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STATUTORY INSTRUMENTS

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**1991 No. 2768**

**The Building Regulations 1991**

**PART V**

**MISCELLANEOUS**

**Testing of drains and private sewers**

**16.** The local authority may make such tests of any drain or private sewer as may be necessary to establish whether it complies with any of the requirements of Part H of Schedule 1 (drainage and waste disposal).

**Sampling of material**

**17.** The local authority may take such samples of the material to be used in the carrying out of building work as may be necessary to enable them to ascertain whether such materials comply with the provisions of these Regulations.

**Supervision of building work otherwise than by local authorities**

**18.—(1)** Regulations 11, 14, 15, 16 and 17 shall not apply in respect of any work specified in an initial notice given under section 47 of the Act (giving and acceptance of initial notice in relation to the supervision of plans and work by approved inspectors), or a public body's notice given under section 54 of the Act (giving, acceptance and effect of public body's notice), which is in force.

(2) Regulations 16 and 17 shall not apply in respect of any work in relation to which a final certificate given under section 51 of the Act (final certificates), or public body's final certificate given under paragraph 3 of Schedule 4 to the Act (public body's final certificate), has been accepted by the local authority.

**Revocations**

**19.** The Regulations specified in Column 1 of Schedule 3 are hereby revoked to the extent mentioned in Column 3.

**Transitional provisions**

**20.—(1)** These Regulations shall not apply where—

- (a) before 1st June 1992 a building notice has been given to, or full plans deposited with, a local authority, or an initial notice or a public body's notice has been given in accordance with sections 47(1) and 54(1) respectively of the Act;
- (b) building work is carried out after that date in accordance with any such notice or plans, whether with or without any departure from them; or

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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(c) before 1st June 1992 any of the events referred to in regulation 4 of the Building (Inner London) Regulations 1985(1), or regulation 4 of the Building (Inner London) Regulations 1987(2) has occurred (both of these regulations contain transitional provisions), and the Building Regulations 1985(3), and (as the case may be) the Building (Inner London) Regulations 1985 and 1987, shall continue to apply to such a notice, plans, work, building or structure as if these regulations had not been made.

**Contravention of certain regulations not to be an offence**

21. Regulation 15 is designated as a provision to which section 35 of the Act (penalty for contravening building regulations) does not apply.

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(1) S.I. 1985/1936 as amended by S.I. 1987/798.

(2) S.I. 1987/798.

(3) S.I. 1985/1065 the relevant amending instruments are S.I. 1985/1576, 1985/1936, 1987/798, 1987/1445 and 1989/1119.