



Building Safety Act 2022

2022 CHAPTER 30

PART 3

BUILDING ACT 1984

Building control authorities and building regulations

39 Breach of building regulations

- (1) The Building Act 1984 is amended as follows.
- (2) For section 35 substitute—

“35 Offence of contravening building regulations etc

- (1) A person who contravenes a provision of building regulations, or a requirement imposed by virtue of any such provision, commits an offence.
- (2) Building regulations may provide that [subsection \(1\)](#) does not apply in relation to a prescribed provision of the regulations.
- (3) Building regulations may provide that, in relation to a prescribed provision of the regulations, it is a defence for a person charged with an offence under this section to prove such matters relating to the contravention as may be prescribed.
- (4) A person guilty of an offence under this section is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding the maximum summary term for either-way offences or a fine (or both);
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both);

and (in either case) is liable on summary conviction to a further fine not exceeding level 1 on the standard scale for each day on which the default continues after the initial conviction.”

Status: This is the original version (as it was originally enacted).

- (3) In section 36(4) (time limit for notices requiring removal or alteration of non-compliant work) for “12 months” substitute “10 years”.