# STATUTORY INSTRUMENTS

# 2010 No. 2215

# BUILDING AND BUILDINGS, ENGLAND AND WALES

[F1The Building (Approved Inspectors etc.) Regulations 2010

Made - - - - 6th September 2010

Laid before Parliament 9th September 2010

Coming into force 1st October 2010

# THE BUILDING (APPROVED INSPECTORS ETC.) REGULATIONS 2010

# PART 1

General

- 1. Citation and commencement
- 2. Interpretation

#### PART 2

# Grant and Withdrawal of Approval

- 3. Designation of bodies to approve inspectors
- 4. Approval of inspectors
- 5. Manner of approval or designation
- 5A Approved inspector's insurance
- 6. Termination of approval or designation
- 7. Lists of approvals and designations

# PART 3

# Supervision of Work by Approved Inspectors

- 8. Functions of approved inspectors
- 9. Independence of approved inspectors
- 10. Form, grounds and period for rejecting initial notice
- 10A Invalid notices
- 11. Form, grounds and period for rejecting amendment notice
- 12. Approved inspector's consultation with the fire and rescue authority

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- 13. Approved inspector's consultation with the sewerage undertaker
- 14. Form, grounds and period for rejecting plans certificate
- 15. Effect of plans certificate
- 16. Form, grounds and period for rejecting final certificate
- 16A Form of rejection notice and form of notice under section 51C of the Act
- Notice before starting work and further notice when work is "commenced" etc.
- 16C Lapse of initial notice: commencement of work
- 16D Notification of dutyholders
- 16E Compliance declarations
- 17. Events causing initial notice to cease to be in force
- 18. Cancellation of initial notice
- 18A Cancellation of initial notice: notice of contravention of building regulations
- 19. Local authority powers in relation to partly completed work
- 19A Periods within which information on work to which an initial notice relates must be provided

#### PART 3A

# Transfer of projects to another approver

- 19B Section 53(7): prescribed provision
- 19C Information to be included in transfer certificates
- 19D Period for consideration of transfer certificate and report by local authority
- 19E Grounds for rejection of a transfer certificate and transfer report
- 19F Cases where a further initial notice may be given after cancellation of an initial notice under section 53D

#### PART 4

# Application of Provisions of the Principal Regulations

20. Application of regulations 20, 20A, 25A, 27, 27A, 27B, , 27C 29, 37, 41, 42, 43, 44 and 44ZA of the Principal Regulations

#### PART 5

# **Public Bodies**

- 21. Approval of public bodies
- 22. Form, grounds and period for rejecting public body's notice
- 23. Public body's consultation with the fire and rescue authority
- 24. Public body's consultation with the sewerage undertaker
- 25. Form, grounds and period for rejecting public body's plans certificate
- 26. Effect of public body's plans certificate
- 27. Form, grounds and period for rejecting public body's final certificate
- 28. Events causing public body's notice to cease to be in force

#### PART 6

# Certificates Relating to Deposited Plans

29. Certificates given under section 16(9) of the Act

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#### PART 6A

# Appeals under Part 2 of the Act

- 29A Appeal under section 50(2) of the Act
- 29B Appeals under section 55 of the Act

#### PART 7

#### Miscellaneous Provisions

- 30. Register of notices and certificates
- 31. Contravention of certain regulations not to be an offence
- 32. Electronic service of documents
- 33. Transitional provisions: interpretation
- 34. Transitional provisions: work already started before 1st October 2010
- 35. Transitional provisions: work for which notification is not required
- 36. Transitional provisions: notice given or plans deposited before 1st October 2010
- 37. Transitional and saving provisions: earlier Building Regulations
- 38. Revocations and consequential amendments Signature

SCHEDULE 1 — Forms

SCHEDULE 2 — Grounds for Rejecting an Initial Notice, an Amendment Notice, or a Plans Certificate Combined with an Initial Notice

- Deficiencies in initial notice
- 1. Form
- 2. Wrong local authority
- 3. Capacity of approved inspector
  - Deficiencies in information
- 4. Information about the proposed work
- 5. Notice of approval
  - Lack of declaration or undertakings
- 6. Insurance
- 7. Fire and rescue authority
- 8. Sewerage undertaker
- 9. Independence
  - Deficiencies in the proposed work
- 10. Drain connection
- 11. Local enactments
- 11A Where a statement setting out the details of the work...
  - Overlap with earlier notice
- 12. Earlier notice

SCHEDULE 3 — Grounds for Rejecting a Plans Certificate, or a Plans Certificate

Combined with an Initial Notice

- Deficiencies in form and information
- 1. Form
- 2. Work
- 2A Optional requirements

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- 3. Plans — Absence of power to give certificate 4. No initial notice
- Capacity of approved inspector
  - Lack of declarations
- 6. Insurance
- 7. Fire and rescue authority
- Sewerage undertaker
- 9. Independence

# SCHEDULE 3A — Grounds for rejecting a transfer certificate and transfer report

- Required information
- Either the transfer certificate or transfer report do not include... 2.
- 3. Wrong local authority
- No initial notice
- 5. Capacity of approver
- Breach of section 54B 6.
- Earlier notice / accepted transfer certificate and transfer report 7.
- Local authority action and offence committed under section 35(1) of the Act
- Failure to provide information requested
- 10. Failure to comply with prescribed timescales

# SCHEDULE 4 — Grounds for Rejecting a Final Certificate

- Deficiencies in form and information
- 1. Form
- 2. Work
- 2A Optional requirements
  - Absence of power to give certificate
- 3. No initial notice
- 4. Capacity of approved inspector
- 4A Lack of fire safety information confirmation
  - Lack of declarations
- 5. Insurance
- 6. Independence

SCHEDULE 5 — Grounds for Rejecting a Public Body's Notice, or a Combined Public Body's Notice and Plans Certificate

— Deficiencies in public body's notice

- 1. Form
- Wrong local authority 2.
- 3. Capacity of public body
  - Deficiencies in information
- Information about the proposed work
  - Lack of undertaking
- 5. Fire and rescue authority
- Sewerage undertaker
  - Deficiencies in the proposed work
- Drain connection 7.
- 8. Local enactments

SCHEDULE 6 — Grounds for Rejecting a Public Body's Plans Certificate, or a Combined Public Body's Notice and Plans Certificate

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- Deficiencies in form and information
- 1. Form
- 2. Work
- 2A Optional requirements
  - 3. Plans
- Absence of power to give certificate
- 4. No public body's notice
- 5. Capacity of public body
  - Lack of declaration
- 6. Fire and rescue authority
- 7. Sewerage undertaker

SCHEDULE 7 — Grounds for Rejecting a Public Body's Final Certificate

Deficiencies in form and information

- 1. Form
- 2. Work
- 2A Optional requirements
  - Absence of power to give certificate
  - 3. Capacity of public body
- 4. No proper signature
  - Lack of declaration
- 5. Fire and rescue authority
- 6. Sewerage undertaker

SCHEDULE 8 — Revocation of Regulations

SCHEDULE 9 — Consequential Amendments

- 1. In the Building (Local Authority Charges) Regulations 2010 —
- 2. In the Energy Performance of Buildings (Certificates and Inspections) (England...

**Explanatory Note** 

# **Changes to legislation:**

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# Changes and effects yet to be applied to:

- Pt. 3 heading word substituted by S.I. 2024/447 reg. 3(a)
- Sch. 1 Form 1 words inserted by S.I. 2012/3119 reg. 41(2)(c) (This amendment not applied to legislation.gov.uk. Reg. 41(2)(c) omitted (6.2.2013) without ever being in force by virtue of The Building Regulations &c. (Amendment) Regulations 2013 (S.I. 2013/181), regs. 1(3), 6(c))
- Sch. 1 Form 4 words inserted by S.I. 2012/3119 reg. 41(5)(c) (This amendment not applied to legislation.gov.uk. Reg. 41(2)(c) omitted (6.2.2013) without ever being in force by virtue of The Building Regulations &c. (Amendment) Regulations 2013 (S.I. 2013/181), regs. 1(3), 6(c))
- Sch. 2 word substituted by S.I. 2024/447 reg. 3(1)
- Sch. 3 word substituted by S.I. 2024/447 reg. 3(m)
- Sch. 4 word substituted by S.I. 2024/447 reg. 3(n)
- reg. 8 word substituted by S.I. 2024/447 reg. 3(b)
- reg. 9 word substituted by S.I. 2024/447 reg. 3(c)
- reg. 12 word substituted by S.I. 2024/447 reg. 3(d)
- reg. 13 word substituted by S.I. 2024/447 reg. 3(e)
- reg. 16 word substituted by S.I. 2024/447 reg. 3(f)
- reg. 18 word substituted by S.I. 2024/447 reg. 3(g)
- reg. 20(1) word substituted by S.I. 2024/447 reg. 3(h)
- reg. 20(5)(a) word substituted by S.I. 2024/447 reg. 3(i)
- reg. 20(6) word substituted by S.I. 2024/447 reg. 3(j)
- reg. 20(6A) word substituted by S.I. 2024/447 reg. 3(k)