The whole of the regulations
The Building (Approved Inspectors etc.) (Amendment) Regulations 1995	SI 1995/1387	The whole of the regulations
The Building (Approved Inspectors etc.) (Amendment) Regulations 1996	SI 1996/1906	The whole of the regulations
The Building (Approved Inspectors etc.) (Amendment) Regulations 1998	SI 1998/2332	The whole of the regulations

SCHEDULE 2

Regulations 8(1), 9(1), 14, 17(1), 19(4), (5) and (6), 22(1), 24 and 27(1)

FORMS

FORM 1

Section 47 of the Building Act 1984 (“The Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

INITIAL NOTICE

To: **(1)**

1. This notice relates to the following works: **(2)**

2. The approved inspector in relation to the work is: **(3)**

3. The person intending to carry out the work is: **(3)**

4. With this notice are the following documents, which are those relevant to the work described in this notice **(4)**

[(a) in the case of a notice given by an inspector approved following an application under regulation 3(1) of the 2000 Regulations, a copy of the notice of approval,]

(b) a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work described in the notice,

[(c) in the case of the erection or extension of a building, a plan to scale of not less than 1:1250 showing the boundaries and location of the site and (where the work includes the construction of a new drain or private sewer) a statement –

(i) as to the approximate location of any proposed connection to be made to a sewer, or

(ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer including the location of any septic tank and associated secondary treatment system, or any wastewater treatment system or any cesspool.

(iii)]

(d)

[(e) a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]

5. The work [is]/[is not] **(5)** minor work **(6)**.

6. [I **(7)** declare that I do not, and will not while this notice is in force, have any financial or professional interest **(8)** in the works described.] **(9)**

7. The approved inspector [will]/[will not] **(10)** be obliged to consult the fire and rescue authority by regulation 13 of the 2000 Regulations.

8. [I **(7)** undertake to consult the fire and rescue authority before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(9)**

8A. The approved inspector [will][will not] **(10A)** be obliged to consult the sewerage undertaker by regulation 13A of the 2000 Regulations.

[8B.—I (7) undertake to consult the sewerage undertaker before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.](9)

9. I (7) am aware of the obligations laid upon me by Part II of the Act and by regulation 11 of the 2000 Regulations.

Signed

Signed

Approved Inspector

Person intending to carry out the work

Date

Date

NOTES

(1) Name and address of local authority

(2) Location and description of the work, including the use of any building to which the work relates.

(3) Name and address.

(4) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in Schedule 3 to the 2000 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 4 of the notice relevant to the work described above should therefore be sent with this notice. Any sub-paragraph which does not apply should be deleted.

(5) Delete whichever does not apply.

(6) “Minor work” has the meaning given in regulation 10(1) of the 2000 Regulations. If the work is not minor work, the declaration in paragraph 6 must be made.

(7) Name of the approved inspector.

(8) “Professional or financial interest” has the meaning given in regulation 10 of the 2000 Regulations.

(9) Delete this statement if it does not apply.

(10) Delete whichever does not apply. If the inspector is obliged to consult the fire and rescue authority, the declaration in paragraph 8 must be made.

(10A) Delete whichever does not apply. If the inspector is obliged to consult the sewerage undertaker, the declaration in paragraph 8B must be made.

FORM 2

**Section 51A of the Building Act 1984 (“the Act”)
The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000
Regulations”)**

AMENDMENT NOTICE

To: **(1)**

1. This notice amends the initial notice a copy of which accompanies this notice.
2. This notice amends the work in the initial notice in the following manner: **(2)**
3. With this notice are the following documents, which are those relevant to the work described in this notice **(3)**:

(a) a copy of the original notice,

[**(b)** in the case of a notice given by an inspector approved following an application under regulation 3(1) of the 2000 Regulations, a copy of the notice of approval,]

(c) either:

(i) a statement to the effect that all plans submitted with the original notice remain unchanged; or

(ii) all amended plans are included with the notice with a statement to the effect that any plans not included remain unchanged, **(4)**

(d) a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work described in the notice,

[**(e)** in the case of the erection or extension of a building, a plan to a scale of not less than 1:1250 showing the boundaries and location of the site and (where the work includes the construction of a new drain or private sewer) a statement

–

(i) as to the approximate location of any proposed connection to be made to a sewer, or

(ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer, including the location of any septic tank and associated secondary treatment system, or any wastewater treatment system or any cesspool.

(iii)]

(f)...

[(g) a statement of any local enactment relevant to the work, and of the steps taken to comply with it.]

4. The work [is]/[is not] (4) minor work (5).

[5. I (6) declare that I do not, and will not while this notice is in force, have any financial or professional interest (7) in the work described.] (8)

[6. I (6) am satisfied that plans relating to the work described above have been submitted to me, and that they neither are defective nor show work which, if carried out in accordance with them, would contravene any provision of building regulations.] (8)

7. The approved inspector [will]/[will not] (9) be obliged to consult the fire and rescue authority by regulation 13 of the 2000 Regulations.

[8. I (6) undertake to consult the fire and rescue authority before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] (8)

8A. The approved inspector [will]/[will not] (9A) be obliged to consult the sewerage undertaker by regulation 13A of the 2000 Regulations.

[8B.—I (6) undertake to consult the sewerage undertaker before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.](8)

9. I (6) am aware of the obligations laid upon me by Part II of the Act and by regulation 11 of the 2000 Regulations.

Signed

Signed

Approved Inspector

Person intending to carry out the work

Date

Date

NOTES

- (1) Name and address of local authority.
- (2) Location and/or description of the new work in the amendment notice and how it amends the work mentioned in the initial notice including the use of any building to which the new work relates.
- (3) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in paragraphs 1 to 11 of Schedule 3 to the 2000 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 3 of the notice relevant to the work described above should therefore be sent with this notice. Any sub-paragraph which does not apply should be deleted.

- (4) Delete whichever does not apply.
- (5) “Minor work” has the meaning given in regulation 10(1) of the 2000 Regulations. If the work is not minor work, the declaration in paragraph 5 must be made.
- (6) Name of the approved inspector.
- (7) “Professional or financial interest” has the meaning given in regulation 10 of the 2000 Regulations.
- (8) Delete this statement if it does not apply.
- (9) Delete whichever does not apply. If the inspector is obliged to consult the fire and rescue authority, the declaration in paragraph 8 must be made.
- (9A) Delete whichever does not apply. If the inspector is obliged to consult the sewerage undertaker, the declaration in paragraph 8B must be made.

FORM 3

Section 50 of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

PLANS CERTIFICATE

1. This certificate relates to the following work: (1)
2. I am an approved inspector for the purposes of Part II of the Act and the above work is [the whole]/[part] (2) of the work described in an initial notice given by me and dated (3).
3. With this certificate is the declaration, signed by the insurer, that a named scheme of insurance approved by the Secretary of State applies in relation to the work to which the certificate relates.
4. Plans of the work specified above have been submitted to me and I am satisfied that the plans neither are defective nor show that work carried out in accordance with them would contravene any provision of building regulations.
5. The work [is]/[is not] (2) minor work. (4)
- [6. I declare that I have had no financial or professional interest (5) in the work described since giving the initial notice described in paragraph 2.] (6)
- [7. I have consulted the fire and rescue authority in accordance with regulation 13.] (6)

[7A. I have consulted the sewerage undertaker in accordance with regulation 13A.](6)

8. The plans to which this certificate relates bear the following date and reference number: (7)

Signed

Approved Inspector

Date

NOTES

- (1) Location and description of the work, including the use of any building to which the work relates.
- (2) Delete whichever does not apply.
- (3) Insert date.
- (4) “Minor work” has the meaning given in regulation 10(1) of the 2000 Regulations. If the work is not minor work, the declaration in paragraph 6 must be made.
- (5) “Professional or financial interest” has the meaning given in regulation 10 of the 2000 Regulations.
- (6) Delete this statement if it does not apply.
- (7) Insert the date and reference number.

FORM 4

Sections 47 and 50 of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

COMBINED INITIAL NOTICE AND PLANS CERTIFICATE

To: (1)

1. This notice relates to the following work: (2)
2. The approved inspector in relation to the work is: (3)
3. The person intending to carry out the work is: (3)

4. With this notice are the following documents, which are those relevant to the work described in this notice **(4)**:

[(a) in the case of a notice given by an inspector approved following an application under regulation 3(1) of the 2000 Regulations, a copy of the notice of approval,]

(b) a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work described in the notice,

[(c) in the case of the erection or extension of a building, a plan to a scale of not less than 1:1250 showing the boundaries and location of the site and (where the work includes the construction of a new drain or private sewer) a statement—

(i) as to the approximate location of any proposed connection to be made to a sewer, or

(ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer, including the location of any septic tank and associated secondary treatment system, or any wastewater treatment system or any cesspool.

(iii)]

(d)

[(e) a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]

5. The work [is]/[is not] **(5)** minor work **(6)**.

[6. I **(7)** declare that I do not, and will not while this notice is in force, have any financial or professional interest **(8)** in the work described.] **(9)**

7. I **(7)** am satisfied that plans relating to the work described above have been submitted to me, and that they neither are defective nor show work which, if carried out in accordance with them, would contravene any provision of building regulations.

8. The approved inspector [is]/[is not] **(10)** obliged to consult the fire and rescue authority by regulation 13 of the 2000 Regulations.

[9. I **(7)** have consulted the fire and rescue authority in accordance with regulation 13.] **(9)**

[10. [I **(7)** undertake to consult the fire and rescue authority before giving a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(9)**

10A. The approved inspector [is]/[is not] **(10A)** obliged to consult the sewerage undertaker by regulation 13A of the 2000 Regulations.

[10B. I (7) have consulted the sewerage undertaker in accordance with regulation 13A.](9)

[10C. I (7) undertake to consult the sewerage undertaker before giving a final certificate in accordance with section 51 of the Act in respect of any of the work described above.](9)

11. The plans to which this certificate relates bear the following date and reference number. (11)

12. I (7) am aware of the obligations laid upon me by Part II of the Act and by regulation 11 of the 2000 Regulations.

Signed

Signed

Approved Inspector

Person intending to carry out the work

Date

Date

NOTES

- (1) Name and address of local authority.
- (2) Location and description of the work, including the use of any building to which the work relates.
- (3) Name and address.
- (4) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in Schedules 3 and 4 to the 2000 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 4 of the notice relevant to the work described above should therefore be sent with this notice. Any subsequent paragraph which does not apply should be deleted.
- (5) Delete whichever does not apply.
- (6) "Minor work" has the meaning given in regulation 10(1) of the 2000 Regulations. If the work is not minor work, the declaration in paragraph 6 must be made.
- (7) Name of the approved inspector.
- (8) "Professional or financial interest" has the meaning given in regulation 10 of the 2000 Regulations.
- (9) Delete this statement if it does not apply.

- (10) Delete whichever does not apply. If the inspector is obliged to consult the fire and rescue authority, the declarations in paragraph 9 and 10 must be made.
- (10A) Delete whichever does not apply. If the inspector is obliged to consult the sewerage undertaker, the declarations in paragraphs 10B and 10C must be made.
- (11) Insert the date and reference number.

FORM 5

Section 51 of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

FINAL CERTIFICATE

1. This certificate relates to the following work: (1)
2. I am an approved inspector and the work described above was [the whole]/[part] (2) of the work described in an initial notice given by me and dated (3).
3. Subject to what is said in paragraph 4 below, the work described above has been completed and I have performed the functions assigned to me by regulation 11 of the 2000 Regulations.
4. The work described above involves the insertion of insulating material into a cavity wall and this [has]/[has not] (2) been carried out.] (4)
5. Final certificates have now been issued in respect of all the work described in the initial notice referred to in paragraph 2 above.] (4)
6. With this certificate is the declaration, signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work to which the certificate relates.
7. The work [is]/[is not] (2) minor work (5).
8. I have had no professional or financial interest in the work described above since giving the initial notice described in paragraph 2 above.] (4)

Signed

Approved Inspector

Date

NOTES

- (1) Location and description of the work, including the use of any building to which the work relates.
- (2) Delete whichever does not apply.
- (3) Insert date.
- (4) Delete this statement if it does not apply.
- (5) “Minor work” has the meaning given in regulation 10(1) of the 2000 Regulations. If the work is not minor work, the declaration in paragraph 8 must be made.

FORM 6

Section 52(1) of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

NOTICE OF CANCELLATION BY APPROVED INSPECTOR

To: (1)

1. This notice relates to the following work: (2)
2. An initial notice dated (3) has been given and the above work was specified in it.
3. I am the approved inspector in relation to that work.
4. I hereby cancel the initial notice.
- [5. I gave notice to the person carrying out the work in accordance with regulation 19 of the 2000 Regulations and he failed to remedy the contravention within the prescribed period. The contravention is (4).]

Signature

Date

NOTES

- (1) Insert the name and address of the person to whom the notice is given. It must be given to the local authority and the person carrying out or intending to carry out the work.
- (2) Location and description of the work, including the use of any building to which the work relates.

(3) Insert date.

(4) Delete this statement if it does not apply. If it applies, specify the provision of building regulations (including the specific requirement) which is contravened.

FORM 7

Section 52(3) of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

NOTICE OF CANCELLATION BY PERSON CARRYING OUT WORK

To: (1)

1. This notice relates to the following work: (2)

2. An initial notice dated (3) has been given and the above work was specified in it.

3. I am [the person carrying out the work]/[intending to carry out the work]. (4)

4. I hereby cancel the initial notice.

Signature

Date

NOTES

(1) Insert the name and address of the person to whom the notice is given. It must be given to the local authority and, if practicable, to the approved inspector.

(2) Location and description of the work, including the use of any building to which the work relates.

(3) Insert date.

(4) Delete whichever does not apply.

FORM 8

Section 52(5) of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

NOTICE OF CANCELLATION BY LOCAL AUTHORITY

To: **(1)**

1. This notice relates to the following work: **(2)**

2. I am authorised to sign this notice by the following local authority: **(3)**

3. The authority accepted an initial notice on **(4)** and the above work was described in it.

4. It appears to the local authority that the work to which the initial notice relates has not been commenced within the period of three years beginning on the date on which the initial notice was accepted, and the local authority hereby cancel the initial notice.

Signature

Date

NOTES

- (1)** Insert the name and address of the person to whom the notice is given. This notice must be given to the approved inspector and the person shown in the initial notice as the person intending to carry out the work.
- (2)** Location and description of the work, including the use of the any building to which the work relates.
- (3)** Name and address of the local authority.
- (4)** Insert date.

FORM 9

Section 54 of the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

PUBLIC BODY’S NOTICE

To: **(1)**

1. This notice relates to the following work: **(2)**

2. **(3)** is approved under Part II of the Act and intends to carry out in relation to a building belonging to it the work described above which can be adequately supervised by its own servants or agents.

3. With this notice are the following documents, which are those relevant to the work described in this notice **(4)**:

[(a) in the case of the erection or extension of a building, a plan to a scale of not less than 1: 1250 showing the boundaries and location of the site and (where the work includes the construction of a new drain or private sewer) a statement –

(i) as to the approximate location of any proposed connection to be made to a sewer, or

(ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer, including the location of any septic tank and associated secondary treatment system, any wastewater treatment system or any cesspool.

(iii)]

(b)

[(c) a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]

4. The public body [will]/[will not] **(5)** be obliged to consult the fire and rescue authority by regulation 23 of the 2000 Regulations.

[**5. (3)** undertakes to consult the fire and rescue authority before giving a public body's plans certificate in accordance with paragraph 2 of Schedule 4 to the Act or a public body's final certificate in accordance with paragraph 3 of Schedule 4 to the Act in respect of any of the work described above.] **(6)**

6. The public body [will][will not] **(5A)** be obliged to consult the sewerage undertaker by regulation 23A of the 2000 Regulations.

[**7.—(3)** undertakes to consult the sewerage undertaker before giving a public body's plans certificate in accordance with paragraph 2 of Schedule 4 to the Act or a public body's final certificate in accordance with paragraph 3 of Schedule 4 to the Act in respect of any of the work described above.](**6)**

Signature

Date

NOTES

(1) Name and address of local authority.

(2) Location and description of the work, including the use of any building to which the work relates.

(3) Name and address of public body.

- (4) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in Schedule 6 to the 2000 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 3 relevant to the work described above should therefore be sent with this notice. Any sub-paragraph which does not apply should be deleted.
- (5) Delete whichever does not apply. If the public body is obliged to consult the fire and rescue authority, the declaration in paragraph 5 must be made.
- (5A) Delete whichever does not apply. If the public body is obliged to consult the sewerage undertaker, the declaration in paragraph 7 must be made.
- (6) Delete this statement if it does not apply.

FORM 10

Paragraph 2 of Schedule 4 to the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

PUBLIC BODY’S PLANS CERTIFICATE

1. This certificate relates to the following work: (1)
2. (2) is an approved public body under Part II of the Act and the above work is [the whole]/[part] (3) of work described in a public body’s notice given by the body and dated (4).
3. Plans of the work described above have been inspected by a servant or agent of the public body who is competent to assess the plans and he is satisfied that the plans neither are defective nor show work which, if carried out in accordance with them, would contravene any provision of building regulations.
- [4. The fire and rescue authority has been consulted in accordance with regulation 23.] (5)
- [4A. The sewerage undertaker has been consulted in accordance with regulation 23A.] (5)
5. The plans inspected bear the following date and reference number: (6)

Signature

Date

NOTES

- (1) Location and description of the work, including the use of any building to which the work relates.
- (2) Name and address of public body.
- (3) Delete whichever does not apply.
- (4) Insert date.
- (5) Delete this statement if it does not apply.
- (6) Insert the date and reference number.

FORM 11

Paragraph 2(2) of Schedule 4 to the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

COMBINED PUBLIC BODY’S NOTICE AND PLANS CERTIFICATE

To: (1)

(1) This certificate relates to the following work: (2)

(2) (3) is an approved public body under Part II of the Act.

(3) With this notice are the following documents, which are those relevant to the work described in this notice (4):

[(a) in the case of the erection or extension of a building, a plan to a scale of not less than 1:1250 showing the boundaries and location of the site and (where the work includes the construction of a new drain or private sewer) a statement

—

(i) as to the approximate location of any proposed connection to be made to a sewer, or

(ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer, including the location of any septic tank and associated secondary treatment system, or any wastewater treatment system or any cesspool.

(iii)

(b)

[(c) a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]

4. Plans of the work described above have been inspected by a servant or agent of the public body who is competent to assess the plans and he is satisfied that the plans neither are defective nor show work which, if carried out in accordance with them, would contravene any provision of building regulations.

[5. The fire and rescue authority has been consulted in accordance with regulation 23 of the 2000 Regulations.] (5)

[6. The body undertakes to consult the fire and rescue authority before giving a final certificate in accordance with paragraph 3 of Schedule 4 to the Act in respect of the work described above.] (5)

[6A. The sewerage undertaker has been consulted in accordance with regulation 23A of the 2000 Regulations.](5)

[6B. The body undertakes to consult the sewerage undertaker before giving a final certificate in accordance with paragraph 3 of Schedule 4 to the Act in respect of any of the work described above.](5)

7. The plans inspected bear the following date and reference number: (6)

Signature

Date

NOTES

- (1) Name and address of local authority.
- (2) Location and description of the work, including the use of any building to which the work relates.
- (3) Name and address of public body.
- (4) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in Schedules 6 and 7 of the 2000 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 3 relevant to the work described above should therefore be sent with this notice. Any sub-paragraph which does not apply should be deleted.
- (5) Delete this statement if it does not apply.
- (6) Insert the date and reference number.

FORM 12

Paragraph 3 of Schedule 4 to the Building Act 1984 (“the Act”)

The Building (Approved Inspectors etc.) Regulations 2000 (“the 2000 Regulations”)

PUBLIC BODY’S FINAL CERTIFICATE

1. This certificate relates to the following work: (1)

2. The work described above is [the whole]/[part] (2) of the work described in a public body’s notice given by (3) on (4). Subject to what is said in paragraph 3 below, the work has been supervised by the servant or agent of (3) to ensure compliance with those substantive requirements of building regulations which apply to it.

[3. The work to which this certificate relates involves the insertion of insulating material into a cavity wall and this [has]/[has not] (2) been carried out.] (5)

[4. A public body’s final certificate has now been issued in respect of all the work specified in the public body’s notice referred to in paragraph 2.] (5)

[5. The fire and rescue authority has been consulted in accordance with regulation 23.] (5)

[5A. The sewerage undertaker has been consulted in accordance with regulation 23A.](5)]

Signature

Date

NOTES

- (1) Location and description of the work, including the use of any building to which the work relates.
- (2) Delete whichever does not apply.
- (3) Insert the name of the public body.
- (4) Insert the date.
- (5) Delete this statement if it does not apply.

SCHEDULE 3

Regulations 8(3), 9(3) and 15(2)

GROUND FOR REJECTING AN INITIAL NOTICE, AN AMENDMENT NOTICE, OR A PLANS CERTIFICATE COMBINED WITH AN INITIAL NOTICE

Deficiencies in initial notice

Form

1. The notice is not in the prescribed form.

Wrong local authority

2. No part of the work described in the notice is to be carried out in the area of the local authority to whom the notice has been given.

Capacity of approved inspector

3. The person who signed the notice as approved inspector is not an approved inspector.

Deficiencies in information

Information about the proposed work

4. Neither the notice nor the accompanying plans and documents include –
 - (a) the location and a description of the work, including the use of any building to which the work relates;
 - (b) information needed by the local authority to decide whether the notice is to be rejected on ground 9, 10 or 11.

Notice of approval

5. In the case of a notice signed by an inspector approved in accordance with regulation 3(1) by a designated body, the initial notice is not accompanied by a copy of the notice of his approval.

Lack of declaration or undertakings

Insurance

6. The notice is not accompanied by a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work described in the notice.

Fire and rescue authority

7. The approved inspector will be obliged by regulation 13 to consult the fire and rescue authority before giving a plans certificate or final certificate, and the notice does not contain an undertaking to do so.

Sewerage undertaker

- 7A. The approved inspector will be obliged by regulation 13A to consult the sewerage undertaker before giving a plans certificate or final certificate, and the notice does not contain an undertaking to do so.

Independence

8. Except where the work described in the notice is stated in it to be minor work within the meaning of regulation 10(1), the notice does not contain a declaration by the approved inspector that he does not, and while the initial notice is in force will not, have any professional or financial interest in that work.

Deficiencies in the proposed work

Drain connection

9. In the case of the erection or extension of a building, the local authority consider that, in order to comply with the requirements of Part H of Schedule 1 to the Principal Regulations, a proposed drain or private sewer must discharge to an existing sewer, but the statement accompanying the notice does not describe such an arrangement.

10.

Local enactments

11. The local authority are not satisfied that the work described will comply with any local enactment which requires or authorises them to reject plans submitted in accordance with building regulations

Overlap with earlier notice

Earlier notice

12. – (1) Except where paragraph (2) applies, an initial notice (“an earlier notice”) has already been given in respect of any part of the work described in the notice.

(2) The ground in paragraph (1) does not apply if –

(a) an earlier notice has ceased to be in force and the local authority have taken no positive step to supervise the work described in it; or

(b) the notice is accompanied by an undertaking by the approved inspector who gave an earlier notice to the effect that he will cancel that notice as soon as the initial notice under consideration is accepted.

SCHEDULE 4

Regulations 15(1) and 15(2)

GROUPS FOR REJECTING A PLANS CERTIFICATE, OR A PLANS
CERTIFICATE COMBINED WITH AN INITIAL NOTICE

Deficiencies in form and information

Form

1. The certificate is not in the prescribed form.

Work

2. The certificate does not describe the work to which it relates.

Plans

3. The certificate does not specify the plans to which it relates.

Absence of power to give certificate

No initial notice

4. Except where the plans certificate is combined with an initial notice, no initial notice was in force with respect to the work described in the certificate at the time the certificate was given.

Capacity of approved inspector

5. An initial notice was in force with respect to the work described in the certificate at the time the certificate was given, but –

- (a) the certificate is not signed by the approved inspector who gave that notice; or
- (b) that person is no longer an approved inspector.

Lack of declarations

Insurance

6. The certificate is not accompanied by a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work to which the certificate relates.

Fire and rescue authority

7. The approved inspector was obliged by regulation 13 to consult the fire and rescue authority before giving the certificate, but the certificate does not contain a declaration that he has consulted them in accordance with that regulation.

Sewerage undertaker

- 7A. The approved inspector was obliged by regulation 13A to consult the sewerage undertaker before giving the certificate, but the certificate does not contain a declaration that he has consulted them in accordance with that regulation.

Independence

8. Except where the work to which it relates is stated in the certificate to be minor work, within the meaning of regulation 10(1), the certificate does not contain a declaration by the approved inspector that he has not since giving the initial notice in question had any professional or financial interest in that work.

GROUNDS FOR REJECTING A FINAL CERTIFICATE

Deficiencies in form and information

Form

1. The certificate is not in the prescribed form.

Work

2. The certificate does not describe the work to which it relates.

Absence of power to give certificate

No initial notice

3. No initial notice was in force with respect to the work described in the certificate at the time the certificate was given.

Capacity of approved inspector

4. An initial notice was in force with respect to the work described in the certificate at the time the certificate was given, but –

- (a) the certificate is not signed by the approved inspector who gave that notice, or
- (b) that person is no longer an approved inspector.

Lack of declarations

Insurance

5. The certificate is not accompanied by a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work to which the certificate relates.

Independence

6. Except where the work to which it relates is stated in the certificate to be minor work within the meaning of regulation 10(1), the certificate does not contain a declaration by the approved inspector that he has not since giving that notice had any professional or financial interest in that work.

SCHEDULE 6

Regulations 22(3) and 25(2)

GROUNDS FOR REJECTING A PUBLIC BODY'S NOTICE, OR A COMBINED PUBLIC BODY'S NOTICE AND PLANS CERTIFICATE

Deficiencies in public body's notice

Form

1. The notice is not in the prescribed form.

Wrong local authority

2. No part of the work described in the notice is to be carried out in the area of the local authority to whom the notice has been given.

Capacity of public body

3. The body on behalf of which the notice was signed is not a public body within the meaning of section 54 of the Act.

Deficiencies in information

Information about the proposed work

4. Neither the notice nor the accompanying plans and documents include :-

(a) the location and a description of the work, including the use of any building to which the work relates;

(b) information needed by the local authority to decide whether the notice is to be rejected on ground 6, 7, or 8.

Lack of understanding

Fire and rescue authority

5. The public body will be obliged by regulation 23 to consult the fire and rescue authority before giving a public body's plans certificate or a public body's final certificate, and the notice does not contain an undertaking to do so.

Sewerage undertaker

5A. The public body will be obliged by regulation 23A to consult the sewerage undertaker before giving a public body's plans certificate or a public body's final certificate, and the notice does not contain an undertaking to do so.

Deficiencies in the proposed work

Drain connection

6. In the case of the erection or extension of a building, the local authority consider that, in order to comply with the requirements of Part H of Schedule 1 to the Principal Regulations, a proposed drain or private sewer must discharge to an existing sewer, but the statement accompanying the notice does not describe such an arrangement.

7.

Local enactments

8. The local authority are not satisfied that the work described will comply with any local enactment which requires or authorises them to reject plans submitted in accordance with building regulations.

SCHEDULE 7

Regulations 25(1) and 25(2)

GROUND FOR REJECTING A PUBLIC BODY'S PLANS CERTIFICATE, OR A COMBINED PUBLIC BODY'S NOTICE AND PLANS CERTIFICATE

Deficiencies in form and information

Form

1. The certificate is not in the prescribed form.

Work

2. The certificate does not describe the work to which it relates.

Plans

3. The certificate does not specify the plans to which it relates.

Absence of power to give certificate

No public body's notice

4. Except where the public body's plans certificate is combined with a public body's notice, no public body's notice was in force in respect of work described in the certificate at the time the certificate was given.

Capacity of public body

5. A public body's notice was in force with respect to the work described in the certificate at the time the certificate was given, but -

- (a) the certificate is not signed by or on behalf of the public body which gave that notice; or
- (b) that body has ceased to be a public body within the meaning of section 54 of the Act.

Lack of declaration

Fire and rescue authority

6. The public body was obliged by regulation 23 to consult the fire and rescue authority before giving the certificate, but the certificate does not contain a declaration that they have been consulted in accordance with that regulation.

Sewerage undertaker

7. The public body was obliged by regulation 23A to consult the sewerage undertaker before giving the certificate, but the certificate does not contain a declaration that they have been consulted in accordance with that regulation.

SCHEDULE 8

Regulation 27(1)

GROUND FOR REJECTING A PUBLIC BODY'S FINAL CERTIFICATE

Deficiencies in form and information

Form

1. The certificate is not in the prescribed form.

Work

2. The certificate does not describe the work to which it relates

Absence of power to give certificate

Capacity of public body

3. No public body's notice was in force with respect to the work described in the certificate at the time the certificate was given.

No proper signature

4. A public body's notice was in force with respect to the work described in the certificate at the time when the certificate was given, but the certificate is not signed by or on behalf of the public body which gave that notice.

Lack of declaration

Fire and rescue authority

5. The public body was obliged by regulation 23 to consult the fire and rescue authority before giving the certificate, but the certificate does not contain a declaration that they were consulted in accordance with that regulation.

Sewerage undertaker

6. The public body was obliged by regulation 23A to consult the sewerage undertaker before giving the certificate, but the certificate does not contain a declaration that they have been consulted in accordance with that regulation.

