



Building Act 1984

1984 CHAPTER 55

PART I

BUILDING REGULATIONS

Appeals in certain cases

[^{F1}39A Appeals against compliance notices and stop notices etc

- (1) A person to whom a compliance notice has been given may appeal to the appropriate court or tribunal.
- (2) Where an appeal under [subsection \(1\)](#) is made—
 - (a) the compliance notice is of no effect pending the final determination or withdrawal of the appeal, and
 - (b) the specified period mentioned in [section 35B\(2\)](#) is treated as extended by the period—
 - (i) beginning with the day on which the appeal is made, and
 - (ii) ending with the day on which the appeal is finally determined or withdrawn.
- (3) A person to whom a compliance notice has been given may apply to the appropriate court or tribunal for an extension of the period for the doing of the thing specified in the notice.
- (4) [Subsection \(2\)](#) applies in relation to such an application as it applies in relation to an appeal under [subsection \(1\)](#).
- (5) A person to whom a stop notice has been given may appeal to the appropriate court or tribunal.
- (6) Where an appeal under [subsection \(5\)](#) is made—

Changes to legislation: Building Act 1984, Section 39A is up to date with all changes known to be in force on or before 08 July 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) View outstanding changes

- (a) the appellant may apply to the appropriate court or tribunal for a direction that the stop notice is of no effect pending the final determination or withdrawal of the appeal, and
- (b) unless and until any such direction is given, the stop notice continues to have effect despite the making of the appeal.]

Textual Amendments

F1 S. 39A inserted (6.4.2023 for specified purposes except in relation to W., 5.9.2023 for W. for specified purposes, 1.10.2023 in so far as not already in force except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), [ss. 38\(2\)](#), [170\(4\)\(b\)\(c\)](#); [S.I. 2023/362](#), [reg. 3\(1\)\(q\)](#); [S.I. 2023/914](#), [reg. 2\(b\)\(v\)](#); [S.I. 2023/993](#), [reg. 2\(h\)](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1A)(d) inserted by [2015 c. 7 s. 37\(2\)](#)
- s. 44(11) inserted by [2004 c. 22 s. 3\(8\)](#)
- s. 79A inserted by [2023 asc 3 Sch. 13 para. 65](#)
- s. 95(5) inserted by [2022 c. 30 s. 60\(2\)](#)
- s. 131A inserted by [2022 c. 30 s. 59](#)
- s. 131B inserted by [2022 c. 30 s. 60\(3\)](#)
- Sch. 1 para. 7A inserted by [2015 c. 7 s. 37\(4\)](#)
- Sch. 1 para. 7A(4) words substituted by [2022 c. 30 Sch. 5 para. 83\(5\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of Sch. 1 para. 7A by [2015 c. 7, s. 37\(4\)](#) is still prospective.)