STATUTORY INSTRUMENTS

2004 No.1466

BUILDING AND BUILDINGS, ENGLAND AND WALES

The Building (Approved Inspectors etc.) (Amendment) Regulations 2004

Made - - -	*28th May 2004*
Laid before Parliament	*8th June 2004*
Coming into force - -	*1st July 2004*

The First Secretary of State, in exercise of the powers conferred upon him by sections 1(1), and 47(1) of, and paragraphs 1, 2, 7, 8 and 10 of Schedule 1 to the Building Act 1984(**a**) and of all other powers enabling him in that behalf, after consulting the Buildings Regulations Advisory Committee and such other bodies as appear to him to be representative of the interests concerned in accordance with section 14(3) of the Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Building (Approved Inspectors etc.) (Amendment) Regulations 2004 and shall come into force on 1st July 2004.

Amendment of the Building (Approved Inspectors etc.) Regulations 2000

2. Regulation 12A of the Building (Approved Inspectors etc.) Regulations 2000(**b**) shall be amended as follows—

(a) in regulation 12A (sound insulation testing), at the beginning of paragraph (1) insert "Subject to paragraph (4) below,";

(b) after regulation 12A (3) insert—

"(4) Where building work consists of the erection of a dwelling-house or a building containing flats, this regulation does not apply to any part of the building in relation to which the person carrying out the building work notifies the approved inspector prior to commencement of the building work on site that, for the purpose of achieving compliance of the work with paragraph E1 of Schedule 1 to the principal Regulations, he is using one or more design details approved by Robust Details Limited (**c**), provided that—

(a) the notification specifies–

(i) the part or parts of the building in respect of which he is using the design detail;

(ii) the design detail concerned; and

(**a**) 1984 c. 55. Section 47 was amended by S.I. 1996/1905.
(**b**) S.I. 2000/2532 amended by S.I. 2002/2872.
(**c**) A company incorporated under the Companies Act 1985 (c.6) with the registration number 04980223.

(iii) the unique number issued by Robust Details Limited in respect of the specified use of that design detail; and

(b) the building work carried out in respect of the part or parts of the building identified in the notification is in accordance with the design detail specified in the notification.”.

Signed by authority of the First Secretary of State

Phil Hope
Parliamentary Under Secretary of State
Office of the Deputy Prime Minister

28th May 2004

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Building (Approved Inspectors etc.) Regulations 2000 (S.I. 2000/2532).

Regulation 12A of the Building (Approved Inspectors etc.) Regulations 2000, contains a requirement for sound insulation testing. That regulation comes into force, as regards new houses and buildings containing flats, on 1st July 2004 (see S.I.2002/2872 amended by S.I.2003/3133). These Regulations, coming into force on the same day, introduce a provision into the Regulations so that the requirement for testing does not apply where the person carrying out the building work notifies the approved inspector in accordance with the Regulations that one or more of the design details published by Robust Details Limited and specified in the notification has been adopted.

The design details referred to in these Regulations can be obtained from Robust Details Limited, P.O. Box 7289, Milton Keynes, MK14 6ZQ (Tel: 0870 240 8210; Fax: 0870 240 8203; Email: administration@robustdetails.com).

The Secretary of State has approved, under section 6(4) of the Building Act 1984, amendments to the approved document containing practical guidance with respect to the requirements contained in regulation 12A (sound insulation testing) and Part E. "Amendments 2004 to Approved Document E- Resistance to the passage of sound" (ISBN 0-11-753915-5, £6.50) will be published by The Stationery Office Limited.

A Regulatory Impact Assessment has been prepared in relation to the Building (Amendment) Regulations 2004 and these Regulations. A copy may be obtained from Buildings Division, ODPM, 18/B Portland House, Stag Place, London SW1E 5LP (Tel: 020 7944 5755; Fax 020 7944 5739; Email: bregsa.br@odpm.gov.uk).

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