

## Legislation

You may be aware of the latest legislative changes relating to The Building Safety Act 2022, with government publishing the secondary legislation at the end of August. Please see summary of changes to commencement and completion requirements that may impact your projects.

### Notice of Commencement

As of 1st October 2023, for applications to be considered as started for the purposes of Regulation 13(5) of The Building Regulations 2010; and Section 32 of The Building Act 1984, the works will need to have progressed to at least one of the following:

1. *Progressed to damp proof course level (if foundations are applicable); or*
2. *15% completion of the overall project*

Under Regulation 16 (3C) it is now a legal requirement that within five days after the work has commenced, the person carrying out work must give notice to the Building Control Body.

Please note that this does not change the requirement for a valid Building Control application to be submitted to Building Control prior to any works commencing on site. The above stages are only relevant to Regulation 13(5) of The Building Regulations 2010 and Section 32 of The Building Act 1984.

### Notice of Completion

*A Compliance Notice will be required for **ALL Projects** that are subject to a Building Regulations Application upon 5 days of the completion of works. A template for this notice will be issued and sent to the applicant/agent when the acknowledgement letter is issued. **We will not be able to issue a completion certificate until all relevant parties have signed this.***

*The Notice of Completion will require the following information: The name, address, telephone number and (if available) email address of the client, principal contractor, and principal designer.*

*A statement will be required from the applicant to say that the works have been completed and complies with all the applicable regulations to the best of their knowledge.*

*A statement will also be required from both the principal contractor and principal designer (if applicable) to confirm they have fulfilled their duties under Part 2A (duty holders and competence). The duties for this can be found here -[The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(legislation.gov.uk\)](#)*

*For buildings subject to the Fire Safety Order, the client must submit the same notice, but within 5 days of occupation, and it must also state the following:*

1. *The date when the building (or any part of it) is occupied; and*
2. *A signed statement confirming that to the best of their knowledge, Regulation 38 and Part B of Schedule 1 are currently complied with for the parts of the building are to be occupied.*

**Please note it is the client/applicant's responsibility to appoint a Principal Contractor and Principal Designer for the project.**