



Building Act 1984

1984 CHAPTER 55

[^{F1}PART 2A E+W

REGULATION OF BUILDING CONTROL PROFESSION

[^{F1}Registered building control approvers

Textual Amendments

- F1** Pt. 2A inserted (6.4.2023 for specified purposes except in relation to W., 5.9.2023 for W. for specified purposes, 1.10.2023 for specified purposes except in relation to W, 1.1.2024 for W. for specified purposes, 1.1.2024 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 the insertion s. 58Z2, 6.4.2024 for W. for all remaining purposes, except so far as it relates to ss. 58Z7, 58Z10) by [Building Safety Act 2022 \(c. 30\)](#), ss. 42, 170(4); S.I. 2023/362, reg. 3(1)(s); S.I. 2023/914, regs. 2(b)(viii), 4(a)(b) (with reg. 7); S.I. 2023/993, reg. 2(k); S.I. 2024/104, reg. 2(a) (with reg. 3); S.I. 2024/207, reg. 2(b)(d)(ii) (with regs. 3, 4, 8-12)

58N “Registered building control approver” E+W

In this Act “registered building control approver” means a person registered as a building control approver in accordance with this Part.

58O Register of building control approvers E+W

- (1) The regulatory authority must establish and maintain a register of building control approvers.
- (2) The regulatory authority must register a person as a building control approver if—
 - (a) the person makes an application for registration in accordance with [section 58P](#), and
 - (b) the authority is satisfied that the person meets such criteria as the authority may from time to time determine.

Changes to legislation: Building Act 1984, Cross Heading: Registered building control approvers is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) Registration may—
 - (a) have effect in relation to all work or in relation to work of a particular description;
 - (b) be subject to conditions.
- (4) Registration must be for a prescribed period.
- (5) The register must record, in relation to each registered building control approver—
 - (a) the person’s name and business address;
 - (b) whether the person’s registration has effect in relation to all work or work of a particular description;
 - (c) if the person’s registration has effect in relation to work of a particular description, that description of work;
 - (d) any conditions to which the person’s registration is subject;
 - (e) the period for which the person is registered;
 - (f) if the person’s registration has been varied by an order under section 58U(2)(b), that fact and the effect of the variation;
 - (g) if the person’s registration has been suspended by an order under section 58U(2)(c) or 58V(2), that fact and the period of the suspension;
 - (h) any matters that are prescribed.
- (6) The regulatory authority must make the register available for inspection by the public in whatever way the authority thinks appropriate.

58P Application for registration as building control approver E+W

- (1) An application for registration as a building control approver must—
 - (a) be made in such form and manner, and
 - (b) be accompanied by such information and supporting evidence, as the regulatory authority may from time to time determine.
- (2) The regulatory authority may make different provision about those matters for different cases.
- (3) When considering an application for registration, the regulatory authority may require the applicant to provide it with such further information or supporting evidence as the authority may require.
- (4) The applicant may appeal to the appropriate court or tribunal against any decision made by the regulatory authority on the application.

58Q Variation or cancellation of registration as building control approver E+W

- (1) A registered building control approver may apply for the variation or cancellation of their registration.
- (2) Section 58P applies to such an application as it applies to an application for registration.

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58R Professional conduct rules **E+W**

- (1) The regulatory authority must prepare and publish professional conduct rules applying to registered building control approvers (in addition to operational standards rules applying to them under section 58Z).
- (2) Professional conduct rules may in particular make provision about insurance and financial propriety.
- (3) The rules may make different provision for different cases (for example, for different descriptions of work).
- (4) The regulatory authority may revise the professional conduct rules at any time (and must publish any revised rules).

58S Registered building control approvers: information notices **E+W**

- (1) The regulatory authority may by notice in writing require a registered building control approver to provide the authority with any documents or information the authority reasonably requires for the purposes of its functions under sections 58N to 58X.
- (2) The notice must specify—
 - (a) the documents or information required,
 - (b) the date by which they must be provided, and
 - (c) the form in which they must be provided.

58T Investigations into contraventions of professional conduct rules **E+W**

- (1) If it appears to the regulatory authority (on receipt of a complaint or otherwise) that a registered building control approver may have contravened the professional conduct rules, the authority may investigate the matter.
- (2) The regulatory authority must prepare and publish a statement of the procedure it will follow when investigating a registered building control approver under this section (which must include an opportunity for the person to make representations).
- (3) The regulatory authority may revise the statement at any time (and must publish any revised statement).

58U Sanctions for contravention of professional conduct rules **E+W**

- (1) If following an investigation under section 58T the regulatory authority determines that a person who is a registered building control approver has contravened the professional conduct rules, the authority may make one or more disciplinary orders.
- (2) A disciplinary order is an order—
 - (a) requiring the person to pay a financial penalty of an amount specified in the order,
 - (b) varying the person's registration in a way specified in the order,
 - (c) suspending the person's registration for a period specified in the order, or
 - (d) cancelling the person's registration from a date specified in the order.
- (3) Varying the person's registration means varying any of the matters listed in section 58O(3) (limitations and conditions).

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- (4) Where the regulatory authority makes a disciplinary order it must as soon as reasonably practicable—
 - (a) give a copy of the order to the person concerned, and
 - (b) in prescribed cases, give a copy of the order—
 - (i) to each local authority in England, where the regulatory authority is the regulator, or
 - (ii) to each local authority in Wales, where the regulatory authority is the Welsh Ministers.
- (5) The person may appeal to the appropriate court or tribunal against a disciplinary order under this section.
- (6) A disciplinary order under [subsection \(2\)\(a\)](#) or [\(b\)](#) has no effect until—
 - (a) the end of the period within which an appeal may be brought, or
 - (b) if an appeal is brought before the end of that period, the determination of the appeal.
- (7) Where the regulatory authority is the regulator, it must pay into the Consolidated Fund the amount of any financial penalty paid to it pursuant to a disciplinary order under [subsection \(2\)\(a\)](#).
- (8) A person whose registration is suspended by an order under [subsection \(2\)\(c\)](#) is a registered building control approver for the purposes of this Part.
- (9) See [section 58Z6\(2\)](#) for further provision about cancellation of a person’s registration as a building control approver.

58V Interim suspension for suspected serious contravention E+W

- (1) This section applies where the regulatory authority considers that—
 - (a) a person who is a registered building control approver may have contravened the professional conduct rules, and
 - (b) the suspected contravention is so serious that, if the authority determines that the contravention has occurred, it is likely to make an order under [section 58U\(2\)\(d\)](#) cancelling the person’s registration.
- (2) The regulatory authority may by order suspend the person’s registration for a period specified in the order (which must not exceed 3 months).
- (3) The regulatory authority may revoke the order before the end of that period.
- (4) Where the regulatory authority makes (or revokes) an order under this section it must as soon as reasonably practicable—
 - (a) give a copy of the order (or notice of the revocation) to the person concerned, and
 - (b) in prescribed cases, give a copy of the order (or notice of the revocation)—
 - (i) to each local authority in England, where the regulatory authority is the regulator, or
 - (ii) to each local authority in Wales, where the regulatory authority is the Welsh Ministers.
- (5) The person may appeal to the appropriate court or tribunal against an order under this section.

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- (6) A person whose registration is suspended by an order under this section is a registered building control approver for the purposes of this Part.

58W Offence of registered building control approver acting outside scope of registration **E+W**

- (1) A registered building control approver commits an offence if, without reasonable excuse, they exercise a function under this Act, or regulations made under this Act—
- (a) in relation to work outside the scope of their registration, or
 - (b) while their registration is suspended.
- (2) A registered building control approver commits an offence if, with intent to deceive, they do anything which implies that work which is outside the scope of their registration is within the scope of their registration.
- (3) A registered building control approver whose registration is suspended commits an offence if, with intent to deceive, they do anything which implies that their registration is not suspended.
- (4) For the purposes of this section, work is outside the scope of a registered building control approver's registration if their registration does not have effect in relation to work of that description.
- (5) An offence under this section is punishable on summary conviction by a fine.

58X Offence of pretending to be a registered building control approver **E+W**

- (1) A person who is not a registered building control approver commits an offence if, with intent to deceive, the person—
- (a) impersonates a registered building control approver, or
 - (b) does anything (including using any name, title or description) which implies that the person is a registered building control approver.
- (2) An offence under this section is punishable on summary conviction by a fine.]

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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. 95(5) inserted by [2022 c. 30 s. 60\(2\)](#)
- 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\(4\)](#)
- Sch. 1 para. 7A(4) words substituted by [2022 c. 30 Sch. 5 para. 83\(5\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of Sch. 1 para. 7A by [2015 c. 7, s. 37\(4\)](#) is still prospective.)