



# Building Act 1984

## 1984 CHAPTER 55

### PART I

#### BUILDING REGULATIONS

*[<sup>F1</sup> Passing of plans][<sup>F1</sup> Building control approval]*

#### 17 Approval of persons to give certificates etc.

<sup>F1</sup>(1) Building regulations may make provision for the approval of persons for the purposes of section 16(9) above—

- (a) by the Secretary of State, or
- (b) by a body (corporate or unincorporated) that, in accordance with the regulations is designated by the Secretary of State for the purpose,

and any such approval may limit the description of work, or the provisions of the regulations, in relation to which the person concerned is so approved.

(2) Any such designation as is referred to in paragraph (b) of subsection (1) above may limit the cases in which and the terms on which the body designated may approve a person and, in particular, may provide that any approval given by the body shall be limited as mentioned in that subsection.

(3) There shall be paid on an application for any such approval as is referred to in subsection (1) above—

- (a) where the application is made to the Secretary of State, such fee as may be prescribed,
- (b) where the application is made to a body designated by him as mentioned in that subsection, such fee as that body may determine.

(4) The Secretary of State may approve for the purposes of section 16(9)

above any scheme that appears to him to secure the provision of adequate insurance cover in relation to any certificate that is given under paragraph (a) of that subsection and is a certificate to which the scheme applies.

*Status: Point in time view as at 01/10/2023.*

*Changes to legislation: Building Act 1984, Section 17 is up to date with all changes known to be in force on or before 26 May 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)*

- (5) Building regulations may prescribe, for the purposes of section 16(9)
- above the insurance cover that is to be provided in relation to any certificate that is given under paragraph (a) of that subsection and is not a certificate to which an approved scheme applies and may, in particular, prescribe the form and content of policies of insurance.
- (6) Building regulations may—
- (a) contain provision prescribing the period for which, subject to any provision made by virtue of paragraph (b) or (c) below, any such approval as is referred to in subsection (1) above continues in force,
  - (b) contain provision precluding the giving of, or requiring the withdrawal of, any such approval as is referred to in subsection (1) above in such circumstances as may be prescribed,
  - (c) contain provision authorising the withdrawal of any such approval or designation as is referred to in subsection (1) above,
  - (d) provide for the maintenance by the Secretary of State of a list of bodies that are for the time being designated by him as mentioned in subsection (1) above and for the maintenance by the Secretary of State and by each designated body of a list of persons for the being time approved by him or them as mentioned in that subsection,
  - (e) make provision for the supply to local authorities of copies of any list of approved persons maintained by virtue of paragraph (d) above and for such copy lists to be made available for inspection, and
  - (f) make provision for the supply, on payment of a prescribed fee, of a certified copy of any entry in a list maintained by virtue of paragraph (d) above or in a copy list held by a local authority by virtue of paragraph (e) above.
- (7) Unless the contrary is proved, in any proceedings (whether civil or criminal) a document that appears to the court to be a certified copy of an entry either in a list maintained as mentioned in subsection (6)(d) above or in a copy of such a list supplied as mentioned in subsection (6)(e) above—
- (a) is presumed to be a true copy if an entry in the current list is maintained, and
  - (b) is evidence of the matters stated in it.]

#### Textual Amendments

**F1** S. 17 omitted (1.10.2023 except in relation to W.) by virtue of [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 20](#); [S.I. 2023/993](#), reg. 2(n)(ix) (with [regs. 3, 6](#))

**Status:**

Point in time view as at 01/10/2023.

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