



Building Act 1984

1984 CHAPTER 55

PART I

BUILDING REGULATIONS

Breach of building regulations

[^{F1}35A Time limit for prosecution for contravention of ^{F2}... building regulations

[^{F3}(1) Despite anything in section 127(1) of the Magistrates' Courts Act 1980 (c. 43), an information relating to [^{F4}an offence under section 35 above] may be tried by a magistrates' court if it is laid at any time—

- (a) within the period of two years beginning with the day on which the offence was committed, and
- (b) within the period of six months beginning with the relevant date.

^{F5}(2)

^{F6}(3)

(4) In subsection (1)(b) above, “ the relevant date ” means the date on which evidence sufficient to justify the proceedings comes to the knowledge of the person commencing the proceedings.

(5) In the case of proceedings commenced by a local authority—

- (a) evidence is to be regarded for the purposes of subsection (4) above as sufficient to justify the proceedings if in the opinion of the proper officer or an authorised officer it is sufficient to justify the proceedings, and
- (b) a certificate of the proper officer or, as the case may be, that authorised officer as to the date on which evidence which, in his opinion, was sufficient to justify the proceedings came to the knowledge of the person commencing the proceedings is to be conclusive evidence of that fact.

^{F7}(6)]]

Status: Point in time view as at 01/10/2023.

Changes to legislation: Building Act 1984, Section 35A is up to date with all changes known to be in force on or before 11 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)

Textual Amendments

- F1** S. 35A inserted (21.8.2006) by [Climate Change and Sustainable Energy Act 2006 \(c. 19\)](#), **ss. 13(1), 28(1)**
- F2** Word in s. 35A repealed (22.9.2008) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 317(2)(5), 325(1), Sch. 16**; S.I. 2008/2358, art. 4(a)
- F3** S. 35A omitted (1.10.2023 except in relation to W.) by virtue of [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), **Sch. 5 para. 31**; S.I. 2023/993, reg. 2(n)(xi) (with reg. 7)
- F4** Words in s. 35A(1) substituted (22.9.2008) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 317(3)(5), 325(1)**; S.I. 2008/2358, art. 4(a)
- F5** S. 35A(2) repealed (22.9.2008) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 317(4)(5), 325(1), Sch. 16**; S.I. 2008/2358, art. 4(a)
- F6** S. 35A(3) repealed (22.9.2008) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 317(4)(5), 325(1), Sch. 16**; S.I. 2008/2358, art. 4(a)
- F7** S. 35A(6) repealed (22.9.2008) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 317(4)(5), 325(1), Sch. 16**; S.I. 2008/2358, art. 4(a)

Status:

Point in time view as at 01/10/2023.

Changes to legislation:

Building Act 1984, Section 35A is up to date with all changes known to be in force on or before 11 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.