



# Building Act 1984

## 1984 CHAPTER 55

### PART II

#### SUPERVISION OF BUILDING WORK ETC. OTHERWISE THAN BY [<sup>F1</sup>BUILDING CONTROL AUTHORITIES]

##### *Supervision of plans and work by [<sup>F1</sup>registered building control approvers]*

#### **[<sup>F1</sup>53D Cancellation of initial notice: change of registered building control approver**

- (1) This section applies where—
  - (a) a new initial notice is given in accordance with section 53(7)(a) (change of registered building control approver in certain cases), and
  - (b) the notice is accepted by the local authority.
- (2) If, at a time when the initial notice is in force—
  - (a) the registered building control approver does not give the local authority a transfer certificate and transfer report in accordance with section 53B(3), or
  - (b) the local authority rejects the transfer certificate and transfer report in accordance with section 53C,

the local authority must cancel the initial notice by notice in the prescribed form given to the registered building control approver and the person shown in the initial notice as the person intending to carry out the work.

- (3) The person carrying out or intending to carry out the work to which the initial notice relates may, at a time—
  - (a) when the initial notice is in force, and
  - (b) before the local authority accepts or rejects the transfer certificate and report in accordance with section 53C,

cancel the initial notice by notice in the prescribed form given to the local authority and, if it is practicable to do so, to the registered building control approver.

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*Changes to legislation: Building Act 1984, Section 53D is up to date with all changes known to be in force on or before 17 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) View outstanding changes*

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- (4) A notice under subsection (2) or (3) has the effect of cancelling the initial notice to which it relates with effect from the day on which the notice is given.
- (5) Where an initial notice ceases to be in force by virtue of subsection (2) or (3), a new initial notice may not, except in prescribed circumstances, be given in relation to any of the work to which the cancelled notice related.
- (6) Where an initial notice ceases to be in force by virtue of subsection (2) or (3)—
  - (a) for the purpose of enabling the local authority to perform the functions referred to in section 48(1) in relation to any part of the work, building regulations may require the local authority to be provided with plans that relate to that part of the work, and
  - (b) section 53(5) applies in relation to the notice as it applies in relation to an initial notice that ceases to be in force as referred to in section 53(1).
- (7) This section is without prejudice to any other provisions of this Part relating to when an initial notice ceases to be in force.]

#### **Textual Amendments**

- F1** Ss. 53B-53E 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(2), 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)

**Changes to legislation:**

Building Act 1984, Section 53D is up to date with all changes known to be in force on or before 17 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.

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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.)