
STATUTORY INSTRUMENTS

2023 No. 909

BUILDING AND BUILDINGS, ENGLAND

**The Building (Higher-Risk Buildings
Procedures) (England) Regulations 2023**

Made - - - - 9th August 2023
Laid before Parliament 17th August 2023
Coming into force - - 1st October 2023

**THE BUILDING (HIGHER-RISK BUILDINGS
PROCEDURES) (ENGLAND) REGULATIONS 2023**

PART 1

Preliminary

1. Citation, commencement, extent and application
2. Interpretation

PART 2

Building control approval

CHAPTER 1

New HRBs

3. Building control approval for HRB work or stage of HRB work
4. Building control approval applications for HRB work or stage of HRB work
5. Building control approval applications for HRB work or stage of HRB work: validity and time limit
6. Building control approval applications for HRB work or stage of HRB work: consultation
7. Building control approval applications for HRB work or stage of HRB work: decisions
8. Regulator's power to require notifications etc for HRB work or stage of HRB work

Changes to legislation: There are currently no known outstanding effects for the The Building (Higher-Risk Buildings Procedures) (England) Regulations 2023. (See end of Document for details)

9. Notice before starting on site and further notice when work is “commenced”

CHAPTER 2

Existing HRBs

10. Notification of emergency repairs to existing HRB
11. Building control approval for work to existing HRB
12. Building control approval applications for work to existing HRB
13. Building control approval applications for work to existing HRB: validity and time limit
14. Building control approval applications for work to existing HRB: consultation
15. Building control approval applications for work to existing HRB: decisions
16. Regulator’s power to require notifications etc for work to existing HRB
17. Notice before starting on site and further notice when work is “commenced”

PART 3

Changes before or during construction

18. Change control
19. Change control: record-keeping
20. Change control: notification requirements
21. Change control applications
22. Change control applications: validity and time limit
23. Change control applications: consultation
24. Change control applications: decisions
25. Change control: regulator power to specify notifiable changes and major changes
26. Change control: major changes and notifiable changes
27. New client etc
28. Insolvency etc of the client: notifications
29. New principal contractor or principal designer etc: notification
30. Variation of a requirement imposed on a building control approval

PART 4

Golden thread, mandatory occurrence reporting, information handover etc

31. Golden thread
32. Mandatory occurrence reporting system
33. Mandatory occurrence reporting: reporting to the regulator
34. Mandatory occurrence reporting: defences
35. Mandatory occurrence reporting: definitions
36. Mandatory occurrence reporting: regulator’s annual report
37. Mandatory occurrence reporting: client duty on appointment of principal contractor or principal designer
38. Handover of information on completion etc
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PART 5

Completion certificates

40. Completion certificate applications
41. Completion certificate applications: validity and time limit
42. Completion certificate applications: consultation
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44. Completion certificate applications: decisions
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PART 6

Inspections etc, regularisation, review of decisions, appeals and section 30A procedures etc

46. Inspections etc
47. Regularisation of unauthorised building work
48. Review of regulator's decisions
49. Appeal in relation to reviewed decisions
50. Section 30A prescribed applications
51. Section 30A applications: procedure
52. Section 30A applications: electronic submissions
53. Section 30A applications: determinations
54. Section 30A applications: appointed persons
55. Deemed rejection of the original application
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PART 7

Miscellaneous

57. Exempt work
 58. Requirement for completion certificate before occupation and transitional cases
 59. Electronic submission and directions
 60. Contraventions by the regulator not to be subject to enforcement
 61. Provisions in relation to which a stop notice may be given
 62. Local land charges
 63. Consequential amendment to the Regulatory Reform (Fire Safety) Order 2005
 64. Consequential amendments to the Community Infrastructure Levy Regulations 2010
 65. Consequential amendments to the Building Safety (Responsible Actors Scheme and Prohibitions) Regulations 2023
 66. Transitional, supplementary and saving provisions
- Signature

SCHEDULE 1 — Documents

1. Competence declaration
2. Construction control plan
3. Change control plan
4. Building Regulations compliance statement
5. Fire and emergency file

Changes to legislation: There are currently no known outstanding effects for the The Building (Higher-Risk Buildings Procedures) (England) Regulations 2023. (See end of Document for details)

6. Partial completion strategy

SCHEDULE 2 — Exempt work

1. Work consisting of— (a) in relation to an existing fixed...
2. Installation of thermal insulation to suspended timber floors where the...
3. For the purposes of this Schedule— “fixed building service” has...

SCHEDULE 3 — Transitional, supplementary and saving provisions

PART 1 — Transitional etc provisions

1. October 2023: HRB work and work to existing HRB
2. From October 2023: cases where full plans are rejected
3. October 2023 to April 2024: cases where building control approval lapses before 6th April 2024
4. October 2023 to April 2024: cases of not sufficiently progressed work where an initial notice is cancelled before 6th April 2024
5. October 2023 to April 2024: cases of sufficiently progressed work where an initial notice is cancelled before 6th April 2024
6. From April 2024: local authority to notify regulator where work has not sufficiently progressed
7. From April 2024: cases where work is to be regarded as sufficiently progressed
8. From April 2024: cases of work not sufficiently progressed with an initial notice
9. From April 2024: cases of work not sufficiently progressed with full plans
10. From April 2024: cases where work has sufficiently progressed but approved inspector is not a registered building control approver
11. From April 2024: cases where work has sufficiently progressed and then initial notice ceases

PART 2 — Enforcement and interpretation

12. Contravention of certain provisions not to be an offence etc
13. Interpretation

Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The Building (Higher-Risk Buildings Procedures) (England) Regulations 2023.