



Building Act 1984

1984 CHAPTER 55

PART II

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

Supervision of plans and work by [^{F1}registered building control approvers]

[^{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.

Changes to legislation: Building Act 1984, Section 53B is up to date with all changes known to be in force on or before 12 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (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, 6.4.2024 in force in so far as not already in force except in relation to W., 6.4.2024 for W. in so far as not already in force) 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\(b\)\(xii\)](#); [S.I. 2024/104](#), [reg. 2\(g\)](#) (with [regs. 3, 5](#)); [S.I. 2024/207](#), [reg. 2\(d\)\(vii\)](#) (with [regs. 3, 4, 8-12](#))

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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. 95(5) inserted by [2022 c. 30 s. 60\(2\)](#)
- 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\(4\)](#)
- Sch. 1 para. 7A(4) words substituted by [2022 c. 30 Sch. 5 para. 83\(5\)](#) (This amendment not applied to legislation.gov.uk. The insertion of Sch. 1 para. 7A by 2015 c. 7, s. 37(4) is still prospective.)