**THE BUILDING REGULATIONS 2010, as amended**

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

**Part 2A (dutyholders and competence)**

**PRINCIPAL DESIGNER**

**DECLARATION OF COMPLIANCE**

The Government has published amendments to the building regulations which came into full force on the 1st October 2023. This introduces the need to submit declarations of compliance. Please note that we will not issue our completion certificate until these declarations have been submitted to building control by the Client.

“Principal designer” means the designer appointed under regulation 11D (principal designer and principal contractor) to perform the duties of a principal designer under these Regulations;

**Project Description:**

**Project Location:**

**Principal Designer Individuals Name:**

**Business Organisation:**

**Address:**

**Telephone Number:**

**Email Address:**

**Date of Appointment:**

**Date appointment ceased:**

I/We confirm (as Principle Designer) that I/ we have fulfilled my/our duties under Part 2A (duty holders competence) of the Building Regulations.

**Signed:**

**Name:**

**Date:**

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| **PRINCIPAL DESIGNER/s WHO HAVE ENDED THEIR APPOINTMENTS AND DUTIES PROVIDE FULL DETAILS ON NEXT SHEET** |

**IMPORTANT NOTES**

Under the **Building Regulations 2010 (as amended)**, a **Principal Designer (PD)** appointed for a **non-higher risk building** has statutory obligations that must be fulfilled if their appointment ends before the building work is completed. These obligations ensure continuity of compliance and the seamless handover of regulatory responsibilities.

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| **Statutory Obligations of a Principal Designer Ending Their Appointment Early** |

1. **Notification of Change in Principal Designer:**
   * The **person carrying out the work** (usually the client or developer) must notify the relevant **Building Control Body (BCB)**— us as the Registered Building Control Approver (RBCA)—of the change in Principal Designer.
   * While the obligation to notify rests with the client (as means Domestic Client), the outgoing Principal Designer must inform the client of this requirement to maintain compliance with regulatory processes.
2. **Transfer of Design and Compliance Documentation:**
   * The outgoing Principal Designer must provide all completed design and compliance documentation to the client or the incoming Principal Designer.
   * **This includes:**
     + Approved plans, specifications, and amendments submitted to the BCB.
     + Documentation demonstrating compliance with the **Building Regulations**, particularly concerning critical areas like structural design (Part A), fire safety (Part B), ventilation (Part F), and energy efficiency (Part L).
3. **Responsibility for Completed Design Work:**
   * The outgoing Principal Designer remains responsible for ensuring that all design work completed under their appointment complies with the relevant requirements of the Building Regulations.
   * Any incomplete or non-compliant aspects must be clearly identified and documented for resolution by the client or new Principal Designer.
4. **Coordination of Unresolved Design Issues:**
   * Highlight any design-related compliance issues raised by the BCB that remain unresolved at the time of their departure.
   * Ensure these issues are clearly communicated to the client or new Principal Designer for follow-up and resolution.
5. **Handover of Safety-Critical Information (Regulation 38, if applicable):**
   * If applicable, ensure that fire safety information required under **Regulation 38** (e.g., fire strategies, evacuation plans) for the design phase is transferred to the client or incoming Principal Designer.
   * This obligation applies to projects where fire safety systems or strategies have been designed but not yet fully implemented.
6. **Support for Compliance Continuity:**
   * Although not explicitly required under the Building Regulations, the outgoing Principal Designer should facilitate a smooth transition by ensuring the new Principal Designer has access to all necessary design records and correspondence with the BCB.

**Key Considerations**

* **Regulation 7 (Materials and Workmanship):**  
  Any materials or methods specified by the outgoing Principal Designer during their appointment must comply with the standards outlined in Regulation 7.
* **Accountability for Completed Work:**  
  The outgoing Principal Designer remains accountable for the compliance of all design work completed and signed off during their tenure.

**Summary**

When a Principal Designer appointed for a **non-higher risk building** ends their statutory appointment before the project is completed, they must:

1. Ensure the client notifies the BCB of the change in Principal Designer.
2. Transfer all design and compliance documentation to the client or new Principal Designer.
3. Communicate any unresolved compliance or design issues.
4. Provide safety-critical documentation, such as Regulation 38 fire safety information, if applicable.
5. Maintain accountability for the compliance of design work completed under their appointment.

These obligations ensure that the design phase of the project remains compliant and that regulatory oversight is uninterrupted during the transition to a new Principal Designer.

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| **PRINCIPAL DESIGNERS/s WHO HAVE ENDED THEIR APPOINTMENTS AND DUTIES PROVIDE FULL DETAILS INTO NEXT BOX** |
| **The law requires that this declaration is given within 28 days from the date that your appointment ended as Principal Designer.** |

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