



Building Act 1984

1984 CHAPTER 55

PART I

BUILDING REGULATIONS

Power to make building regulations

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 [^{F1}Secretary of State][^{F1}appropriate national authority] 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 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.

Status: Point in time view as at 28/06/2022. This version of this provision has been superseded.

Changes to legislation: Building Act 1984, Section 2 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)

- (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.

Textual Amendments

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

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