

# **Building Act 1984**

## **The Building (Approved Inspectors etc.) Regulations 2010**

### **NOTICE OF DESIGNATION**

TAKE NOTICE that the Secretary of State, under section 49 of the Building Act 1984 and regulations 3 and 5 of the Building (Approved Inspectors etc.) Regulations 2010, with the consent of CICAIR Limited<sup>1</sup>, hereby designates CICAIR Limited (the “designated body”) to approve inspectors for the purposes of Part 2 of that Act and those Regulations, on the terms and subject to the limitations set out below.

This designation comes into effect on 31 March 2014 and applies in relation to England. It continues to have effect until withdrawn by the Secretary of State under regulation 6(3) of the Building (Approved Inspectors etc.) Regulations 2010.

The designations of the Construction Industry Council of 1 July 1996 in respect of approval of individuals and of 28 September 1998 in respect of approval of bodies corporate are withdrawn in accordance with regulation 6(3) of the Building (Approved Inspectors etc.) Regulations 2010 upon the coming into force of this designation.

#### **Terms and limitations**

(a) The designated body will undertake the approval of inspectors and the termination of the approval of inspectors in accordance with section 49 of the Building Act 1984 and Part 2 of the Building (Approved Inspectors etc.) Regulations 2010.

(b) The designated body will maintain and publish a Code of Conduct for approved inspectors setting out how approved inspectors should discharge their responsibilities. The Code will include disciplinary procedures and types of sanctions to be applied to approved inspectors who breach the requirements of the Building Act 1984, the Building (Approved Inspectors etc.) Regulations 2010 or the provisions of the Code of Conduct

(c) The designated body will require all approved inspectors to agree to comply with the Code of Conduct as a condition of approval or re-approval.

(d) The designated body will have a published complaints procedure with the aim of resolving complaints made against approved inspectors in a timely manner. The complaints procedure will include consideration of complaints on the competence of approved inspectors and whether approved inspectors have taken reasonable steps to satisfy themselves that the building work complies with the requirements of the Building Regulations 2010. The procedure will not extend to dealing with complaints arising from dissatisfaction with the judgement made by an approved inspector on whether building work at a particular site complies with the requirements of the Building Regulations.

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<sup>1</sup> A private company limited by guarantee formed and registered under the Companies Acts (defined in section 2 of the Companies Act 2006, c.46) with company registration number 8881582

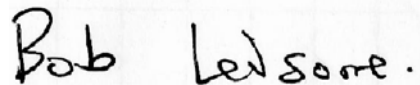
(e) The designated body will on request by the Secretary of State provide such information as the Secretary of State considers necessary for the purpose of the carrying out his functions.

(f) The designated body will carry out periodic surveillance of the operations of approved inspectors to make sure approved inspectors are complying with relevant requirements of the Building Act 1984, the Building (Approved Inspectors etc.) Regulations 2010 and the Code of Conduct. The designated body may employ a risk-based approach to deciding when to carry out surveillance of an approved inspector. Not more than three years must elapse between the surveillance of each approved inspector.

(g) The designated body will publish an annual report of its activities, including information on the number of inspectors approved and re-approved, the number of approvals lapsed or withdrawn, the number of complaints received and their outcomes, the number and nature of disciplinary actions taken and their outcomes and its annual financial accounts.

[(h) The designated body will develop and publish a documented quality management system.

*Signed by authority of the Secretary of State*

A handwritten signature in black ink that reads "Bob Ledsome." The signature is written in a cursive style and is positioned above the printed name.

R J Ledsome

An Assistant Secretary in the Department for Communities and Local Government

13 March 2014