



# Building Act 1984

## 1984 CHAPTER 55

### PART I

#### BUILDING REGULATIONS

##### *[<sup>F1</sup>Notices in respect of contraventions*

#### **[<sup>F1</sup>35B Compliance notices**

- (1) The building control authority may give a compliance notice to a person who appears to the authority to have contravened, be contravening or be likely to contravene—
  - (a) a relevant provision of building regulations, or
  - (b) a requirement imposed by virtue of such a provision.
- (2) A “compliance notice” is—
  - (a) a notice requiring the recipient to take specified steps within a specified period, or
  - (b) a notice requiring the recipient to remedy the contravention or the matters giving rise to it within a specified period.
- (3) A notice of a kind mentioned in [subsection \(2\)\(a\)](#) may specify any steps relating to—
  - (a) the remedying of the contravention, or
  - (b) avoiding the contravention occurring.
- (4) A person who, without reasonable excuse, contravenes a compliance notice commits an offence.
- (5) 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);

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**Changes to legislation:** Building Act 1984, Section 35B is up to date with all changes known to be in force on or before 11 May 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) [View outstanding changes](#)

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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.

(6) A compliance notice may not be given in respect of a contravention which occurred more than 12 months before the day on which the notice is given.

(7) In this section—

- (a) “relevant provision” means any provision of building regulations except one that is prescribed for the purposes of this paragraph;
- (b) “specified” means specified in the notice.]

#### Textual Amendments

**F1** [Ss. 35B-35D](#) and cross-heading inserted (6.4.2023 for specified purposes except in relation to W., 5.9.2023 for W. for specified purposes, 1.10.2023 in so far as not already in force except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), [ss. 38\(1\), 170\(4\)\(b\)\(c\)](#); [S.I. 2023/362](#), [reg. 3\(1\)\(q\)](#); [S.I. 2023/914](#), [reg. 2\(b\)\(v\)](#); [S.I. 2023/993](#), [reg. 2\(h\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1A)(d) inserted by [2015 c. 7 s. 37\(2\)](#)
- s. 44(11) inserted by [2004 c. 22 s. 3\(8\)](#)
- s. 79A inserted by [2023 asc 3 Sch. 13 para. 65](#)
- s. 95(5) inserted by [2022 c. 30 s. 60\(2\)](#)
- s. 131A inserted by [2022 c. 30 s. 59](#)
- s. 131B inserted by [2022 c. 30 s. 60\(3\)](#)
- Sch. 1 para. 7A inserted by [2015 c. 7 s. 37\(4\)](#)
- Sch. 1 para. 7A(4) words substituted by [2022 c. 30 Sch. 5 para. 83\(5\)](#) (This amendment not applied to legislation.gov.uk. The insertion of Sch. 1 para. 7A by 2015 c. 7, s. 37(4) is still prospective.)