
STATUTORY INSTRUMENTS

2023 No. 906

**The Building (Approved Inspectors etc. and
Review of Decisions) (England) Regulations 2023**

PART 3

Amendments of the Approved Inspectors Regulations

Amendments in relation to fire safety information etc

13.—(1) Regulation 20 (application of regulations) is amended as follows—

- (a) in the heading after “37,” insert “38,”;
- (b) in paragraph (1)—
 - (i) after “37 (wholesome water consumption calculation),” insert “38 (fire safety information),”;
 - (ii) for “local authority” substitute “building control authority or relevant authority”;
- (c) after paragraph (4) insert—

“(4A) Regulation 38 of the Principal Regulations applies in relation to building work which is the subject of an initial notice as if for paragraph (2) there were substituted—

“(2) The person carrying out the work must give the fire safety information to the responsible person no later than—

 - (a) the date of completion of the work to which the initial notice relates;
 - (b) the date of occupation of the building or extension;
 - (c) the date on which, in accordance with regulation 17(5) of the Building (Approved Inspectors etc.) Regulations 2010, the initial notice ceases to be in force,

whichever is the earlier.””.
- (d) in paragraph (5) for “notice of commencement of the work” substitute “notice of intention to start work”.

(2) Schedule 1 (forms) is amended as follows—

- (a) in form 5 (final certificate) after paragraph 6 insert—

“**6A.** [I confirm the person carrying out the work has notified me to the effect that the fire safety information has been given to the responsible person as required by regulation 38 of the Building Regulations 2010.] **(7A).**”; and
- (b) in the Notes to form 5 after note (7) insert—

“(7A) Delete this statement if regulation 38 of the Building Regulations 2010, as modified by regulation 20 of the Building (Approved Inspectors etc.) Regulations 2010, does not apply to the building work to which the final certificate relates.”.

(3) In Schedule 4 (grounds for rejecting a final certificate), after paragraph 4 insert—

“Lack of fire safety information confirmation

4A. Regulation 38 of the Building Regulations 2010, as modified by regulation 20 of the Building (Approved Inspectors etc.) Regulations 2010, applies to the building work to which the final certificate relates and the approved inspector has not provided a confirmation that the person carrying out the work has notified the approved inspector to the effect that the fire safety information has been given to the responsible person as required by that regulation.”.