

Statutory Document No. 2023/0332



Building Control Act 1991

BUILDING (AMENDMENT) REGULATIONS 2023

Approved by Tynwald: 17 January 2024
Coming into Operation: 31 December 2023

The Department of Environment, Food and Agriculture makes the following Regulations under section 1 of, and paragraph 5 of Schedule 1 to, the Building Control Act 1991.

1 Title

These Regulations are the Building (Amendment) Regulations 2023.

2 Commencement

If approved by Tynwald¹ —

- (a) regulations 1, 2, 3 and 4(1) and (2) come into operation on 31 January 2024; and
- (b) the remaining regulations come into operation on 1 April 2024.

3 Building Regulations 2014 amended

- (1) The Building Regulations 2014² are amended as follows.
- (2) In regulation 21(1) for “Schedule 1 and Schedule 4” substitute **Schedule 1, Schedule 4 and Schedule 5**.
- (3) After Schedule 4 (energy efficiency requirements), insert —

¹ By virtue of section 37 of the Building Control Act 1991, these Regulations are subject to the “approval” Tynwald procedure, being the procedure described in section 30 of the Legislation Act 2015.

² SD 2014/0165.

SCHEDULE 5

FOSSIL FUEL HEATING SYSTEM REQUIREMENTS

[Regulation 21]

Compliance with the Climate Change Act 2021

Building work must comply with any requirements relating to fossil fuel heating systems in, or under, section 28 of the Climate Change Act 2021.

4 Building Control (Fees) (No. 2) Regulations 2021 amended

- (1) The Building Control (Fees) (No. 2) Regulations 2021³ are amended as follows.
- (2) In regulation 4(7) –
 - (a) at the end of sub-paragraph (a), omit “and”;
 - (b) after sub-paragraph (a), insert –
 - (aa) no plan fee is payable for the submission of any plan which –
 - (i) substitutes a proposed fossil fuel heating system that complies with any requirement in, or under, section 28 of the Climate Change Act 2021; and
 - (ii) amends a plan passed prior to 1 January 2024; and
 - (c) in sub-paragraph (b), before “any” insert “subject to sub-paragraphs (a) and (aa),”.
- (3) In regulation 6(3) for “£220” substitute “£235”.
- (4) In Schedule 1, for the table substitute –

Column 1	Column 2	Column 3
Type of work	Plan fee from 1 April 2024 £	Inspection fee from 1 April 2024 £
1. Erection of a detached building which consists of a garage or carport or both, having a floor area not exceeding 50m ² in total and intended to be used in common with an existing building,	70	150

³ SD 2021/0111



	and which is not an exempt building.		
2(a).	Erection of an attached building which consists of a garage or carport or both, having a floor area not exceeding 50m ² in total and intended to be used in common with an existing building, and which is not an exempt building.	70	150
2(b).	Erection of an extension to an attached building which consists of a garage or carport or both, having a floor area not exceeding 50m ² (when added together) in total and intended to be used in common with an existing domestic building, and which is not an exempt building.	70	150
3.	Installation of an unvented hot water system in accordance with Part G3 of Schedule 1 to the principal Regulations, if the installation is not part of a larger project and where the authority carries out an inspection.	Nil	140
4.	Any extension of a dwelling the floor area of which does not exceed 70m ² , including means of access and work in connection with that extension.	155	370
5.	Any extension or alteration of a dwelling consisting of the provision of one or more rooms in a roof space the area of which does not exceed 70m ² including means of access.	155	370
6.	Any electrical installation proposed which is not part of any other application submitted for approval and it is not to be installed by a member of a relevant self-certification Scheme under Regulation 28 of the principal Regulations.	115	290

Note: VAT is not payable on plan or inspection fees. 

(5) In Schedule 2, for the table substitute –



Column 1	Column 2	Column 3
Date of deposit of plans	Plan fee	Inspection fee
	£	£
From 1 April 2024	345	330

Note: VAT is not payable on plan or inspection fees. 

(6) In Schedule 3 –

(a) in the subheading to Part 1, for “May 2023”, substitute **44** April 2024 **45**;

(b) for the table substitute —

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Column 1		Column 2	Column 3
Estimated cost of work		Plan fee	Inspection fee
Exceeding	Not exceeding	£	£
0	£2,000	70	90
£2,000	£4,000	90	125
£4,000	£6,000	110	150
£6,000	£10,000	150	240
£10,000	£14,000	165	360
£14,000	£18,000	180	415
£18,000	£24,000	205	530
£24,000	£30,000	210	580
£30,000	£40,000	310	950
£40,000	£50,000	360	1,040
£50,000	£60,000	460	1,385
£60,000	£100,000	565	1,695
£100,000	£140,000	710	2,060
£140,000	£180,000	890	2,665
£180,000	£240,000	1,120	3,305
£240,000	£300,000	1,385	4,090
£300,000	£380,000	1,635	4,895
£380,000	£480,000	2,080	6,225
£480,000	£680,000	2,445	7,275
£680,000	£1,000,000	3,165	9,425
£1,000,000	£1,100,000	3,365	10,050
Plus for each £100,000 or part thereof above £1,100,000, up to the maximum specified below:		545	1,605
Maximum fee payable		46,425	139,260

Note: VAT is not payable on plan or inspection fees. **47**.

MADE 18 DECEMBER 2023

CLARE BARBER

Minister for Environment, Food and Agriculture

*EXPLANATORY NOTE**(This note is not part of the Regulations)*

These Regulations amend the Building Control Regulations 2014 (“the 2014 Regulations”) and the Building Control (Fees) (No. 2) Regulations 2021 (“the 2021 Regulations”).

The 2014 Regulations are amended to enable a building authority to withhold a completion certificate where a fossil fuel heating systems has been installed in contravention of the ban which comes into force on the 1 January 2025 as contained in the provisions of section 28 of the Climate Change Act 2021.

The 2021 Regulations are amended to:

- provide a fee exception for plans passed prior to 1 January 2024 that substitutes a proposed fossil fuel heating system with a heating system that complies with the requirements of the Climate Change Act 2021;
- increase the regularisation fee by 5.8% (rounded to the nearest £5) in relation to unauthorised work; and
- increase plan and inspection fees by 5.8% (rounded to the nearest £5) from 1 April 2024.