



Building Act 1984

1984 CHAPTER 55

PART II

SUPERVISION OF BUILDING WORK ETC. OTHERWISE THAN BY [^{F1}LOCAL AUTHORITIES][^{F1}BUILDING CONTROL AUTHORITIES]

Supervision of plans and work by approved inspectors

[^{F1}53B New initial notice: change of registered building control approver

- (1) This section applies where a new initial notice is given in accordance with section 53(7)(a) (change of registered building control approver in certain cases).
- (2) Where the new initial notice is accepted by the local authority the registered building control approver must take all reasonable steps to determine whether the unfinished work contravenes any provision of building regulations (including where necessary by carrying out inspections and laying open any work).
- (3) If the registered building control approver determines that the unfinished work does not contravene any provision of building regulations, the approver must give a transfer certificate and a transfer report to the local authority before the end of the relevant period.
- (4) If the registered building control approver is unable to make the determination referred to in subsection (3), the approver must—
 - (a) give the person carrying out or intending to carry out the work a notice setting out why they were unable to make the determination, and
 - (b) give a copy of that notice to the local authority.
- (5) A transfer certificate must—
 - (a) confirm that the registered building control approver has determined that the unfinished work up to the date of the certificate does not contravene any provision of building regulations, and
 - (b) contain the prescribed information.

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- (6) A transfer report must contain any plans, documents or other information related to the confirmation in subsection (5)(a).
- (7) In this section the “relevant period” means—
- (a) the period of 21 days beginning with the day on which the new initial notice is accepted or such other period as may be prescribed, or
 - (b) such longer period as may be agreed by the local authority following a request from the registered building control approver.
- (8) A transfer certificate given by a registered building control approver—
- (a) does not impose any liability, whether civil or criminal, on the registered building control approver for any work carried out by the previous registered building control approver, and
 - (b) does not affect any liability, whether civil or criminal, of the previous registered building control approver for work carried out by that approver.
- (9) In this section “unfinished work” means all of the work to which the original initial notice related, except for any work in respect of which a final certificate was accepted by the local authority.]

Textual Amendments

- F1** Ss. 53B-53E inserted (6.4.2023 for specified purposes except in relation to W., 5.9.2023 for W. for specified purposes) by [Building Safety Act 2022 \(c. 30\)](#), ss. **51(2)**, 170(4)(b)(c); S.I. 2023/362, reg. 3(1)(v); S.I. 2023/914, reg. 2(b)(xii)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1A)(d) inserted by [2015 c. 7 s. 37\(2\)](#)
- s. 44(11) inserted by [2004 c. 22 s. 3\(8\)](#)
- s. 79A inserted by [2023 asc 3 Sch. 13 para. 65](#)
- s. 91B inserted by [2022 c. 30 Sch. 5 para. 56](#)
- s. 95(5) inserted by [2022 c. 30 s. 60\(2\)](#)
- s. 105C inserted by [2022 c. 30 s. 58](#)
- s. 116(3)-(6) inserted by [2022 c. 30 s. 45\(2\)\(d\)](#)
- s. 117(A1)(A2) inserted by [2022 c. 30 s. 45\(3\)\(b\)](#)
- s. 118(1A) inserted by [2022 c. 30 s. 45\(4\)\(b\)](#)
- s. 131A inserted by [2022 c. 30 s. 59](#)
- s. 131B inserted by [2022 c. 30 s. 60\(3\)](#)
- Sch. 1 para. 7A inserted by [2015 c. 7 s. 37\(4\)](#)