



Building Act 1984

1984 CHAPTER 55

PART I

BUILDING REGULATIONS

Power to make building regulations

1 Power to make building regulations

- (1) The Secretary of State may, for any of the purposes of—
 - (a) securing the health, safety, welfare and convenience of persons in or about buildings and of others who may be affected by buildings or matters connected with buildings,
 - (b) furthering the conservation of fuel and power, and
 - (c) preventing waste, undue consumption, misuse or contamination of water,make regulations with respect to the design and construction of buildings and the provision of services, fittings and equipment in or in connection with buildings.
- (2) Regulations made under subsection (1) above are known as building regulations.
- (3) Schedule 1 to this Act has effect with respect to the matters as to which building regulations may provide.
- (4) The power to make building regulations is exercisable by statutory instrument, which is subject to annulment in pursuance of a resolution of either House of Parliament.

2 Continuing requirements

- (1) Building regulations may impose on owners and occupiers of buildings to which building regulations are applicable such continuing requirements as the Secretary of State considers appropriate for securing, with respect to any provision of building regulations designated in the regulations as a provision to which those requirements relate, that the purposes of that provision, are not frustrated; but a continuing requirement imposed by virtue of this subsection does not apply in relation to a

Status: This is the original version (as it was originally enacted).

building unless a provision of building regulations so designated as one to which the requirement relates applies to that building.

- (2) Building regulations may impose on owners and occupiers of buildings of a prescribed class (whenever erected, and whether or not any building regulations were applicable to them at the time of their erection) continuing requirements with respect to all or any of the following matters—
 - (a) the conditions subject to which any services, fittings or equipment provided in or in connection with a building of that class may be used,
 - (b) the inspection and maintenance of any services, fittings or equipment so provided,
 - (c) the making of reports to a prescribed authority on the condition of any services, fittings or equipment so provided,and so much of paragraph 8 of Schedule 1 to this Act as restricts the application of building regulations does not apply to regulations made by virtue of this subsection.
- (3) If a person contravenes a continuing requirement imposed by virtue of this section, the local authority, without prejudice to their right to take proceedings for a fine in respect of the contravention, may—
 - (a) execute any work or take any other action required to remedy the contravention, and
 - (b) recover from that person the expenses reasonably incurred by them in so doing.
- (4) Where a local authority have power under subsection (3) above to execute any work or take any other action, they may, instead of exercising that power, by notice require the owner or the occupier of the building to which the contravention referred to in that subsection relates to execute that work or take that action.
- (5) Sections 99 and 102 below apply in relation to a notice given under subsection (4) above, subject to the modification that references in those sections to the execution of works are references to the execution of works or the taking of other action, and references to works shall be construed accordingly.
- (6) Sections 8, 9, 10 and 39 below have effect in relation to continuing requirements imposed by virtue of this section subject to the modification that a direction under the said sections 8 and 9 below shall, if it so provides, cease to have effect at the end of such period as may be specified in the direction.