



# Housing and Planning Act 2016

## 2016 CHAPTER 22

### PART 1

#### NEW HOMES IN ENGLAND

### CHAPTER 2

#### SELF-BUILD AND CUSTOM HOUSEBUILDING

## 12 Further and consequential amendments

(1) In the Schedule to the Self-build and Custom Housebuilding Act 2015 (registers under section 1), in paragraph 3 (eligibility)—

(a) after sub-paragraph (2) insert—

“(2A) Regulations relating to the matters set out in sub-paragraph (2) may provide for eligibility to be determined by reference to criteria set by a relevant authority.”;

(b) at the end insert—

“(4) The regulations may provide—

(a) that persons who fail to meet particular conditions of eligibility, but who meet the other conditions specified, must be entered on a separate part of the register;

(b) that the duty in section 2A does not apply in relation to such persons.”

(2) In paragraph 6 of that Schedule (fees)—

(a) in sub-paragraph (1), for “section 1” substitute “ sections 1 and 2A ”;

(b) in sub-paragraph (2)(b), after “fixing of fees by” insert “ the Secretary of State or ”;

(c) after sub-paragraph (2) insert—

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**Changes to legislation:** Housing and Planning Act 2016, Section 12 is up to date with all changes known to be in force on or before 07 August 2023. 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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“(3) The regulations may specify circumstances in which no fee is to be paid.”

(3) In section 4(1) of that Act (regulations subject to affirmative resolution procedure)—

- (a) in paragraph (b) omit “or”;
- (b) after that paragraph insert—
  - “(ba) section 2A(3),
  - (bb) section 5(2), or”.

(4) In section 4(2) of that Act (regulations subject to negative resolution procedure)—

- (a) before paragraph (a) insert—
  - “(za) section 2B,”;
- (b) in paragraph (a), for “section 5” substitute “ section 5(1) ”.

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#### Commencement Information

**II** [S. 12](#) in force at 13.7.2016 by [S.I. 2016/733](#), [reg. 3\(a\)](#)

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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. 172(1)(a) words renumbered as s. 172(1)(a) by [2017 c. 20 s. 26\(8\)\(a\)\(i\)](#)
- s. 172(1)(b) inserted by [2017 c. 20 s. 26\(8\)\(a\)\(ii\)](#)