



Statutory Document No. 4/93

THE BUILDING CONTROL ACT 1991

THE BUILDING (FEES) REGULATIONS 1993

Approved by Tynwald 6th April 1993

Coming into operation 1st May 1993

In exercise of the powers conferred on the Department of Local Government and the Environment by section 1(1) of, and paragraphs 2 and 5 of Schedule 1 to, the Building Control Act 1991 (a), and of all other enabling powers, the following Regulations are hereby made:

Citation and commencement

1. These Regulations may be cited as the Building (Fees) Regulations 1993 and, subject to section 37(1) of the Act, shall come into operation on the 1st May 1993.

Interpretation

2. (1) In these Regulations –

“the Act” means the Building Control Act 1991;

“building” has the same meaning as in the principal Regulations, and includes a proposed building;

“cost of the work” means the cost of the work shown on the plans required to be deposited for the purposes of regulation 10 of the principal Regulations and shall exclude any professional fees and any VAT which may be chargeable;

“dwelling” includes a proposed dwelling;

“dwelling-house” does not include a flat or maisonette or a building containing a flat or maisonette;

“exempt building” means a building to which regulation 9(a) of the principal Regulations applies;

“plan fee” means the fee authorised to be charged by regulation 4;

“the principal Regulations” means the Building Regulations 1993 (b);

“small domestic building” means a building used or intended to be used wholly for the purposes of one or more private dwelling-houses and does not have any floor more than 4.5m above the mean ground level adjacent to the outside walls of the building;

“work” means –

- (a) the erection or extension of a building;
- (b) the alteration of a building other than the insertion of insulating material into a cavity wall;
- (c) the installation of a service or fitting;

(a) 1991 c.21 (b) SD 2/93

- (2) In these Regulations –
- (a) the total floor area of a building or extension is the total of the floor areas of all the storeys in it; and
 - (b) the floor area of –
 - (i) any storey of a building or extension, or
 - (ii) a garage or carport.

is the total floor area calculated by reference to the finished internal faces of the wall enclosing the area or if at any point there is no enclosing wall, by reference to the outermost edge of the floor.

Prescribed function

3. The prescribed function in relation to which a building authority is authorised to charge a fee is the passing or rejection by the authority, in accordance with section 11 of the Act, of plans of proposed work deposited with it (including plans of work proposed to be carried out by or on behalf of the Authority).

Plan fees

4. (1) Subject to the following provisions of these Regulations, a building authority is authorised to charge a fee for or in connection with the performance by it of the function prescribed by regulation 3.

(2) Where the proposed work consists of work specified in column 1 of Part 1 of the Schedule, the amount of the plan fee shall be the corresponding amount specified in column 2 of that Part.

(3) Where paragraph (2) does not apply, the plan fee shall be calculated by reference to the estimated cost of work in question in accordance with Part 2 of the Schedule.

(4) Where a plan fee has been paid and not refunded, a building authority may not charge a further plan fee in respect of plans subsequently deposited for substantially the same work.

Exemption for work for disabled people

5. (1) A building authority may not charge a plan fee where it is satisfied that the work in question –

- (a) is solely for the purpose of providing means of access to enable disabled people to get into a building and to any part of it, or of providing facilities designed to secure their greater health, safety, welfare or convenience, and
- (b) is to be, or has been, carried out in relation to –
 - (i) a building to which members of the public are admitted (whether on payment or otherwise), or
 - (ii) a dwelling which is, or is to be, occupied by a disabled person.

(2) In this regulation “disabled people” means people who have –

- (a) an impairment which limits their ability to walk or which requires them to use a wheelchair for mobility, or
- (b) impaired hearing or sight.

Exemption for small domestic buildings etc

6. (1) Subject to paragraph (4), where –

- (a) plans have been deposited for the erection of a small domestic building; and
- (b) a plan fee is payable or has been paid in respect of those plans,

a building authority may not charge a plan fee in respect of plans deposited on the same occasion or later for –

- (i) the execution of works or the installation of services or fittings in connection with the erection of that building; or
- (ii) the erection, in connection with the erection of that building, of a building consisting of a garage or carport or both.

- (2) Subject to paragraph (4), where –
- (a) plans have been deposited for the execution of works of drainage in connection with the erection of a small domestic building; and
 - (b) a plan fee has been paid in respect of those plans,
a building authority may not charge a plan fee in respect of plans deposited later for –
 - (i) the erection of that small domestic building; or
 - (ii) the execution of works or the installation of services or fittings in connection with the erection of that building; or
 - (iii) the erection, in connection with the erection of that building, of a building consisting of a garage or carport or both.

- (3) Subject to paragraph (4), where –
- (a) plans have been deposited for works consisting of extensions or alterations or both to –
 - (i) a small domestic building; or
 - (ii) a building (other than a small domestic building) which consists of flats or maisonettes or both, or
 - (iii) a building consisting of a garage or carport or both, which is occupied in common with a building of the kind described in head (i) or (ii) above; and
 - (b) a plan fee is payable or has been paid in respect of those plans,

a building authority may not charge a plan fee in respect of plans deposited on the same occasion or later for the execution of works or the installation of services or fittings in connection with those works.

(4) Nothing in paragraph (1), (2) or (3) prevents a building authority from charging a plan fee in respect of plans deposited at any time after completion of the erection of the small domestic building in question, or the completion of the works in question, as the case may be.

Payment of plan fees

7. (1) A plan fee is payable by the person by whom or on whose behalf the work is to be or is being carried out, on the first occasion on which the plans of the work are deposited.

(2) Where the amount of any plan fee is to be determined in accordance with Part 2 of the Schedule, the deposited plans shall be accompanied by a written statement of the total floor area of the building work in question.

(3) Plans shall not be treated as deposited in accordance with the principal Regulations for the purposes of section 11 of the Act unless the building authority has received any plan fee payable in respect of those plans and, where paragraph (2) applies, that paragraph has been complied with.

Estimates to be provided in certain cases

8. (1) This regulation applies where the amount of any fee is to be determined in accordance with Part 2 of the Schedule.

(2) Where this regulation applies, the deposited plans shall be accompanied by a reasonable written estimate of the cost of the work shown on the plans which is subject to control under the principal Regulations.

Transitional provision

9. (1) A plan fee shall not be payable in relation to work in respect of which plans were deposited before the relevant day, notwithstanding that plans for substantially the same work are or have been deposited on a subsequent occasion.

(2) In this regulation “the relevant day” has the same meaning as in Part 1 of Schedule 3 to the Act.

Regulation 4.

**SCHEDULE
PLAN FEES
PART 1
FIXED FEES**

| Type of work | Plan Fee |
|---|----------|
| 1. The erection of a single small domestic building | £53 |
| 2. For the execution of works of drainage in connection with the erection of a small domestic building where plans are deposited before plans for the erection of that building are deposited..... | £53 |
| 3. The erection of a detached building consisting of a garage or canopy or both, having a total floor area not exceeding 40 square metres and intended to be used in common with an existing building..... | £15 |
| 4. Work specified in Reg. 6(3)(a): | |
| (a) Consisting of the provision of one or more rooms in the roof space (including means of access)..... | £30 |
| (b) In any other case; that is | |
| (i) Works consisting of extension or alterations or both to a small domestic building | £20 |
| (ii) Works consisting of extension or alterations or both to a building which consists of flats or maisonettes or both..... | £20 |
| (iii) Works consisting of extensions or alterations or both to a building consisting of a garage or carport or both which is occupied in common with a small domestic building or a building which consists of flats or maisonettes or both | £20 |

PART 2
FEES BASED ON COST OF THE WORK

| Cost of work | Plan Fee |
|--|----------|
| Under £10,000 | £36 |
| £10,000 and under £12,000 | £40 |
| £12,000 and under £14,000 | £46 |
| £14,000 and under £16,000 | £52 |
| £16,000 and under £18,000 | £58 |
| £18,000 and under £20,000 | £64 |
| £20,000 and under £25,000 | £75 |
| £25,000 and under £30,000 | £85 |
| £30,000 and under £35,000 | £95 |
| £35,000 and under £40,000 | £110 |
| £40,000 and under £45,000 | £120 |
| £45,000 and under £50,000 | £130 |
| £50,000 and under £60,000 | £145 |
| £60,000 and under £70,000 | £170 |
| £70,000 and under £80,000 | £195 |
| £80,000 and under £90,000 | £210 |
| £90,000 and under £100,000 | £230 |
| £100,000 and under £140,000 | £255 |
| £140,000 and under £180,000 | £330 |
| £180,000 and under £240,000 | £410 |
| £240,000 and under £300,000 | £510 |
| £300,000 and under £400,000 | £610 |
| £400,000 and under £500,000 | £775 |
| £500,000 and under £700,000 | £910 |
| £700,000 up to and including £1,000,000 | £1,185 |
| Thereafter for each additional £100,000 and part thereof | £200 |

MADE 10th March 1993

J. A. Brown
Minister for Local Government and the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the fees payable on the deposit of plans in accordance with the Building Regulations 1993 (SD 2/93).

