
STATUTORY INSTRUMENTS

2003 No. 2692

The Building (Amendment) Regulations 2003

Transitional provisions

3.—(1) Subject to paragraph (2), where before 1st May 2004 building work is commenced in accordance with—

- (a) a building notice given to, or full plans deposited with, a local authority under regulation 12(2) of the principal Regulations and a notice given to the local authority under regulation 15(1) of the principal Regulations; or
- (b) an initial notice or an amendment notice given in accordance with section 47(1) or 51A(2)(1) respectively of the Building Act 1984 (“the Act”),

the principal Regulations shall continue to apply to that building work as if the amendments made by regulation 2(2) to (7) had not been made.

(2) Where an initial notice given before 1st May 2004 is varied by an amendment notice given on or after that date, the principal Regulations shall continue to apply as if the amendments made by regulation 2(2) to (7) had not been made, 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.

(3) Where before 1st May 2004 full plans of building work have been deposited with a local authority in accordance with regulation 12(2) of the principal Regulations and the local authority has, before that date—

- (a) given notice under section 16(6) of the Act that they have passed those plans without conditions; or
- (b) signified in writing to the person by whom or on whose behalf the plans were deposited that any condition subject to which they passed the plans has been fully met,

the principal Regulations shall continue to apply to that building work as if the amendments made by regulation 2(2) to (7) had not been made, whether or not the building work departs from those plans.

(4) Where plans of work are the subject of a plans certificate, or a plans certificate combined with an initial notice, given to a local authority before 1st May 2004 in accordance with section 50 of the Act, and accepted by the local authority either before, on or after that date, the principal Regulations shall continue to apply to that building work as if the amendments made by regulation 2(2) to (7) had not been made, whether or not the building work departs from those plans.

(5) Where building work is commenced before 1st December 2003 which would have fallen within the fourth entry in Schedule 2A of the principal Regulations (the entry omitted by regulation 2(8)), the principal Regulations shall continue to apply to that building work as if the amendments made by these Regulations had not been made.