



# Building Act 1984

## 1984 CHAPTER 55

### PART IV

#### GENERAL

##### *Entry on premises*

#### **95 Power to enter premises.**

- (1) Subject to this section, an authorised officer of a local authority, on producing, if so required, some duly authenticated document showing his authority, has a right to enter any premises at all reasonable hours—
- (a) for the purpose of ascertaining whether there is, or has been, on or in connection with the premises, a contravention of this Act, or of any building regulations, that it is the duty of the local authority to enforce,
  - (b) for the purpose of ascertaining whether or not circumstances exist that would authorise or require the local authority to take any action, or execute any work, under this Act or under building regulations,
  - (c) for the purpose of taking any action, or executing any work, authorised or required by this Act, or by building regulations, or by an order made under this Act, to be taken, or executed, by the local authority, or
  - (d) generally for the purpose of the performance by the local authority of their functions under this Act or under building regulations.
- (2) Admission to premises, other than a factory or workplace, shall not be demanded as of right unless 24 hours' notice of the intended entry has been given to the occupier.
- [<sup>F1</sup>(2A) Subsections (1) and (2) do not apply in relation to premises used wholly or mainly as a private dwelling.]
- (3) If it is shown to the satisfaction of a justice of the peace on sworn information in writing that—
- (a) admission to any premises has been refused, or refusal is apprehended, or the premises are unoccupied, or the occupier is temporarily absent, or the case

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*Status: Point in time view as at 01/10/2023. This version of this provision has been superseded.*

*Changes to legislation: Building Act 1984, Section 95 is up to date with all changes known to be in force on or before 20 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. (See end of Document for details)*

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is one of urgency, or an application for admission would defeat the object of the entry, and

- (b) there is reasonable ground for entry into the premises for any of the purposes mentioned in subsection (1) above,

the justice may by warrant under his hand authorise the local authority by any authorised officer to enter the premises, if need be by force.

- (4) A warrant shall not be issued under subsection (3) above unless the justice is satisfied that—

- (a) notice of the intention to apply for a warrant has been given to the occupier, or  
(b) the premises are unoccupied, or the occupier is temporarily absent, or the case is one of urgency, or the giving of the notice would defeat the object of the entry.

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#### **Textual Amendments**

- F1** S. 95(2A) inserted (1.10.2023 except in relation to W.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 60](#); S.I. 2023/993, reg. 2(n)(xxv)

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