
STATUTORY INSTRUMENTS

1996 No. 1906

BUILDING AND BUILDINGS

The Building (Approved Inspectors etc.) (Amendment) Regulations 1996

<i>Made</i>	- - - -	<i>22nd July 1996</i>
<i>Laid before Parliament</i>		<i>24th July 1996</i>
<i>Coming into force</i>	- -	<i>14th October 1996</i>

The Secretary of State, in exercise of the powers conferred on him by sections 1(1), 16(9), 17(1) and (6), 47(1), (2), (3) and (4), 49(5), 51A and paragraphs 1(b), 2(d), 3, 7 and 10 of Schedule 1 to the Building Act 1984(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and Commencement

1. These Regulations may be cited as the Building (Approved Inspectors etc.) (Amendment) Regulations 1996 and shall come into force on 14th October 1996.

Amendments to the Principal Regulations

2. The Building (Approved Inspectors etc.) Regulations 1985(2) (“the 1985 regulations”) shall be amended as follows.

3. In regulation 6(4), for the words “that person” there shall be substituted the words “an approved inspector whose approval has been withdrawn”.

4. After regulation 8, there shall be inserted the following regulation:—

“Amendment notice

8A.—(1) The prescribed form of an amendment notice shall be form 1A in Schedule 2.

(2) An amendment notice shall be accompanied by:—

- (a) the plans and documents described in the notes to those forms, and
- (b) a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work described in the notice.

(1) 1984 c. 55.

(2) S.I. 1985/1066 to which there are amendments S.I. 1987/798, 1989/1119, 1992/740 and 1995/1387.

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(3) The grounds on which a local authority are required to reject an amendment notice are those prescribed in paragraphs 1 to 11 of Schedule 3.

(4) The period within which a local authority may give notice of rejection of an amendment notice is five working days beginning with the day on which the notice is given.

(5) Any reference in these Regulations to an initial notice or to an initial notice combined with a plans certificate shall in an appropriate case be construed as a reference to that initial notice as amended by an amendment notice which has been accepted by a local authority.”.

5. In regulation 28, in paragraph (1)(a), after the words “initial notices”, there shall be inserted the words, “amendment notices, notices under section 51C of the Act”.

6. In Schedule 2, after Form 1, there shall be inserted Form 1A which is set out in the Schedule to these Regulations.

Transitional provisions

7. These Regulations shall not apply in relation to any work in respect of which an initial notice has been given and accepted by a local authority, before 14th October 1996 and, whilst such a notice continues in force, the 1985 regulations shall continue to apply as if these Regulations had not been made.

Signed by authority of the Secretary of State

22nd July 1996

Robert Jones
Minister of State,
Department of the Environment

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SCHEDULE

(Prescribed form of Amendment notice)

FORM 1A

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Section 51A of the Building Act 1984 ("the Act")

The Building (Approved Inspectors etc.) Regulations 1985 ("the 1985 regulations")

AMENDMENT NOTICE

To:

(1)

1. This notice amends the initial notice a copy of which accompanies this notice.
2. This notice amends the work in the initial notice in the following manner:

(2)

3. With this notice are the following documents, which are those relevant to the work described in this notice **(3)**:

- (a) a copy of the original notice,
- [(b) in the case of a notice signed by an inspector approved by a designated body in accordance with regulation 3(2) of the 1985 regulations, a copy of the notice of his approval,]
- (c) either:
 - (i) a statement to the effect that all plans submitted with the original notice remain unchanged; or
 - (ii) all amended plans are included with the notice with a statement to the effect that any plans not included remain unchanged, **(4)**
- (d) a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work described in the notice,
- [(e) in the case of the erection or extension of a building, a plan to a scale of not less than 1 : 1250 showing the boundaries and location of the site and a statement—
 - (i) as to the approximate location of any proposed connection to be made to a sewer, or
 - (ii) if no connection is to be made to a sewer, as to the proposals for the discharge of any proposed drain, including the location of any cesspool, or
 - (iii) if no provision is to be made for drainage, of the reasons why none is necessary,]
 - [(f) where it is proposed to erect a building or extension over a sewer or drain shown on the relative map of sewers, a statement as to the location of the building or extension and the precautions to be taken in building over the sewer or drain,]
 - [(g) a statement of any local enactment relevant to the work, and of the steps taken to comply with it.]

4. The work [is]/[is not] **(4)** minor work **(5)**.

[5. I **(6)** declare that I do not, and will not while this notice is in force, have any financial or professional interest **(7)** in the work described.] **(8)**

[6. I **(6)** am satisfied that plans relating to the work described above have been submitted to me, and that they neither are defective nor show work which, if carried out in accordance with them, would contravene any provision of the building regulations.] **(8)**

7. The approved inspector [will]/[will not] **(9)** be obliged to consult the fire authority by regulation 11 of the 1985 regulations.

[8. I **(6)** undertake to consult the fire authority before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(8)**

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9. I (6) am aware of the obligations laid upon me by Part II of the Act and by regulation 10 of the 1985 regulations.

Signed
Approved Inspector.

Signed
Person intending to carry out the work.

Date

Date

NOTES

- (1) Name and address of local authority.
- (2) Location and/or description of the new work in the amendment notice and how it amends the work mentioned in the initial notice including the use of any building to which the new work relates.
- (3) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in paragraphs 1 to 11 of Schedule 3 to the 1985 regulations. They include failure to provide relevant documents. The documents listed in paragraph 3 of the notice relevant to the work described above should therefore be sent with this notice. Any sub-paragraph which does not apply should be deleted.
- (4) Delete whichever does not apply.
- (5) "Minor work" has the meaning given in regulation 9(5) of the 1985 regulations. If the work is not minor work, the declaration in paragraph 5 must be made.
- (6) Name of the approved inspector.
- (7) "Professional or financial interest" has the meaning given in regulation 9 of the 1985 regulations.
- (8) Delete this statement if it does not apply.
- (9) Delete whichever does not apply. If the inspector is obliged to consult the fire authority, the declaration in paragraph 8 must be made.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Building (Approved Inspectors etc.) Regulation 1985 (the principal regulations) as a consequence of the Deregulation (Building) (Initial Notices and Final Certificates) Order 1996. That Order, amongst other things, provides for an amendment to an initial notice by way of an amendment notice.

These regulations amend the principal regulations by prescribing (as Form 1A) the form of amendment notice. They also prescribe the documents which must accompany an amendment notice and the grounds on which a local authority are required to reject such a notice and introduce in Regulation 8A the prescribed form of amendment notice which has the effect, once accepted by the local authority, of amending the initial notice.

These regulations also amend the principal regulations by providing in regulation 6(4) that a person who has been convicted of an offence and has had his approval withdrawn may not be given a further approval as an approved inspector for a period of five years beginning with the date of his conviction.

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