



# Building Act 1984

## CHAPTER 55

### BUILDING ACT 1984

#### PART I

##### BUILDING REGULATIONS

###### *Power to make building regulations*

- 1 Power to make building regulations.
- 1A Buildings of special historical or architectural interest
- 2 Continuing requirements.
- 2A Continuing requirements in relation to fuel, power and emissions

###### *Exemption from building regulations*

- 3 Exemption of particular classes of buildings etc.
- 4 Exemption of educational buildings and buildings of statutory undertakers.
- 5 Exemption of public bodies from procedural requirements of building regulations.

###### *Approved documents*

- 6 Approval of documents for purposes of building regulations.
- 7 Compliance or non-compliance with approved documents.

###### *Relaxation of building regulations*

- 8 Relaxation of building regulations.
- 9 Application for relaxation.
- 10 Advertisement of proposal for relaxation of building regulations.
- 11 Type relaxation of building regulations.

*Status: Point in time view as at 10/11/2011.*

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*Type approval of building matter*

- 12 Power of appropriate national authority to approve type of building matter.
- 13 Delegation of power to approve.

*Consultation*

- 14 Consultation with Building Regulations Advisory Committee and other bodies.
- 15 Consultation with fire authority.

*Passing of plans*

- 16 Passing or rejection of plans.
- 17 Approval of persons to give certificates etc.
- 18 Building Regulations
- 19 Use of short-lived materials.
- 20 Use of materials unsuitable for permanent building.
- 21 Provision of drainage.
- 22 Drainage of buildings in combination.
- 23 Provision of facilities for refuse.
- 24 Provision of exits etc.
- 25 Provision of water supply.
- 26–29 Building Regulations

*Determination of questions*

- 30 Building Regulations

*Proposed departure from plans*

- 31 Proposed departure from plans.

*Lapse of deposit of plans*

- 32 Lapse of deposit of plans.

*Tests for conformity with building regulations*

- 33 Tests for conformity with building regulations.

*Classification of buildings*

- 34 Classification of buildings.

*Breach of building regulations*

- 35 Penalty for contravening building regulations.
- 35A Time limit for prosecution for contravention of ... building regulations
- 36 Removal or alteration of offending work.
- 37 Obtaining of report where section 36 notice given.
- 38 Civil liability.

*Appeals in certain cases*

- 39 Appeal against refusal etc. to relax building regulations.
- 40 Appeal against section 36 notice.

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- 41 Appeal to Crown Court.
- 42 Appeal and statement of case to High Court in certain cases.
- 43 Procedure on appeal to Secretary of State on certain matters.

*Application of building regulations to Crown etc.*

- 44 Application to Crown.
- 45 Application to United Kingdom Atomic Energy Authority.

*Inner London*

- 46 Inner London.

**PART II**

SUPERVISION OF BUILDING WORK ETC. OTHERWISE THAN BY LOCAL AUTHORITIES

*Supervision of plans and work by approved inspectors*

- 47 Giving and acceptance of initial notice.
- 48 Effect of initial notice.
- 49 Approved inspectors.
- 50 Plans certificates.
- 51 Final certificates.
- 51A Variation of work to which initial notice relates.
- 51B Effect of amendment notice
- 51C Change of person intending to carry out work
- 52 Cancellation of initial notice.
- 53 Effect of initial notice ceasing to be in force.

*Supervision of their own work by public bodies*

- 54 Giving, acceptance and effect of public body's notice.

*Supplementary*

- 55 Appeals.
- 56 Recording and furnishing of information.
- 57 Offences.
- 58 Construction of Part II.

**PART III**

OTHER PROVISIONS ABOUT BUILDINGS

*Drainage*

- 59 Drainage of building.
- 60 Use and ventilation of soil pipes.
- 61 Repair etc, of drain.
- 62 Disconnection of drain.
- 63 Improper construction or repair of water-closet or drain.

*Provision of sanitary conveniences*

- 64 Provision of closets in building.
- 65 Provision of sanitary conveniences in workplace.
- 66 Replacement of earth-closets etc.

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- 67 Loan of temporary sanitary conveniences.
- 68 Erection of public conveniences.

#### *Buildings*

- 69 Provision of water supply in occupied house.
- 70 Provision of food storage accommodation in house.
- 71 Entrances, exits etc. to be required in certain cases.
- 72 Means of escape from fire.
- 73 Raising of chimney.
- 74 Cellars and rooms below subsoil water level.
- 75 Consents under s. 74.

#### *Defective premises, demolition etc.*

- 76 Defective premises.
- 77 Dangerous building.
- 78 Dangerous building—emergency measures.
- 79 Ruinous and dilapidated buildings and neglected sites.
- 80 Notice to local authority of intended demolition.
- 81 Local authority's power to serve notice about demolition.
- 82 Notices under section 81.
- 83 Appeal against notice under s. 81.

#### *Yards and passages*

- 84 Paving and drainage of yards and passages.
- 85 Maintenance of entrances to courtyards.

#### *Appeal to Crown Court*

- 86 Appeal to Crown Court.

#### *Application of provisions to Crown property*

- 87 Application of provisions to Crown property.

#### *Inner London*

- 88 Inner London.

#### *Miscellaneous*

- 89 References in Acts to building byelaws.
- 90 Facilities for inspecting local Acts.

### PART IV

#### GENERAL

#### *Duties of local authorities*

- 91 Duties of local authorities.
- 91A Registers to be kept by local authorities

#### *Documents*

- 92 Form of documents.

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- 93 Authentication of documents.
- 94 Service of documents.
- 94A Electronic service of documents

*Entry on premises*

- 95 Power to enter premises.
- 96 Supplementary provisions as to entry.

*Execution of works*

- 97 Power to execute work.
- 98 Power to require occupier to permit work.
- 99 Content and enforcement of notice requiring works.
- 100 Sale of materials.
- 101 Breaking open of streets.

*Appeal against notice requiring works*

- 102 Appeal against notice requiring works.

*General provisions about appeals and applications*

- 103 Procedure on appeal or application to magistrates' court.
- 104 Local authority to give effect to appeal.
- 105 Judge not disqualified by liability to rates.

*Compensation, and recovery of sums*

- 106 Compensation for damage.
- 107 Recovery of expenses etc.
- 108 Payment by instalments.
- 109 Inclusion of several sums in one complaint.
- 110 Liability of agent or trustee.
- 111 Arbitration.

*Obstruction*

- 112 Obstruction

*Prosecutions*

- 113 Prosecution of offences.
- 114 Continuing offences.

*Protection of members etc. of authorities*

- 115 Protection of members etc. of authorities.

*Default powers*

- 116 Default powers of Secretary of State.
- 117 Expenses of Secretary of State.
- 118 Variations or revocation of order transferring powers.

*Local inquiries*

- 119 Local inquiries.

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### *Orders*

120 Orders.

### *Interpretation*

- 121 Meaning of “building”.
- 122 Meaning of “building regulations”.
- 123 Meaning of “construct” and “erect”.
- 124 Meaning of deposit of plans
- 125 Construction and availability of sewers.
- 126 General interpretation.
- 127 Construction of certain references concerning Temples.

### *Savings*

- 128 Protection for dock and railway undertakings.
- 129 Saving for Local Land Charges Act 1975.
- 130 Saving for other laws.
- 131 Restriction of application of Part IV to Schedule 3.

## **PART V**

### SUPPLEMENTARY

- 132 Transitional provisions.
- 133 Consequential amendments and repeals.
- 134 Commencement.
- 135 Short title and extent.

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## SCHEDULES

### SCHEDULE 1 — Building Regulations

- 1 Building regulations may— (a) provide for particular requirements of the...
- 2 Building regulations may include provision as to—
- 3 Building regulations may provide for requiring local authorities and approved...
- 4 Building regulations may— (a) authorise local authorities to accept, as...
- 4A (1) Building regulations may— (a) provide for requiring that, in...
- 4B (1) Building regulations may provide that in relation to any...
- 5 (1) Building regulations may authorise local authorities to charge prescribed...
- 6 Building regulations may make a prescribed person or class of...
- 7 Without prejudice to the generality of section 1(1) of this...
- 8 (1) Building regulations may be made with respect to—
- 9 Building regulations may authorise local authorities, subject to and in...
- 10 Building regulations may— (a) provide for a provision thereof to...
- 11 (1) Building regulations may repeal or modify—

### SCHEDULE 2 — Relaxation of Building Regulations for Existing Work

#### *Application of schedule*

- 1 This Schedule applies to a direction under section 8 of...

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*Cases where no direction may be given*

2 Neither the Secretary of State nor a local authority shall...

*Suspension of certain provisions while application pending*

3 (1) Subject to the following provisions of this Schedule, after...  
4 Paragraph 3(1), (3) and (4) above do not apply to...

*Saving for criminal liability incurred before making of application*

5 The giving of a direction to which this Schedule applies...

*Termination of proceedings under section 36 on giving of direction*

6 If, before the giving of a direction to which this...

SCHEDULE 3 — Inner London

Part I — APPLICATION OF PART I OF THIS ACT

1 Application to inner London.  
2 Application of provisions by building regulations.  
3 Repeal and modification of Acts.  
4 Consultation.

Part II — APPLICATION OF PART III OF THIS ACT

5 Application to inner London.  
6 Application to Temples.

Part III — BUILDING AND DRAINAGE OF BUILDINGS

7-9 Drainage of new building.

Part IV — BYELAWS

10 Byelaws about demolition.

11 . . . . .

12 . . . . .

13 Restriction of application of Part IV of Act.

Part V — ENFORCEMENT OF BUILDING REGULATIONS

14 . . . . .

SCHEDULE 4 — Provisions Consequential Upon Public Body's Notice

*Duration of notice*

1 (1) A public body's notice comes into force when it...

*Public body's plans certificates*

2 (1) Where a public body— (a) is satisfied that plans...

*Public body's final certificates*

3 (1) Where a public body is satisfied that any work...

*Effects of public body's notice ceasing to be in force*

4 (1) This paragraph applies where a public body's notice ceases...

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### *Consultation*

- 5 Building regulations may make provision for requiring, in such circumstances...

### SCHEDULE 5 — Transitional Provisions

#### *Joint application to the Secretary of State for the determination of certain questions relating to building regulations*

- 1 After the date on which section 30 of this Act...

#### *The Clean Air Act 1956 and the Housing Act 1957*

- 2 .....

#### *Repeal and amendment of Acts etc.*

- 3 Any power that is exercisable by virtue of—  
4 (1) Section 64(5) of the Act of 1936, in so...  
5 Without prejudice to the power to make building regulations, the...

### SCHEDULE 6 — Consequential Amendments

#### *The Restriction of Ribbon Development Act 1935*

- 1 .....

#### *The Public Health Act 1936*

- 2 In section 6(1) of the Public Health Act 1936, after...  
3 In section 269(8)(i) of that Act, for “the building byelaws...

#### *The Atomic Energy Authority Act 1954*

- 4 In section 5(5) of the Atomic Energy Authority Act 1954,...

#### *The Clean Air Act 1956*

- 5 .....

#### *The Housisng Act 1957*

- 6 .....

#### *The Radioactive Substances Act 1960*

- 7 .....

#### *The Public Health Act 1961*

- 8 In section 17(15) of the Public Health Act 1961 (as...

#### *The London Government Act 1963*

- 9 In paragraph 19 of Part I of Schedule 11 to...  
10 In paragraph 9(5) of Part II of Schedule 11 to...



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*The Offices, Shops and Railway Premises Act 1963*

11 In section 9(6) of the Offices, Shops and Railway Premises...

*The Faculty Jurisdiction Measure 1964*

12 In section 2(4) of the Faculty Jurisdiction Measure 1964—

*The Fire Precautions Act 1971*

13 For section 30(3)(a) and (b) of the Fire Precautions Act...

*The Local Government Act 1972*

14 In section 181(2)(a) of the Local Government Act 1972, for...

*The Safety of Sports Grounds Act 1975*

15 In section 9(1)(c) of the Safety of Sports Grounds Act...

*The Local Land Charges Act 1975*

16 In section 1(1)(a) of the Local Land Charges Act 1975,...

*The Local Government (Miscellaneous Provisions) Act 1976*

17 In section 12(3) of the Local Government (Miscellaneous Provisions) Act...

*The Development of Rural Wales Act 1976*

18 .....

*The Interpretation Act 1978*

19 In Schedule 1 to the Interpretation Act 1978, in the...

*The Highways Act 1980*

20 In section 168(1)(b) of the Highways Act 1980, for “section...

21 In section 223(1)(a) of that Act, for “section 66 of...

*New Towns Act 1981*

22 .....

*The Public Health (Control of Disease) Act 1984*

23 There is added at the end of section 7(4) of...

SCHEDULE 7 — Repeals

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