



Building Act 1984

1984 CHAPTER 55

PART II

SUPERVISION OF BUILDING WORK ETC. OTHERWISE THAN BY [^{F1}BUILDING CONTROL AUTHORITIES]

Supervision of plans and work by [^{F1}registered building control approvers]

[^{F1}51A Variation of work to which initial notice relates.

[This section applies where—

- ^{F2}(1) (a) it is proposed that the work to which an initial notice relates should be varied,
and
(b) the work as varied is not higher-risk building work.]

(2) If—

- (a) a notice in the prescribed form (called an “amendment notice”)—
(i) is given to the local authority by whom the initial notice was accepted,
and
(ii) is jointly given by the [^{F3}registered building control approver] who
gave the initial notice and by the person shown in the amendment
notice as the person intending to carry out the relevant work,
(b) the amendment notice is accompanied by such plans of the proposed variation
as may be prescribed,
^{F4}(c)
(d) the amendment notice—
(i) is accepted by the local authority giving notice of acceptance within
the prescribed period to each of the persons by whom the amendment
notice was given, or
(ii) is deemed to have been accepted by the local authority by virtue of
subsection (5) below,

Status: Point in time view as at 06/04/2024.

Changes to legislation: Building Act 1984, Section 51A is up to date with all changes known to be in force on or before 19 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)

the work to which the initial notice relates shall be treated as varied as proposed in the amendment notice.

- (3) A local authority to whom an amendment 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.
- (4) Where the relevant work is of such a description that, if ^{F5}plans of it had been deposited with ^{F5}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 ^{F6}passing the plans]^{F6}granting the application], the local authority may impose the like requirements as a condition of accepting the amendment notice.
- (5) Unless, within the prescribed period, the local authority to whom an amendment notice is given give notice of rejection, specifying the ground or grounds in question, to each of the persons by whom the notice was given, the authority is conclusively presumed to have accepted it and to have done so without imposing any such requirements as are referred to in subsection (4) above.
- [Subsection (5) does not apply in prescribed circumstances.]
- ^{F7}(5A)
- (6) Section 47(5) shall apply in relation to the form prescribed for an amendment notice as it applies in relation to the form prescribed for an initial notice.
- (7) In this section, references to the relevant work are to the work to which the initial notice, as proposed to be varied, relates.]

Textual Amendments

- F1** Ss. 51A, 51B, 51C inserted (14.10.1996) by S.I. 1996/1905, **art.2**
- F2** S. 51A(1) 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., 6.4.2024 for W. in so far as not already in force) by Building Safety Act 2022 (c. 30), **ss. 46(2)**, 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)
- F3** Words in s. 51A(2)(a)(ii) substituted (6.4.2024 except in relation to W., 6.4.2024 for W.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 4 para. 8**; S.I. 2024/104, reg. 2(b) (with reg. 3); S.I. 2024/207, reg. 2(d)(x) (with regs. 3, 4, 6, 8-12)
- F4** S. 51A(2)(c) omitted (28.7.2022) by virtue of Building Safety Act 2022 (c. 30), **ss. 48(3)**, 170(4)(b)(c); S.I. 2022/561, reg. 4; S.I. 2022/774, reg. 2
- F5** Words in s. 51A(4) substituted (1.10.2023 except in relation to W.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 42(2)(a)**; S.I. 2023/993, reg. 2(n)(xv)
- F6** Words in s. 51A(4) substituted (1.10.2023 except in relation to W.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 42(2)(b)**; S.I. 2023/993, reg. 2(n)(xv)
- F7** S. 51A(5A) 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. 42(3)**; S.I. 2023/362, reg. 3(1)(w)(iv); S.I. 2023/914, reg. 2(b)(xiii), Sch. para. 17

Status:

Point in time view as at 06/04/2024.

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