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STATUTORY INSTRUMENTS

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**2023 No. 911**

**The Building Regulations etc. (Amendment)  
(England) Regulations 2023**

**PART 4**

Transitional, supplementary and saving provisions

**Transitional and saving provisions**

**22.**—(1) The amendments made to the 2010 Regulations by the provisions listed in paragraph (2) do not apply to—

- (a) building work which started before the regime start date;
- (b) building work in relation to which—
  - (i) plans were deposited with a local authority pursuant to section 16 of the Act before the regime start date; or
  - (ii) a building notice has been given to a local authority before the regime start date, but this sub-paragraph does not apply to building work if on or after the regime start date the plans which were deposited are rejected by the local authority.

(2) The provisions referred to in paragraph (1) are—

- (a) regulation 4 (amendments after regulation 2);
- (b) regulation 6 (new Part - dutyholders and competence);
- (c) regulation 7 (amendments: deposit of plans and building control authorities etc) and the omission of the definition of “full plans” in regulation 3(c);
- (d) regulation 8 (amendments: applications for building control);
- (e) regulation 9 (amendments: consultation on applications for building control);
- (f) regulation 11 (regulator’s notices);
- (g) regulation 12 (amendments to regulations 20 and 20A of the 2010 Regulations);
- (h) regulation 13 (amendments to regulation 38 of the 2010 Regulations);
- (i) regulation 15 (starting on site and commencement of work).

(3) The disapplication in paragraph (1) of—

- (a) regulation 6 (new Part - dutyholders and competence);
- (b) regulation 13 (amendments to regulation 38 of the 2010 Regulations);
- (c) the amendments to regulation 16 of the 2010 Regulations in regulation 15 (starting on site and commencement of work),

ceases on 6th April 2024 where the building work has not started by that date.

### **Transitional and saving provisions: appeals**

**23.** In relation to any appeal, or any application to a magistrates' court, under Part 1 of the Act which was made before the regime start date, the 2010 Regulations apply without the amendments made by regulation 10 (other appeals).

### **Transitional, supplementary and saving provisions: HRBs**

**24.** Except to the extent provided for in Schedule 3 (transitional, supplementary and saving provisions) to the Building (Higher-Risk Buildings Procedures) (England) Regulations 2023, regulations 22 and 23 do not apply to higher-risk buildings.

### **Interpretation of this Part**

**25.** For the purposes of this Part—

“the Act” means the Building Act 1984;

“building notice” and “building work” have the meanings given in the 2010 Regulations;

“regime start date” means 1st October 2023.