



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

47 Giving and acceptance of initial notice.

(1) If—

- (a) a notice in the prescribed form [^{F1}relating to work that is not higher-risk building work] (called an “initial notice”) is given jointly to a local authority by a person intending to carry out [^{F2}the] work and a person who is an approved inspector in relation to that work,
- (b) the initial notice is accompanied by such plans of the work as may be prescribed,
- ^{F3}(c) and
- (d) the initial notice is accepted by the local authority,

then, so long as the initial notice continues in force, the approved inspector by whom the notice was given shall undertake such functions as may be prescribed with respect to the inspection of plans of the work [^{F4}to which the notice relates], the supervision of that work and the giving [^{F5}and receiving] of certificates and other notices.

(2) A local authority to whom an initial notice is given—

- (a) may not reject the notice except on prescribed grounds, and
- (b) shall reject the notice if any of the prescribed grounds exists,

and, in a case where the work to which an initial notice relates is work of such a description that, if [^{F6}plans of it had been deposited with][^{F6}an application for building control approval in respect of it had been made to] the local authority, the authority could, under any enactment, have imposed requirements as a condition of

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[^{F7}passing the plans][^{F7}granting the application], the local authority may impose the like requirements as a condition of accepting the initial notice.

- (3) Unless, within the prescribed period, the local authority to whom an initial notice is given give notice of rejection, specifying the ground or grounds in question, to each of the persons by whom the initial notice was give, the authority is conclusively presumed to have accepted the initial notice and to have done so without imposing any such requirements as are referred to in subsection (2) above.

[^{F8}(3A) Subsection (3) does not apply in prescribed circumstances.]

(4) An initial notice—

- (a) comes into force when it is accepted by the local authority, either by notice given within the prescribed period to each of the persons by whom it was given or by virtue of subsection (3) above, and
- (b) subject to section 51(3) [^{F9}below][^{F9}(final certificates) and [section 53A](#) (lapse of initial notice)], continues in force until—
 - (i) it is cancelled by a notice under section 52 below, [^{F10}or]
[^{F11}(ia) it is cancelled, in whole or in part, by a notice under section [52A](#),]
[^{F12}(ib) it is cancelled by a notice under section [53D](#), or]
 - (ii) the occurrence of, or the expiry of a prescribed period of time beginning on the date of, such event as may be prescribed;and building regulations may empower a local authority to extend (whether before or after its expiry) any such period of time as is referred to in paragraph (ii) above.

(5) The form prescribed for an initial notice may be such as to require—

- (a) either or both of the persons by whom the notice is to be given to furnish information relevant for the purposes of this Act, Part II or IV of the ^{M1}Public Health Act 1936 or any provision of building regulations, and
- (b) the approved inspector by whom the notice is to be given to enter into undertakings with respect to his performance of any of the functions referred to in subsection (1) above.

^{F13}(6)

^{F14}(7)

[^{F15}(8) This section is subject to sections 53 and [53B](#) (new initial notices).]

Textual Amendments

- F1** Words in [s. 47\(1\)\(a\)](#) 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., 6.4.2024 for W. in so far as not already in force) by [Building Safety Act 2022 \(c. 30\)](#), **ss. 46(1)(a)**, [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 [regs. 4, 8](#)); [S.I. 2024/207](#), [reg. 2\(d\)\(v\)](#) (with [regs. 3-5, 8-12](#))
- F2** Word in [s. 47\(1\)\(a\)](#) 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., 6.4.2024 for W. in so far as not already in force) by [Building Safety Act 2022 \(c. 30\)](#), **ss. 46(1)(b)**, [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 [regs. 4, 8](#)); [S.I. 2024/207](#), [reg. 2\(d\)\(v\)](#) (with [regs. 3-5, 8-12](#))

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- F3** S. 47(1)(c) omitted (28.7.2022) by virtue of Building Safety Act 2022 (c. 30), **ss. 48(2)(a)**, 170(4)(b)(c); S.I. 2022/561, reg. 4; S.I. 2022/774, reg. 2
- F4** Words in s. 47(1) substituted (14.10.1996) by S.I. 1996/1905, **art. 3(2)(a)**
- F5** Words in s. 47(1) inserted (1.2.2006) by Sustainable and Secure Buildings Act 2004 (c. 22), **ss. 8(2)**, 11(3); S.I. 2006/224, art. 2(c)
- F6** Words in s. 47(2) substituted (1.10.2023 except in relation to W.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 40(2)(a)**; S.I. 2023/993, reg. 2(n)(xiii)
- F7** Words in s. 47(2) substituted (1.10.2023 except in relation to W.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 40(2)(b)**; S.I. 2023/993, reg. 2(n)(xiii)
- F8** S. 47(3A) inserted (6.4.2023 except in relation to W., 5.9.2023 for W. in so far as not already in force) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 40(3)**; S.I. 2023/362, reg. 3(1)(w)(ii); S.I. 2023/914, reg. 2(b)(xiii), Sch. para. 16
- F9** Words in s. 47(4)(b) substituted (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. 36(3)**, 170(4)(b)(c); S.I. 2023/362, reg. 3(1)(o); S.I. 2023/914, reg. 2(b)(iii); S.I. 2023/993, reg. 2(g) (with regs. 3, 5)
- F10** Word in s. 47(4)(b) omitted (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., 6.4.2024 for W. in so far as not already in force) by virtue of Building Safety Act 2022 (c. 30), **ss. 46(4)(a)**, 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); S.I. 2024/207, reg. 2(d)(v) (with regs. 3-5, 8-12)
- F11** S. 47(4)(b)(ia) 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., 6.4.2024 for W. in so far as not already in force) by Building Safety Act 2022 (c. 30), **ss. 46(4)(b)**, 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); S.I. 2024/207, reg. 2(d)(v) (with regs. 3-5, 8-12)
- F12** S. 47(4)(b)(ib) inserted (6.4.2023 for specified purposes except in relation to W., 5.9.2023 for W. for specified purposes, 6.4.2024 in force in so far as not already in force except in relation to W., 6.4.2024 for W. in so far as not already in force) by Building Safety Act 2022 (c. 30), **ss. 51(3)(a)**, 170(4)(b)(c); S.I. 2023/362, reg. 3(1)(v); S.I. 2023/914, reg. 2(b)(xii); S.I. 2024/104, reg. 2(g) (with regs. 3, 5); S.I. 2024/207, reg. 2(d)(vii) (with regs. 3, 4, 8-12)
- F13** S. 47(6) omitted (28.7.2022) by virtue of Building Safety Act 2022 (c. 30), **ss. 48(2)(b)**, 170(4)(b)(c); S.I. 2022/561, reg. 4; S.I. 2022/774, reg. 2
- F14** S. 47(7) omitted (28.7.2022) by virtue of Building Safety Act 2022 (c. 30), **ss. 48(2)(b)**, 170(4)(b)(c); S.I. 2022/561, reg. 4; S.I. 2022/774, reg. 2
- F15** S. 47(8) inserted (6.4.2023 for specified purposes except in relation to W., 5.9.2023 for W. for specified purposes, 6.4.2024 in force in so far as not already in force except in relation to W., 6.4.2024 for W. in so far as not already in force) by Building Safety Act 2022 (c. 30), **ss. 51(3)(b)**, 170(4)(b)(c); S.I. 2023/362, reg. 3(1)(v); S.I. 2023/914, reg. 2(b)(xii); S.I. 2024/104, reg. 2(g) (with regs. 3, 5); S.I. 2024/207, reg. 2(d)(vii) (with regs. 3, 4, 8-12)

Modifications etc. (not altering text)

- C1** S. 47 excluded (21.7.1994) by 1994 c. xv, **s. 58(9)**

Marginal Citations

- M1** 1936 c. 49.

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