



# Building Act 1984

## 1984 CHAPTER 55

### PART I

#### BUILDING REGULATIONS

##### *Approved documents*

#### **6 Approval of documents for purposes of building regulations.**

- (1) For the purpose of providing practical guidance with respect to the requirements of any provision of building regulations, the [<sup>F1</sup>Secretary of State][<sup>F1</sup>appropriate national authority] or a body designated by [<sup>F2</sup>him][<sup>F2</sup>the appropriate national authority] for the purposes of this section may—
  - (a) approve and issue any document (whether or not prepared by [<sup>F2</sup>him][<sup>F2</sup>the appropriate national authority] or by the body concerned), or
  - (b) approve any document issued or proposed to be issued otherwise than by [<sup>F2</sup>him][<sup>F2</sup>the appropriate national authority] or by the body concerned,if in the opinion of the [<sup>F1</sup>Secretary of State][<sup>F1</sup>appropriate national authority] or, as the case may be, the body concerned the document is suitable for that purpose.
- (2) References in this section and section 7 below to a document include references to a part of a document; and accordingly, in relation to a document of which part only is approved, a reference in the following provisions of this section or in section 7 below to the approved document is a reference only to the part of it that is approved.
- (3) An approval given under subsection (1) above takes effect in accordance with a notice that is issued by the [<sup>F1</sup>Secretary of State][<sup>F1</sup>appropriate national authority] or, as the case may be, the body giving the approval and that—
  - (a) identifies the approved document in question,
  - (b) states the date on which the approval of it is to take effect, and
  - (c) specifies the provisions of building regulations for the purposes of which the document is approved.

*Status: Point in time view as at 09/12/2022.*

*Changes to legislation: Building Act 1984, Cross Heading: Approved documents is up to date with all changes known to be in force on or before 06 October 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (4) The [F1Secretary of State][F1appropriate national authority] or, as the case may be, the body that gave the approval may—
- (a) from time to time approve and issue a revision of the whole or any part of an approved document issued by [F3him or] it for the purposes of this section, and
  - (b) approve any revision or proposed revision of the whole or any part of an approved document,
- and subsection (3) above, with the necessary modifications, applies in relation to an approval that is given under this subsection to a revision as it applies in relation to an approval that is given under subsection (1) above to a document.
- (5) The [F1Secretary of State][F1appropriate national authority] or, as the case may be, the body that gave the approval may withdraw [F4his or] its approval of a document under this section; and such a withdrawal of approval takes effect in accordance with a notice that is issued by the [F1Secretary of State][F1appropriate national authority] or body concerned and that—
- (a) identifies the approved document in question, and
  - (b) states the date on which the approval of it is to cease to have effect.
- [F5(5A) A notice under subsection (3) or (5) may contain transitional or saving provision (and different provision may be made for different purposes or for different areas).
- (5B) A body may give an approval under subsection (1) or (4), or withdraw an approval under subsection (5), only with the consent of the appropriate national authority.]
- (6) References in subsections (4) and (5) above and in section 7 below to an approved document are references to that document as it has effect for the time being, regard being had to any revision of the whole or any part of it that has been approved under subsection (4) above.
- (7) Where a body ceases to be a body designated by the [F1Secretary of State][F1appropriate national authority] for the purposes of this section, subsections (4) and (5) above have effect as if any approval given by that body had been given by the Secretary of State.
- (8) The power to designate a body for the purposes of this section is exercisable by order made by statutory instrument, which is [F6subject to annulment in pursuance of a resolution of either House of Parliament.][F6—
- (a) in the case of a statutory instrument made by the Secretary of State, subject to annulment in pursuance of a resolution of either House of Parliament;
  - (b) in the case of a statutory instrument made by the Welsh Ministers, subject to annulment in pursuance of a resolution of Senedd Cymru.]
- [F7(9) An order under subsection (8) may provide that a body is designated only in relation to—
- (a) buildings of a specified description;
  - (b) work of a specified description;
  - (c) specified provisions of building regulations.]

#### Textual Amendments

**F1** Words in s. 6 substituted (28.6.2022 for E.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 9\(2\)](#); S.I. 2022/561, reg. 3(f), [Sch. para. 9](#)

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- F2** Words in s. 6(1) substituted (28.6.2022 for E.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 9(3)**; S.I. 2022/561, reg. 3(f), Sch. para. 9
- F3** Words in s. 6(4)(a) omitted (28.6.2022 for E.) by virtue of Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 9(4)**; S.I. 2022/561, reg. 3(f), Sch. para. 9
- F4** Words in s. 6(5) omitted (28.6.2022 for E.) by virtue of Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 9(5)**; S.I. 2022/561, reg. 3(f), Sch. para. 9
- F5** S. 6(5A)(5B) inserted (28.6.2022 for E.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 9(6)**; S.I. 2022/561, reg. 3(f), Sch. para. 9
- F6** Words in s. 6(8) substituted (28.6.2022 for E.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 9(7)**; S.I. 2022/561, reg. 3(f), Sch. para. 9
- F7** S. 6(9) inserted (28.6.2022 for E.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 9(8)**; S.I. 2022/561, reg. 3(f), Sch. para. 9

## 7 Compliance or non-compliance with approved documents.

- (1) A failure on the part of a person to comply with an approved document does not of itself render him liable to any civil or criminal proceedings; but if, in any proceedings whether civil or criminal, it is alleged that a person has at any time contravened a provision of building regulations—
- (a) a failure to comply with a [<sup>F8</sup>document that at that time was approved for the purposes of that provision][<sup>F8</sup>relevant approved document] may be relied upon as tending to establish liability, and
  - (b) proof of compliance with such a document may be relied on as tending to negative liability.

[<sup>F9</sup>(1A) In subsection (1) “relevant approved document” means a document approved for the purposes of the provision that applies in relation to the work in question.]

- (2) In any proceedings, whether civil or criminal—
- (a) a document purporting to be a notice issued as mentioned in section 6(3) above shall be taken to be such a notice unless the contrary is proved, and
  - (b) a document that appears to the court to be the approved document to which such a notice refers shall be taken to be that approved document unless the contrary is proved.

### Textual Amendments

- F8** Words in s. 7(1)(a) substituted (28.6.2022 for E.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 10(2)**; S.I. 2022/561, reg. 3(f), Sch. para. 10
- F9** S. 7(1A) inserted (28.6.2022 for E.) by Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 10(3)**; S.I. 2022/561, reg. 3(f), Sch. para. 10

**Status:**

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