

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to the Building Act 1984 in connection with higher-risk building work carried out by local authorities and any other public bodies. A number of new definitions, such as higher-risk building, higher-risk building work, the tribunal and the regulator are inserted into the Building Act 1984 by Building Safety Act 2022 (c. 30). See section 126 of the Building Act 1984 for these definitions.

Regulation 2 amends section 5 of the Building Act 1984 to provide that, as respects England, an exemption granted under that section has no effect in relation to higher-risk building work. The effect of this provision is to ensure that such building work will be supervised by the building safety regulator.

Regulation 3 amends section 54 of the Building Act 1984 to provide that, as respects England, that public bodies notices may not include any higher-risk building work. The effect of this provision is to ensure that such building work will be supervised by the building safety regulator.

Regulation 4 amends Schedule 4 to the Building Act 1984 to provide that the whole or part of a public body's notice may be cancelled where work to a building in England which is specified in such a notice becomes higher-risk building work. Provision inserted into Schedule 4 also explains the effect of the cancellation and the grounds for appealing against a decision of a local authority to cancel such a public body's notice.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.