



# Building Act 1984

## 1984 CHAPTER 55

### PART II

#### SUPERVISION OF BUILDING WORK ETC. OTHERWISE THAN BY LOCAL 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 (called an “initial notice”) is given jointly to a local authority by a person intending to carry out 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,
- (c) the initial notice is accompanied by such evidence as may be prescribed that an approved scheme applies, or the prescribed insurance cover has been or will be provided, in relation to the work, 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 [<sup>F1</sup>to which the notice relates], the supervision of that work and the giving [<sup>F2</sup>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 plans of it had been deposited with the local authority, the authority could, under any enactment, have imposed requirements as a condition of passing the plans, the local authority may impose the like requirements as a condition of accepting the initial notice.

*Status: Point in time view as at 01/02/2006. This version of this provision has been superseded.*

*Changes to legislation: Building Act 1984, Section 47 is up to date with all changes known to be in force on or before 30 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)*

- (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.
- (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) below, continues in force until—
    - (i) it is cancelled by a notice under section 52 below, 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 <sup>M1</sup>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.
- (6) The Secretary of State may approve for the purposes of this section any scheme that appears to him to secure the provision of adequate insurance cover in relation to any work [<sup>F3</sup>to which an initial notice relates] and is work to which the scheme applies.
- (7) Building regulations may prescribe for the purposes of this section the insurance cover that is to be provided in relation to any work [<sup>F3</sup>to which an initial notice relates] and is not work to which an approved scheme applies and may, in particular, prescribe the form and content of policies of insurance.

#### Textual Amendments

- F1** Words in s. 47(1) substituted (14.10.1996) by S.I. 1996/1905, **art. 3(2)(a)**
- F2** 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)**
- F3** Words in s. 47(6)(7) substituted (14.10.1996) by S.I. 1996/1905, **art. 3(2)(b)**

#### 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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