



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}52B Effect of initial notice ceasing to be in force where work becomes higher-risk building work

- (1) This section applies where an initial notice ceases to be in force, whether in whole or in part, by virtue of section 47(4)(b)(ia) (higher-risk building work).
- (2) If, before the day on which the relevant part of the initial notice ceased to be in force, a final certificate—
 - (a) was given in respect of part of the work to which the relevant part of the initial notice relates, and
 - (b) was accepted by the local authority,the fact that the relevant part of the initial notice has ceased to be in force does not affect the continuing operation of section 51(3) in relation to that part of the work.
- (3) The building control authority in relation to any of the uncertified work is—
 - (a) in England, the regulator, and
 - (b) in Wales, the relevant local authority (within the meaning of section 121A(2)).
- (4) In subsection (3), the “uncertified work” means any of the work—
 - (a) to which the relevant part of the initial notice relates, and
 - (b) in respect of which no final certificate has been accepted by the local authority as mentioned in subsection (2).
- (5) Sections 91(3) (duties of the regulator) and 121A(1) (meaning of “building control authority”) apply as if, in each case, the reference to section 91ZA or 91ZB were a reference to section 52B, 91ZA or 91ZB.

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- (6) In any case where this section applies, the reference in subsection (4) of section 36 to the date of the completion of the work in question has effect, in relation to a notice under subsection (1) of that section, as if it were a reference to the date on which the relevant part of the initial notice ceased to be in force.
- (7) In this section “the relevant part of the initial notice” means so much of the initial notice as was cancelled by a notice under section 52A (cancellation of initial notice when work becomes higher-risk building work).]

Textual Amendments

- F1** Ss. 52A, 52B inserted (6.4.2023 for specified purposes except in relation to W., 5.9.2023 for W. for specified purposes, 1.10.2023 in so far as not already in force except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), [ss. 46\(3\)](#), [170\(4\)\(b\)\(c\)](#); [S.I. 2023/362](#), [reg. 3\(1\)\(u\)](#); [S.I. 2023/914](#), [reg. 2\(b\)\(x\)](#); [S.I. 2023/993](#), [reg. 2\(l\)](#) (with [reg. 8](#))

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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\(4\)](#)