

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4618 of 26 September, 2019

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LEGAL NOTICE NO. 197 OF 2019.

## PUBLIC HEALTH ACT

### BUILDING (AMENDMENT) RULES 2019

In exercise of the powers conferred on it by sections 44, 45 and 46 of the Public Health Act, and all other enabling powers, the Government has made the following Rules—

#### **Title and commencement.**

1. These Rules may be cited as the Building (Amendment) Rules 2019 and come into operation on the date of publication.

#### **Amendments to the Building Rules 2017.**

2.(1) The Building Rules 2017 are amended in accordance with this rule.

(2) In “PART A, Interpretation and general”, after rule A11 insert—

#### **“A11A Power of entry to inspect works**

(1) A duly authorised officer of Government may enter any land or premises where any building works are being carried out or where he has reason to believe building works have been carried out.

(2) A duly authorised officer of Government may inspect the land or premises for the purposes of ascertaining whether-

(a) the provisions of the Public Health Act or any related subsidiary legislation thereunder; or

(b) any condition subject to which an approval notice has been granted,

are being or have been complied with.

(3) Any person who hinders or obstructs a duly authorised officer of Government under subrule (1) or (2) in the exercise of the powers conferred to him under this rule shall be guilty of an offence and liable on summary conviction to a fine at level 3 on the standard scale.

#### **A11B Fees payable on giving of notice, inspection, etc.**

- (1) Any application submitted for approval under the Building Rules 2017 (that does not require a planning permission under the provisions of the Town Planning Act 2018) will be subject to payment of fees in accordance with the fees contained in table below.
- (2) An “Application Fee” is payable on submission of an application for building works and an “Inspection Fee” is payable prior to completion or on completion of the building works.

	<b>Application Fee £</b>	<b>Inspection Fee £</b>
<b>(1) Improvements of existing dwellings-</b>		
(a) Applications for the internal alteration of an existing dwelling that does not result in an increase in gross floor space	30.00	70.00
(b) Applications for internal alterations involving the conversion of a loft	70.00	130.00
<b>(2) All other works where 80% of the estimated cost is-</b>		
Less than £1,000	10.00	30.00
£1,001 - £2,000	17.00	50.00
£2,001 - £3,000	20.00	60.00
£3,001 - £4,000	27.00	80.00
£4,001 - £5,000	33.00	102.00
£5,001 - £6,000	38.00	109.00
£6,001 - £7,000	45.00	132.00
£7,001 - £8,000	51.00	151.00
£8,001 - £9,000	53.00	160.00
£9,001 - £10,000	57.00	170.00
£10,001 - £12,000	63.00	189.00
£12,001 - £14,000	73.00	217.00
£14,001 - £16,000	82.00	247.00
£16,001 - £18,000	92.00	273.00
£18,001 - £20,000	101.00	302.00
£20,001 - £25,000	114.00	340.00
£25,001 - £30,000	129.00	385.00
£30,001 - £35,000	149.00	431.00
£35,001 - £40,000	166.00	498.00
£40,001 - £45,000	182.00	544.00
£45,001 - £50,000	196.00	591.00

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£50,001 - £60,000	220.00	657.00
£60,001 - £70,000	257.00	770.00
£70,001 - £80,000	285.00	884.00
£80,001 - £90,000	318.00	952.00
£90,001 - £100,000	348.00	1,043.00
£100,001 - £140,000	381.00	1,144.00
£140,001 - £180,000	493.00	1,480.00
£180,001 - £240,000	613.00	1,538.00
£240,001 - £300,000	762.00	2,287.00
£300,001 - £400,000	918.00	2,736.00
£400,001 - £500,000	1,158.00	3,476.00
£500,001 - £700,000	1,360.00	4,681.00
£700,001 - £1,000,000	1,771.00	5,315.00
£1,000,001 - £1,100,000	2,071.00	6,212.00
£1,100,001 - £1,200,000	2,371.00	7,109.00
£1,200,001 - £1,300,000	2,671.00	8,006.00
£1,300,001 - £1,400,000	2,971.00	8,903.00
£1,400,001 - £1,500,000	3,271.00	9,800.00
£1,500,001 - £1,600,000	3,571.00	10,697.00
£1,600,001 - £1,700,000	3,871.00	11,594.00
£1,700,001 - £1,800,000	4,171.00	12,491.00
£1,800,001 - £1,900,000	4,471.00	13,388.00
£1,900,001 - £2,000,000	4,771.00	14,285.00
£2,000,001 - £2,100,000	5,071.00	15,182.00
£2,100,001 - £2,200,000	5,371.00	16,079.00
£2,200,001 - £2,300,000	5,671.00	16,976.00
£2,300,001 - £2,400,000	5,971.00	17,873.00
£2,400,001 - £2,500,000	6,271.00	18,770.00
£2,500,001 - £2,600,000	6,571.00	19,667.00
£2,600,001 - £2,700,000	6,871.00	20,564.00
£2,700,001 - £2,800,000	7,171.00	21,461.00
£2,800,001 - £2,900,000	7,471.00	22,358.00
£2,900,001 - £3,000,000	7,771.00	23,255.00
£3,000,001 - £3,100,000	8,071.00	24,152.00
£3,100,001 - £3,200,000	8,371.00	25,049.00
£3,200,001 - £3,300,000	8,671.00	25,946.00
£3,300,001 - £3,400,000	8,971.00	26,843.00
£3,400,001 - £3,500,000	9,271.00	27,740.00
£3,500,001 - £3,600,000	9,571.00	28,637.00
£3,600,001 - £3,700,000	9,871.00	29,534.00
£3,700,001 - £3,800,000	10,171.00	30,431.00
£3,800,001 - £3,900,000	10,471.00	31,328.00
£3,900,001 - £4,000,000	10,771.00	32,225.00
£4,000,001 - £4,100,000	11,071.00	33,122.00
£4,100,001 - £4,200,000	11,371.00	34,019.00
£4,200,001 - £4,300,000	11,671.00	34,916.00
£4,300,001 - £4,400,000	11,971.00	35,813.00
£4,400,001 - £4,500,000	12,271.00	36,710.00
£4,500,001 - £4,600,000	12,571.00	37,607.00

£4,600,001-£4,700,000	12,871.00	38,504.00
£4,700,001-£4,800,000	13,171.00	39,401.00
£4,800,001-£4,900,000	13,471.00	40,298.00
£4,900,001-£5,000,000	13,771.00	41,195.00
and thereafter for each additional £100,000 or part thereof	13,771.00 plus £300.00 for each £100,000 (or part thereof)	41,195.00 plus £900.00 for each £100,000 (or part thereof)

**(3) Renewals:**

Renewal of Approval Notice	25% of the total original fee or £100 whichever is the lesser
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**(4) Amendments:**

Amendments to an application after Approval Notice has been issued.	25% of the total original fee or £200 whichever is the lesser
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(3) In Schedule 3 under “Rule A: General”, in paragraph 4 delete “in accordance with the Town Planning (Applications) Rules, 1976”.

(4) In Schedule 4, Rule A12:-Application form for dispensation or relaxation, substitute “section 48” with “section 47” in each instance it appears.

Dated 26th September, 2019.

Prof. J CORTES,  
Minister with responsibility for the Environment,  
For the Government.

**EXPLANATORY MEMORANDUM**

These Rules amend the Building Rules 2017 to allow for inspection of building works and payment of fees as a result of amendments introduced under the Town Planning Act 2018.