



# Building Act 1984

## 1984 CHAPTER 55

### PART III

#### OTHER PROVISIONS ABOUT BUILDINGS

##### *Drainage*

#### **61 Repair etc, of drain.**

- (1) No person shall—
  - (a) except in case of emergency, repair, reconstruct or alter the course of an underground drain that communicates with a sewer, or with a cesspool or other receptacle for drainage, or
  - (b) where in a case of emergency any such works have been executed without notice, cover over the drain or sewer,without giving to the local authority at least 24 hours' notice of his intention to do so.
- (2) While any such work as aforesaid is being executed, all persons concerned shall permit the proper officer, or any other authorised officer, of the local authority to have free access to the work.
- (3) A person who fails to comply with this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (4) This section does not apply to—
  - (a) so much of a drain or sewer constructed by, or belonging to, a railway company as runs under, across or along their railway, or
  - (b) so much of a drain or sewer constructed by, or belonging to, dock undertakers as is situated in or on land of the undertakers that is held or used by them for the purposes of their undertaking.

**Status:**

Point in time view as at 01/02/1991. This version of this provision has been superseded.

**Changes to legislation:**

Building Act 1984, Section 61 is up to date with all changes known to be in force on or before 01 June 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.