

Status: Point in time view as at 06/04/2023.

Changes to legislation: Building Act 1984, SCHEDULE 1 is up to date with all changes known to be in force on or before 23 June 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)

SCHEDULES

SCHEDULE 1 **E+W**

Section 1(3).

BUILDING REGULATIONS

- 1 Building regulations may—
- (a) provide for particular requirements of the regulations to be deemed to be complied with where prescribed methods of construction, prescribed types of materials or other prescribed means are used in or in connection with buildings
 - (b) be framed to any extent by reference to a document published by or on behalf of the [^{F1}Secretary of State][^{F1}appropriate national authority] or another person or a body, or by reference to the approval or satisfaction of a prescribed person or body.

Textual Amendments

- F1** Words in Sch. 1 para. 1(b) substituted (28.6.2022 for E.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 83\(2\)](#); S.I. 2022/561, reg. 3(f), Sch. para. 47

[^{F2}Procedural requirements etc: general

Textual Amendments

- F2** [Sch. 1 paras. 1A-II](#) and cross-headings inserted (6.4.2023 for E. and for W. except for specified purposes, 5.9.2023 for W. in so far as not already in force) by [Building Safety Act 2022 \(c. 30\)](#), ss. 33, 170(4)(b)(c); S.I. 2023/362, [reg. 3\(1\)\(n\)](#); S.I. 2023/914, [reg. 2\(b\)\(i\)](#)

- 1A (1) Building regulations may make provision about the procedure that may or must be followed in relation to any work.
- (2) The regulations may in particular make provision for and in connection with—
- (a) the giving of notices;
 - (b) the making of applications to building control authorities;
 - (c) the giving or receipt of certificates;
 - (d) requiring a prescribed person, in prescribed circumstances, to consult such other person as may be prescribed.
- (3) The regulations may—
- (a) confer on a building control authority a power to require a person to notify the authority of specified matters by the specified time;
 - (b) provide that in prescribed circumstances an application is treated as granted or is treated as refused;
 - (c) make provision about the effect of the grant of an application;

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- (d) make provision about the effect of certificates;
- (e) require a person consulted to give a substantive response to the consultation before the end of a prescribed period.

(4) In [sub-paragraph \(3\)\(a\)](#) “specified” means specified by the building control authority.

Applications for building control approval

1B (1) Building regulations may in particular make provision for and in connection with applications for building control approval (including approval of changes to anything that has already been approved).

(2) “Building control approval”—

- (a) in relation to any work, means the approval by the building control authority of—
 - (i) plans of the work, and
 - (ii) such other documents, relating to compliance with any provision of building regulations, as may be prescribed (or, in a case within [sub-paragraph \(5\)](#), as are provided to the authority);
- (b) in relation to a change to a relevant document, means the approval by the authority of the change.

(3) Building regulations may—

- (a) confer on building control authorities a power, with the consent of the applicant—
 - (i) to impose requirements (including in particular requirements of a kind mentioned in [sub-paragraph \(4\)](#)) when granting an application;
 - (ii) to vary requirements;
- (b) make provision about the cases in which an application for approval of a change must be made (including provision conferring on building control authorities a power to specify the circumstances in which such an application must be made).

(4) The requirements referred to in [sub-paragraph \(3\)\(a\)](#) are—

- (a) a requirement relating to the provision of a revised version of a specified relevant document;
- (b) a requirement that the work does not proceed beyond a specified stage unless a specified relevant document has been given to, and approved by, the building control authority.

(5) Building regulations may provide that in prescribed cases—

- (a) an application may be made to the authority for approval of the plans and such other relevant documents as the applicant considers appropriate, and
- (b) the authority may refuse the application if the applicant does not, on request, provide it with a specified relevant document.

(6) In this paragraph—

- (a) “relevant document” means—
 - (i) the plans mentioned in [sub-paragraph \(2\)\(a\)\(i\)](#), or
 - (ii) a document prescribed for the purposes of [sub-paragraph \(2\)\(a\)\(ii\)](#);
- (b) “specified” means specified by the building control authority;
- (c) a reference to a change to a document includes the replacement of it.

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Certificates: approved schemes

- 1C (1) Building regulations may in particular make provision for and in connection with certificates that are given—
- (a) by a member of a scheme that is approved,
 - (b) in accordance with the scheme, and
 - (c) in accordance with any prescribed requirement relating to the provision of insurance cover in respect of work to which the certificate relates.
- (2) Building regulations may make provision for and in connection with—
- (a) the approval of schemes by the appropriate national authority or a person designated by that authority;
 - (b) the suspension or withdrawal of approvals (including provision about appeals to the appropriate court or tribunal against the suspension or withdrawal of approvals).
- (3) The regulations may in particular provide that a scheme may be approved (and may remain approved) only if prescribed requirements relating to the provision of insurance cover are complied with.
- (4) The regulations may provide—
- (a) that an approval has effect for a particular period (including a period specified in the approval), or
 - (b) that an approval has effect until it is suspended or withdrawn.
- (5) The requirements relating to insurance cover that may be prescribed include in particular a requirement that insurance cover is provided through a scheme of insurance approved by the appropriate national authority or a person designated by that authority.

Obtaining, keeping and giving information and documents

- 1D (1) Building regulations may, in relation to any work, make provision about—
- (a) obtaining information or documents;
 - (b) creating documents;
 - (c) keeping information or documents;
 - (d) giving information or documents.
- (2) The regulations may in particular—
- (a) provide that information or documents must be given or kept in accordance with prescribed standards;
 - (b) impose requirements as regards keeping information or documents up to date;
 - (c) confer on building control authorities or other prescribed persons a power, in prescribed circumstances, to require a person to give information to them.
- (3) Where building regulations provide that any information or document must be given, they may make provision about the admissibility in any criminal proceedings of the information or document.

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Reporting requirements: duty to establish and operate system

- 1E (1) This paragraph applies where building regulations made by virtue of [paragraph 1D](#) require a person to give information—
- (a) in relation to work in England, to the regulator;
 - (b) in relation to work in Wales, to the building control authority.
- (2) For the purpose of facilitating and securing compliance with any such requirement, the regulations may—
- (a) require a prescribed person to establish and operate a system for the giving of prescribed information to such person as may be prescribed, and
 - (b) make provision about such systems.

Form and content of documents etc

- 1F (1) Where building regulations provide that any document must or may be given, they may make provision about—
- (a) the form and content of the document;
 - (b) the information and other documents that must accompany it;
 - (c) the way in which the document, and anything that is to accompany it, is to be given.
- (2) Where building regulations provide that any information must or may be given, they may make provision about the way in which it is to be given.
- (3) Building regulations may provide that any of the matters mentioned in paragraphs (a) to (c) of [sub-paragraph \(1\)](#), or in [sub-paragraph \(2\)](#), are to be specified in a direction made and published in accordance with the regulations.
- (4) Building regulations may provide that—
- (a) a prescribed application must be accompanied by such prescribed documents as the applicant considers appropriate, and
 - (b) the building control authority may refuse the application if the applicant does not, on request, provide it with a document of a kind prescribed for the purposes of [paragraph \(a\)](#) in relation to the application.

Inspection, testing etc

- 1G (1) Building regulations may make provision for and in connection with—
- (a) the inspection and testing of work;
 - (b) the inspection and testing of buildings;
 - (c) the inspection and testing of services, fittings and equipment provided in connection with buildings;
 - (d) the taking of samples.
- (2) The regulations may in particular—
- (a) prohibit the covering up of any work, for a prescribed period after a prescribed or specified event;
 - (b) provide for the cutting into or laying open of any work or building, or the pulling down of any work.
- (3) In [sub-paragraph \(2\)\(a\)](#) “specified” means specified by the building control authority.

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Applications to building control authorities: extension of period by agreement

- 1H Building regulations may provide that any prescribed period for the doing of a thing by a building control authority in connection with an application made to it may be extended by agreement between the authority and the applicant.

Appeals

- 1I (1) Building regulations may make provision for and in connection with appeals against decisions made under, or under an instrument made under, Part 1, 2 or 2A of this Act.
- (2) The regulations may confer, in respect of a prescribed decision—
- (a) in relation to England—
 - (i) a right to appeal to the regulator or the tribunal, and
 - (ii) in the case of an appeal to the regulator, a right of appeal to the tribunal against the decision of the regulator made on appeal;
 - (b) in relation to Wales—
 - (i) a right to appeal to the Welsh Ministers or a magistrates' court, and
 - (ii) in the case of an appeal to the Welsh Ministers, a right of appeal to a magistrates' court or a right of appeal to the High Court, against the decision of the Welsh Ministers made on appeal.
- (3) The provision that may be made in connection with appeals includes provision about a right of appeal conferred by Part 1, 2 or 2A.
- (4) The regulations may in particular make provision about—
- (a) the grounds upon which an appeal may be made;
 - (b) the period within which an appeal must be made;
 - (c) the way in which any appeal is to be made;
 - (d) the powers of the court, tribunal or other person determining the appeal (including provision conferring a power to give directions and, in the case of the regulator or Welsh Ministers, powers in respect of costs).
- (5) In respect of appeals to the regulator or the Welsh Ministers, the regulations may make provision about procedural matters (including provision conferring a discretion as to the procedure to be adopted).
- (6) In respect of appeals to the Welsh Ministers, the regulations may in particular make provision for and in connection with the Welsh Ministers appointing a person to determine the appeal (including provision conferring functions on that person and providing that their decision is treated as the decision of the Welsh Ministers).]
- 2 [F3Building regulations may include provision as to—
- (a) the giving of notices,
 - (b) the deposit of plans of proposed work or work already executed (including provision as to the number of copies to be deposited),
 - (c) the retention by local authorities of copies of plans deposited with them in accordance with the regulations,
 - (d) the inspection and testing of work,
 - (e) the taking of samples.]

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Textual Amendments

F3 Sch. 1 paras. 2-5 omitted (28.6.2022 for E. so far as it relates to the omission of Sch. 1 para. 5) by virtue of Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 83(3)**; S.I. 2022/561, reg. 3(f), Sch. para. 47 (with reg. 7(1))

- 3 [F3 Building regulations may provide for requiring local authorities and approved inspectors in prescribed circumstances to consult a prescribed person before taking a prescribed step in connection with any work or other matter to which building regulations are applicable.]

Textual Amendments

F3 Sch. 1 paras. 2-5 omitted (28.6.2022 for E. so far as it relates to the omission of Sch. 1 para. 5) by virtue of Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 83(3)**; S.I. 2022/561, reg. 3(f), Sch. para. 47 (with reg. 7(1))

- 4 [F3 Building regulations may—
- (a) authorise local authorities to accept, as evidence that the requirements of building regulations as to matters of a prescribed description are or would be satisfied, certificates to that effect by persons of a class or description prescribed in relation to those matters or by a person nominated in writing by the Secretary of State in a particular case,
 - (b) provide for the issue by local authorities of certificates to the effect that, so far as the authority concerned have been able to ascertain after taking all reasonable steps in that behalf, the requirements of building regulations as to matters of a prescribed description are satisfied in a particular case, and for such certificates to be evidence (but not conclusive evidence) of compliance with the regulations,
 - (c) make provision—
 - (i) for prohibiting, in prescribed circumstances, the carrying out of proposed work of a prescribed class involving matters of a prescribed description unless there has been deposited with the prescribed authority as regards those matters a certificate such as is mentioned in sub-paragraph (a) above,
 - (ii) for enabling, in cases where such a certificate is required by virtue of paragraph (i) above, a dispute as to whether a certificate ought to be issued to be referred to the Secretary of State,
 - (iii) for enabling the Secretary of State, on such a reference, to give such directions as he thinks fit.]

Textual Amendments

F3 Sch. 1 paras. 2-5 omitted (28.6.2022 for E. so far as it relates to the omission of Sch. 1 para. 5) by virtue of Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 83(3)**; S.I. 2022/561, reg. 3(f), Sch. para. 47 (with reg. 7(1))

- [F4 4A F3 (1) Building regulations may—
- (a) provide for requiring that, in prescribed circumstances, a person of a prescribed class or description is to give to a local authority or an approved

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- inspector a certificate to the effect that the requirements of building regulations as to matters of a prescribed description are satisfied;
- (b) provide for requiring that such certificates be given within such periods or at such times and in such forms as may be prescribed;
 - (c) provide that a local authority or an approved inspector is not to exercise or perform a prescribed power or duty unless—
 - (i) such a certificate has been given to them or him; or
 - (ii) such a certificate has been given to them or him and the certificate has been accepted by them or him;
 - (d) make provision as to—
 - (i) the acceptance of such certificates by local authorities and approved inspectors; and
 - (ii) other steps to be taken by local authorities or approved inspectors in connection with such certificates.
- (2) Building regulations may provide for such certificates to be treated as evidence (but not conclusive evidence) of the matters certified.]]

Textual Amendments

- F3** Sch. 1 paras. 2-5 omitted (28.6.2022 for E. so far as it relates to the omission of Sch. 1 para. 5) by virtue of Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 83(3)**; S.I. 2022/561, reg. 3(f), Sch. para. 47 (with reg. 7(1))
- F4** Sch. 1 para. 4A inserted (1.2.2006) by Sustainable and Secure Buildings Act 2004 (c. 22), **ss. 8(1), 11(3)**; S.I. 2006/224, art. 2(c)

- [^{F5}4]^{F3}(1) Building regulations may provide that in relation to any work of any type that is being, or that is proposed to be, carried out in prescribed circumstances, there shall be a person appointed for the purposes of this paragraph (the “appointed person”).
- (2) The appointed person in relation to any work shall be a person of a prescribed class or description who is appointed by a person determined in accordance with building regulations; and such regulations may make provision for a person to appoint himself.
- (3) Building regulations may—
- (a) require appointments for the purposes of this paragraph to be made within such periods or at such times as may be prescribed;
 - (b) make provision in relation to—
 - (i) the termination of a person’s appointment;
 - (ii) the replacement of an appointed person.
- (4) Building regulations may—
- (a) provide that the appointed person in relation to any work shall have such duties in relation to the planning and management of the carrying out of that work as may be prescribed for purposes connected with facilitating compliance with the requirements of building regulations in relation to that work;
 - (b) for those purposes impose duties in relation to—
 - (i) the appointed person, or
 - (ii) anything that he does, or proposes to do, in connection with his duties,

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on persons who are participating, or who are to participate, in the carrying out of that work.

- (5) The duties that building regulations may impose on persons who are participating, or who are to participate, in the carrying out of any work include—
- (a) duties to comply with directions given to them by the appointed person;
 - (b) duties that are framed by reference to determinations made by that person.]]

Textual Amendments

- F3** Sch. 1 paras. 2-5 omitted (28.6.2022 for E. so far as it relates to the omission of Sch. 1 para. 5) by virtue of Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 83(3)**; S.I. 2022/561, reg. 3(f), Sch. para. 47 (with reg. 7(1))
- F5** Sch. 1 para. 4B inserted (1.2.2006) by Sustainable and Secure Buildings Act 2004 (c. 22), **ss. 9, 11(3)**; S.I. 2006/224, art. 2(d)

- 5 [F3(1) Building regulations may authorise local authorities to charge prescribed fees for or in connection with the performance of prescribed functions of theirs relating to building regulations.
- (2) The Secretary of State may by order repeal this paragraph.]

Textual Amendments

- F3** Sch. 1 paras. 2-5 omitted (28.6.2022 for E. so far as it relates to the omission of Sch. 1 para. 5) by virtue of Building Safety Act 2022 (c. 30), s. 170(4)(b)(c), **Sch. 5 para. 83(3)**; S.I. 2022/561, reg. 3(f), Sch. para. 47 (with reg. 7(1))

[F6 Appointed persons

Textual Amendments

- F6** Sch. 1 paras. 5A, 5B and cross-headings inserted (6.4.2023 except in relation to W., 5.9.2023 for W.) by Building Safety Act 2022 (c. 30), **ss. 34, 170(4)(b)(c)**; S.I. 2023/362, **reg. 3(1)(n)**; S.I. 2023/914, **reg. 2(b)(ii)**

- 5A (1) Building regulations may require prescribed appointments to be made in relation to any work.
- (2) Building regulations may make provision about appointments, including provision about—
- (a) the persons who are to make appointments;
 - (b) the persons who may be appointed;
 - (c) the time by which appointments must be made;
 - (d) the period for which persons are to be appointed;
 - (e) the termination of appointments;
 - (f) the replacement of appointed persons.
- (3) The regulations may provide that in prescribed circumstances an appointment is treated as made.

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- (4) In this Schedule “appointed person”, in relation to any work, means a person appointed in relation to that work under building regulations made by virtue of this paragraph.

General duties

- 5B (1) Building regulations may, for the purpose of facilitating compliance with any requirement of building regulations in relation to any work to which building regulations are applicable—
- (a) impose duties on relevant persons in connection with the planning or management of the work;
 - (b) require relevant persons to co-operate with other relevant persons.
- (2) The following are “relevant persons” for this purpose—
- (a) any appointed person;
 - (b) any prescribed person.]

[^{F7}Competence requirements

Textual Amendments

F7 Sch. 1 para. 5C and cross-heading inserted (6.4.2023 except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), [ss. 35, 170\(4\)\(b\)\(c\)](#); [S.I. 2023/362](#), [reg. 3\(1\)\(n\)](#)

- 5C (1) Building regulations may, in relation to any work, impose competence requirements on—
- (a) any appointed person, or
 - (b) any prescribed person.
- (2) A “competence requirement” is a requirement relating to—
- (a) the skills, knowledge, experience and behaviours of an individual;
 - (b) the capability of a person other than an individual to perform its functions under building regulations.
- (3) The regulations may require an appointed person who is not an individual to give an individual acting under its control who has the appropriate skills, knowledge, experience and behaviours the task of managing its functions as an appointed person.]
- 6 Building regulations may make a prescribed person or class of persons responsible (instead of local authorities) for performing prescribed functions of local authorities under or in connection with building regulations, and for that purpose may provide for a prescribed enactment relating to building regulations and a prescribed provision of such regulations to apply (with any prescribed modifications) in relation to a prescribed person or a person of a prescribed class as that enactment or provision applies in relation to a local authority.
- 7 Without prejudice to the generality of section 1(1) of this Act, building regulations may—
- (a) for any of the purposes mentioned in section 1(1) of this Act, make provision with respect to any of the following matters—
 - (i) preparation of sites,

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- (ii) suitability, durability^[F8], use and re-use] of materials and components (including surface finishes),
- (iii) structural strength and stability, including—
 - (a) precautions against overloading, impact and explosion,
 - (b) measures to safeguard adjacent buildings and services,
 - (c) underpinning,
- (iv) fire precautions, including—
 - (a) structural measures to resist the outbreak and spread of fire and to mitigate its effects,
 - (b) services, fittings and equipment designed to mitigate the effects of fire or to facilitate fire-fighting,
 - (c) means of escape in case of fire and means for securing that such means of escape can be safely and effectively used at all material times,
- (v) resistance to moisture and decay,
- (vi) measures affecting the transmission of heat,
- (vii) measures affecting the transmission of sound,
- (viii) measures to prevent infestation,
- (ix) measures affecting the emission of smoke, gases, ^[F9]vapours,] fumes, grit or dust or other noxious or offensive substances,
- (x) drainage (including waste disposal units),
- (xi) cesspools and other means for the reception, treatment or disposal of foul matter,
- (xii) storage, treatment and removal of waste,
- (xiii) installations utilising solid fuel, oil, gas, electricity or any other fuel or power (including appliances, storage tanks, heat exchangers, ducts, fans and other equipment),
- (xiv) water services (including wells and bore-holes for the supply of water) and fittings and fixed equipment associated therewith ^[F10](including equipment for monitoring and measuring supplies of water)],
- (xv) telecommunications services (including telephones and radio and television wiring installations),
- (xvi) lifts, escalators, hoists, conveyors and moving footways,
- (xvii) plant providing air under pressure,
- (xviii) standards of heating, artificial lighting, mechanical ventilation and air-conditioning and provision of power outlets,
- (xix) open space about buildings and the natural lighting and ventilation of buildings,
- (xx) accommodation for specific purposes in or in connection with buildings, and the dimensions of rooms and other spaces within buildings,
- (xxi) means of access to and egress from buildings and parts of buildings
- (xxii) prevention of danger and obstruction to persons in and about buildings (including passers-by),
- ^[F11](xxiia) measures relating to the security of buildings,
- (xxiib) measures affecting the use of fuel or power,

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- (xxiic) equipment for monitoring and measuring supplies of fuel, power or heat,
- (xxiid) recycling facilities (including facilities for composting),]
- [^{F12}(xxiie) the production of heat or the generation of electricity by microgeneration (as defined for the purposes of this paragraph by building regulations),]
- (xxiii) matters connected with or ancillary to any of the foregoing matters,
- (b) require things to be provided or done in connection with buildings (as well as regulating the provision or doing of things in connection with buildings),
- (c) prescribe the manner in which work is to be carried out.

Textual Amendments

- F8** Words in Sch. 1 para. 7(a)(ii) substituted (16.11.2004) by [Sustainable and Secure Buildings Act 2004 \(c. 22\)](#), [ss. 3\(2\)](#), 11(4)
- F9** Word in Sch. 1 para. 7(a)(ix) inserted (16.11.2004) by [Sustainable and Secure Buildings Act 2004 \(c. 22\)](#), [ss. 3\(3\)](#), 11(4)
- F10** Words in Sch. 1 para. 7(a)(xiv) inserted (16.11.2004) by [Sustainable and Secure Buildings Act 2004 \(c. 22\)](#), [ss. 3\(4\)](#), 11(4)
- F11** Sch. 1 para. 7(xxiia)-(xxiid) inserted (16.11.2004) by [Sustainable and Secure Buildings Act 2004 \(c. 22\)](#), [ss. 3\(5\)](#), 11(4)
- F12** Sch. 1 para. 7(a)(xxiie) inserted (21.8.2006) by [Climate Change and Sustainable Energy Act 2006 \(c. 19\)](#), [ss. 11](#), 28(1)

- 8 (1) Building regulations may be made with respect to—
- (a) alterations and extensions of buildings and of services, fittings and equipment in or in connection with buildings,
 - (b) new services, fittings or equipment provided in or in connection with buildings,
 - (c) buildings and services, fittings and equipment in or in connection with buildings, so far as affected by—
 - (i) alterations or extensions of buildings, or
 - (ii) new, altered or extended services, fittings or equipment in or in connection with buildings,
 - (d) the whole of a building, together with any services, fittings or equipment provided in or in connection with it, in respect of which there are or are proposed to be carried out any operations that by virtue of section 123(1) of this Act constitute the construction of a building for the purposes of this paragraph,
 - (e) buildings or parts of buildings, together with any services, fittings or equipment provided in or in connection with them, in cases where the purposes for which or the manner or circumstances in which a building or part of a building is used change or changes in a way that constitutes a material change of use of the building or part within the meaning of the expression “material change of use” as defined for the purposes of this paragraph by building regulations.
 - [^{F13}(f) buildings or parts of buildings, together with any services, fittings or equipment provided in or in connection with them, in cases where the persons in occupation of a building or part of a building change in prescribed circumstances.]

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- [^{F14}(2) Subject to sub-paragraphs (3) to (6) below and to sections 2(2) and 2A of this Act, building regulations shall not apply to or in connection with buildings erected before the date on which the regulations come into force.
- (3) The following building regulations may be made to apply to or in connection with buildings erected before the date on which the regulations come into force—
- (a) regulations falling within sub-paragraph (1)(a) to (e) above;
 - (b) regulations made with respect to the demolition of buildings;
 - (c) regulations made with respect to the use of materials or components (including surface finishes) that (in whole or in part) have been produced from, or incorporate, recycled items;
 - (d) regulations made with respect to the re-use of materials or components (including surface finishes);
 - (e) regulations falling within sub-paragraph (4) below.
- (4) Building regulations fall within this sub-paragraph if—
- (a) in accordance with sub-paragraph (1)(f) above, they are framed by reference to a change in the occupants of a building (or part); and
 - (b) they are—
 - (i) made for the purpose mentioned in section 1(1)(b) of this Act; or
 - (ii) made (otherwise than for that purpose) with respect to measures calculated to secure, or to contribute to, the prevention or reduction of emissions (whether or not from the building in question) of smoke, gases, vapours or fumes.
- (5) The provision that may be made by building regulations includes provision imposing on a person carrying out work of any type in relation to a building (whenever erected), or in relation to any service, fitting or equipment provided in or in connection with a building (whenever erected)—
- (a) a requirement to do things for the purpose mentioned in section 1(1)(b) of this Act; or
 - (b) a requirement to do things (otherwise than for that purpose) with respect to measures calculated to secure, or to contribute to, the prevention or reduction of emissions (whether or not from the building in question) of smoke, gases, vapours or fumes.
- [^{F15}(5A) The provision that may be made by building regulations includes provision imposing on a person carrying out work of any type in relation to a building (whenever erected), or in relation to any service, fitting or equipment provided in or in connection with a building (whenever erected), a requirement to do things for the purpose mentioned in section 1(1)(a) of this Act in so far as it relates to the resistance or resilience of buildings in respect of flooding.]
- (6) The things whose doing may be required by virtue of sub-paragraph (5) [^{F16}or (5A)] above are—
- (a) things to be done in relation to the work in question;
 - (b) any other things but only if they are to be done in relation to—
 - (i) the building in question; or
 - (ii) any service, fitting or equipment provided in or in connection with that building.]

Status: Point in time view as at 06/04/2023.

Changes to legislation: Building Act 1984, SCHEDULE 1 is up to date with all changes known to be in force on or before 23 June 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)

Textual Amendments

- F13** Sch. 1 para. 8(1)(f) inserted (16.11.2004) by [Sustainable and Secure Buildings Act 2004 \(c. 22\)](#), **ss. 3(6), 11(4)**
- F14** Sch. 1 para. 8(2)-(6) substituted for Sch. 1 para. 8(2) (16.11.2004) by [Sustainable and Secure Buildings Act 2004 \(c. 22\)](#), **ss. 3(7), 11(4)**
- F15** Sch. 1 para. 8(5A) inserted (1.10.2010) by [Flood and Water Management Act 2010 \(c. 29\)](#), **ss. 40(1), 49(3)** (with s. 49(1)(6)); S.I. 2010/2169, art. 4, Sch.
- F16** Words in Sch. 1 para. 8(6) inserted (1.10.2010) by [Flood and Water Management Act 2010 \(c. 29\)](#), **ss. 40(2), 49(3)** (with s. 49(1)(6)); S.I. 2010/2169, art. 4, Sch.

- 9 [F17 Building regulations may authorise local authorities, subject to and in accordance with the regulations, to fix by means of schemes and to recover such charges for or in connection with the performance of functions of theirs relating to building regulations as they may determine in accordance with principles prescribed by the regulations.]

Textual Amendments

- F17** Sch. 1 para. 9 omitted (28.6.2022 for E.) by virtue of [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), **Sch. 5 para. 83(7)**; S.I. 2022/561, reg. 3(f), Sch. para. 47 (with reg. 7(1))

- 10 [F18(1) Building regulations may make supplementary, incidental, transitional, transitory or saving provision.
- (2) Building regulations may make—
- (a) different provision for different purposes, and
- (b) different provision for different areas.
- (3) The power conferred by sub-paragraph (2)(a) includes in particular the power to make different provision for—
- (a) higher-risk buildings or proposed higher-risk buildings, or
- (b) higher-risk building work,
- and different provision for different descriptions of such buildings or work.
- (4) Nothing in sub-paragraph (3) is to be read as limiting the effect of section 34 (classification of buildings).]

Textual Amendments

- F18** Sch. 1 para. 10 substituted (6.4.2023 except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), **Sch. 5 para. 83(8)**; S.I. 2023/362, reg. 3(1)(w)(vii)

- 11 (1) Building regulations may repeal or modify—
- (a) any of the following provisions of this Act: sections 15, 18, 19, 21 to 29, 41, 59 to 87, 91 to 119, 123(2) and 126 (except as to the definitions of “contravention”, “local authority” [F19 (as it applies for the purposes of Parts I and II of this Act)], “modifications”, “plans”, “prescribed” and “substantive requirements”), and paragraphs 1 and 5 to 14 of Schedule 3, or
- (b) any provision of an Act passed before the 20th September 1974,

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if it appears to the [^{F20}Secretary of State][^{F20}appropriate national authority] that it is inconsistent with, or is unnecessary or requires alteration in consequence of, any provision contained in or made under any enactment relating to building regulations.

(2) Building regulations may—

- (a) repeal or alter section 12(1) of the ^{M1}Local Government (Miscellaneous Provisions) Act 1976 (byelaws as to supply of heat) or any provision of byelaws in force by virtue of it, and
- (b) make any modification of section 12(2) of that Act that the [^{F20}Secretary of State][^{F20}appropriate national authority] considers is appropriate in consequence of the repeal or alteration. [^{F21}or
- (c) any provision of a local Act passed before the day on which the Deregulation and Contracting Out Act 1994 is passed,]

Textual Amendments

F19 Words substituted by [S.I. 1986/452, art. 3\(1\)](#), [Sch. 2 para. 5](#)

F20 Words in [Sch. 1 para. 11](#) substituted (28.6.2022 for E.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 83\(9\)](#); [S.I. 2022/561, reg. 3\(f\)](#), [Sch. para. 47](#)

F21 [Sch. 1 para. 11\(1\)\(c\)](#) and word preceding it inserted (3.11.1994) by [1994, c. 40](#), s.32(1)

Marginal Citations

M1 [1976 c. 57](#).

Status:

Point in time view as at 06/04/2023.

Changes to legislation:

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