



Building Control Act 1966

1966 CHAPTER 27

Supplementary provisions

8 Power to extend or restrict control.

- (1) The Minister may by order—
 - (a) direct that, in relation to all work or to work of any description, section 2(1) of this Act shall have effect with the substitution for the amount of £100,000 of such other amount (whether higher or lower, but not being less than £50,000) as may be specified in the order;
 - (b) direct that there shall be exempt from control under this Act—
 - (i) work of any description specified in the order;
 - (ii) all work carried out during such period as may be specified in the order or until a further order under this sub-paragraph;
 - (c) direct that there shall not be exempt from control under this Act all work, or work of any description, which would otherwise be exempt from such control by virtue of section 3(1)(b) or (c), 4 or 5(1)(d) to (i) of this Act.
- (2) An order under this section may describe the work to which it applies by reference to the nature of the work or to the place where, the period during which, or the class of property in respect of which, it is carried out, and different provision may be made for different cases or classes of case.
- (3) An order under this section may contain such transitional, supplementary and incidental provisions as appear to the Minister to be appropriate, and any such order whereby any work will cease to be exempt from control under this Act shall contain such provisions as appear to him to be appropriate for preserving the exemption in relation to work done after the date on which the order comes into force which was contracted for, or forms part of an operation begun, before that date.
- (4) Any power conferred by this section to make an order shall be exercisable by statutory instrument, and shall include power to vary or revoke the order by a subsequent order.
- (5) Any order under this section whereby any work will cease to be exempt from control under this Act shall cease to have effect at the end of the period of twenty-eight days

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beginning with the day on which the order is made (but without prejudice to anything previously done under the order or to the making of a new order) unless before the end of that period the order is approved by a resolution of each House of Parliament.

- (6) In reckoning any period for the purposes of the last foregoing subsection, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (7) A statutory instrument containing any order under this section to which subsection (5) of this section does not apply shall be subject to annulment in pursuance of a resolution of either House of Parliament.

9 Enforcement.

- (1) Where it appears to the Minister that any such work as is mentioned in section 1(1) of this Act is being, or has at any time within the preceding year been, carried out on any land, the Minister may—
- (a) authorise any person to enter and inspect the land and any such work for the purpose of ascertaining whether the provisions of this Act are applicable to the work and whether those provisions, or the provisions of any licence issued under this Act, are being or have been complied with;
 - (b) for the said purpose, by notice require the person at whose expense the work is being or has been carried out, and any person who is or has been engaged in the carrying out of the work, to furnish to the Minister or the person specified in the notice such information, and to produce for examination on behalf of the Minister such books, estimates, returns, accounts or other documents in his possession or control, as may be so specified.
- (2) A person claiming to exercise a power of entry under subsection (1)(a) of this section shall, if so required, produce written evidence of his authority.
- (3) Any person who wilfully obstructs any person in the exercise of a power of entry under paragraph (a) of subsection (1) of this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding [^{F1}level 3 on the standard scale]; and any person who refuses or without reasonable excuse fails to comply with a notice under paragraph (b) of that subsection shall be guilty of an offence and liable on summary conviction to a fine not exceeding [^{F1}level 3 on the standard scale], or to imprisonment for a term not exceeding three months, or to both.
- (4) Any person who in purported compliance with a notice under subsection (1)(b) of this section or in connection with an application for a licence under this Act—
- (a) produces, sends or otherwise makes use of a document which he knows to be false in a material particular or recklessly produces, sends or otherwise makes use of a document which is false in a material particular; or
 - (b) makes any statement which he knows to be false in a material particular or recklessly makes any statement which is false in a material particular,
- shall be guilty of an offence and liable—
- (i) on summary conviction to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding three months, or to both;
 - (ii) on conviction on indictment to a fine, or to imprisonment for a term not exceeding two years, or to both.

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- (5) Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (6) In the last foregoing subsection “director”, in relation to a body corporate established by or under any enactment for the purpose of carrying on under national ownership any industry or undertaking or part of an industry or undertaking, being a body corporate whose affairs are managed by its members, means a member of that body corporate.
- (7) Proceedings in respect of an offence under this Act shall not be instituted in England or Wales except by or with the consent of the Director of Public Prosecutions.

Textual Amendments

- F1** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G**

10 Annual reports.

As soon as may be after the end of March 1968 and after the end of March in each subsequent year the Minister shall prepare a report on the performance of his functions under this Act, and shall lay the report before Parliament.

11 Expenses.

Any administrative expenses incurred by the Minister in consequence of the provisions of this Act shall be defrayed out of moneys provided by Parliament.

12 Short title, interpretation and extent.

- (1) This Act may be cited as the Building Control Act 1966.
- (2) In this Act references to the alteration of a building or of any works include references to the reconstruction or extension of, or of a part of, a building or any works, and references to fixed works of construction or civil engineering include references to a road.
- (3) References in this Act to any enactment shall be construed as references to that enactment as amended by any subsequent enactment.
- (4) This Act shall not extend to Northern Ireland.

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