



# Building Act 1984

## CHAPTER 55

### BUILDING ACT 1984

#### PART I

##### BUILDING REGULATIONS

###### *Power to make building regulations*

- 1 Power to make building regulations.
- 1A Buildings of special historical or architectural interest
- 2 Continuing requirements.
- 2A Continuing requirements in relation to fuel, power and emissions

###### *Exemption from building regulations*

- 3 Exemption of particular classes of buildings etc.
- 4 Exemption of educational buildings and buildings of statutory undertakers.
- 5 Exemption of public bodies from procedural requirements of building regulations.

###### *Approved documents*

- 6 Approval of documents for purposes of building regulations.
- 7 Compliance or non-compliance with approved documents.

###### *Relaxation of building regulations*

- 8 Relaxation of building regulations.
- 9 Application for relaxation.
- 10 Advertisement of proposal for relaxation of building regulations.
- 11 Type relaxation of building regulations.

*Status: Point in time view as at 03/05/2007.*

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*Type approval of building matter*

- 12 Power of appropriate national authority to approve type of building matter.
- 13 Delegation of power to approve.

*Consultation*

- 14 Consultation with Building Regulations Advisory Committee and other bodies.
- 15 Consultation with fire authority.

*Passing of plans*

- 16 Passing or rejection of plans.
- 17 Approval of persons to give certificates etc.
- 18 Building over sewer etc.
- 19 Use of short-lived materials.
- 20 Use of materials unsuitable for permanent building.
- 21 Provision of drainage.
- 22 Drainage of buildings in combination.
- 23 Provision of facilities for refuse.
- 24 Provision of exits etc.
- 25 Provision of water supply.
- 26–29 .....

*Determination of questions*

- 30 .....

*Proposed departure from plans*

- 31 Proposed departure from plans.

*Lapse of deposit of plans*

- 32 Lapse of deposit of plans.

*Tests for conformity with building regulations*

- 33 Tests for conformity with building regulations.

*Classification of buildings*

- 34 Classification of buildings.

*Breach of building regulations*

- 35 Penalty for contravening building regulations.
- 35A Time limit for prosecution for contravention of certain building regulations
- 36 Removal or alteration of offending work.
- 37 Obtaining of report where section 36 notice given.
- 38 Civil liability.

*Appeals in certain cases*

- 39 Appeal against refusal etc. to relax building regulations.

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- 40 Appeal against section 36 notice.
- 41 Appeal to Crown Court.
- 42 Appeal and statement of case to High Court in certain cases.
- 43 Procedure on appeal to Secretary of State on certain matters.

*Application of building regulations to Crown etc.*

- 44 Application to Crown.
- 45 Application to United Kingdom Atomic Energy Authority.

*Inner London*

- 46 Inner London.

**PART II**

SUPERVISION OF BUILDING WORK ETC. OTHERWISE THAN BY LOCAL AUTHORITIES

*Supervision of plans and work by approved inspectors*

- 47 Giving and acceptance of initial notice.
- 48 Effect of initial notice.
- 49 Approved inspectors.
- 50 Plans certificates.
- 51 Final certificates.
- 51A Variation of work to which initial notice relates.
- 51B Effect of amendment notice
- 51C Change of person intending to carry out work
- 52 Cancellation of initial notice.
- 53 Effect of initial notice ceasing to be in force.

*Supervision of their own work by public bodies*

- 54 Giving, acceptance and effect of public body's notice.

*Supplementary*

- 55 Appeals.
- 56 Recording and furnishing of information.
- 57 Offences.
- 58 Construction of Part II.

**PART III**

OTHER PROVISIONS ABOUT BUILDINGS

*Drainage*

- 59 Drainage of building.
- 60 Use and ventilation of soil pipes.
- 61 Repair etc, of drain.
- 62 Disconnection of drain.
- 63 Improper construction or repair of water-closet or drain.

*Provision of sanitary conveniences*

- 64 Provision of closets in building.
- 65 Provision of sanitary conveniences in workplace.

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- 66 Replacement of earth-closets etc.
- 67 Loan of temporary sanitary conveniences.
- 68 Erection of public conveniences.

#### *Buildings*

- 69 Provision of water supply in occupied house.
- 70 Provision of food storage accommodation in house.
- 71 Entrances, exits etc. to be required in certain cases.
- 72 Means of escape from fire.
- 73 Raising of chimney.
- 74 Cellars and rooms below subsoil water level.
- 75 Consents under s. 74.

#### *Defective premises, demolition etc.*

- 76 Defective premises.
- 77 Dangerous building.
- 78 Dangerous building—emergency measures.
- 79 Ruinous and dilapidated buildings and neglected sites.
- 80 Notice to local authority of intended demolition.
- 81 Local authority's power to serve notice about demolition.
- 82 Notices under section 81.
- 83 Appeal against notice under s. 81.

#### *Yards and passages*

- 84 Paving and drainage of yards and passages.
- 85 Maintenance of entrances to courtyards.

#### *Appeal to Crown Court*

- 86 Appeal to Crown Court.

#### *Application of provisions to Crown property*

- 87 Application of provisions to Crown property.

#### *Inner London*

- 88 Inner London.

#### *Miscellaneous*

- 89 References in Acts to building byelaws.
- 90 Facilities for inspecting local Acts.

### **PART IV**

#### **GENERAL**

#### *Duties of local authorities*

- 91 Duties of local authorities.
- 91A Registers to be kept by local authorities

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### *Documents*

- 92 Form of documents.
- 93 Authentication of documents.
- 94 Service of documents.

### *Entry on premises*

- 95 Power to enter premises.
- 96 Supplementary provisions as to entry.

### *Execution of works*

- 97 Power to execute work.
- 98 Power to require occupier to permit work.
- 99 Content and enforcement of notice requiring works.
- 100 Sale of materials.
- 101 Breaking open of streets.

### *Appeal against notice requiring works*

- 102 Appeal against notice requiring works.

### *General provisions about appeals and applications*

- 103 Procedure on appeal or application to magistrates' court.
- 104 Local authority to give effect to appeal.
- 105 Judge not disqualified by liability to rates.

### *Compensation, and recovery of sums*

- 106 Compensation for damage.
- 107 Recovery of expenses etc.
- 108 Payment by instalments.
- 109 Inclusion of several sums in one complaint.
- 110 Liability of agent or trustee.
- 111 Arbitration.

### *Obstruction*

- 112 Obstruction

### *Prosecutions*

- 113 Prosecution of offences.
- 114 Continuing offences.

### *Protection of members etc. of authorities*

- 115 Protection of members etc. of authorities.

### *Default powers*

- 116 Default powers of Secretary of State.
- 117 Expenses of Secretary of State.
- 118 Variations or revocation of order transferring powers.

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### *Local inquiries*

119 Local inquiries.

### *Orders*

120 Orders.

### *Interpretation*

121 Meaning of “building”.  
 122 Meaning of “building regulations”.  
 123 Meaning of “construct” and “erect”.  
 124 Meaning of deposit of plans  
 125 Construction and availability of sewers.  
 126 General interpretation.  
 127 Construction of certain references concerning Temples.

### *Savings*

128 Protection for dock and railway undertakings.  
 129 Saving for Local Land Charges Act 1975.  
 130 Saving for other laws.  
 131 Restriction of application of Part IV to Schedule 3.

## **PART V**

### **SUPPLEMENTARY**

132 Transitional provisions.  
 133 Consequential amendments and repeals.  
 134 Commencement.  
 135 Short title and extent.

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## **SCHEDULES**

### **SCHEDULE 1 — Building Regulations**

1 Building regulations may— (a) provide for particular requirements of the...  
 2 Building regulations may include provision as to—  
 3 Building regulations may provide for requiring local authorities and approved...  
 4 Building regulations may— (a) authorise local authorities to accept, as...  
 4A (1) Building regulations may— (a) provide for requiring that, in...  
 4B (1) Building regulations may provide that in relation to any...  
 5 (1) Building regulations may authorise local authorities to charge prescribed...  
 6 Building regulations may make a prescribed person or class of...  
 7 Without prejudice to the generality of section 1(1) of this...  
 8 (1) Building regulations may be made with respect to—  
 9 Building regulations may authorise local authorities, subject to and in...  
 10 Building regulations may— (a) provide for a provision thereof to...  
 11 (1) Building regulations may repeal or modify—

### **SCHEDULE 2 — Relaxation of Building Regulations for Existing Work**

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*Application of schedule*

- 1 This Schedule applies to a direction under section 8 of...

*Cases where no direction may be given*

- 2 Neither the Secretary of State nor a local authority shall...

*Suspension of certain provisions while application pending*

- 3 (1) Subject to the following provisions of this Schedule, after...
- 4 Paragraph 3(1), (3) and (4) above do not apply to...

*Saving for criminal liability incurred before making of application*

- 5 The giving of a direction to which this Schedule applies...

*Termination of proceedings under section 36 on giving of direction*

- 6 If, before the giving of a direction to which this...

SCHEDULE 3 — Inner London

Part I — APPLICATION OF PART I OF THIS ACT

- 1 Application to inner London.
- 2 Application of provisions by building regulations.
- 3 Repeal and modification of Acts.
- 4 Consultation.

Part II — APPLICATION OF PART III OF THIS ACT

- 5 Application to inner London.
- 6 Application to Temples.

Part III — BUILDING AND DRAINAGE OF BUILDINGS

- 7-9 Drainage of new building.

Part IV — BYELAWS

- 10 Byelaws about demolition.

11 .....

12 .....

- 13 Restriction of application of Part IV of Act.

Part V — ENFORCEMENT OF BUILDING REGULATIONS

14 .....

SCHEDULE 4 — Provisions Consequential Upon Public Body's Notice

*Duration of notice*

- 1 (1) A public body's notice comes into force when it...

*Public body's plans certificates*

- 2 (1) Where a public body— (a) is satisfied that plans...

*Public body's final certificates*

- 3 (1) Where a public body is satisfied that any work...

*Effects of public body's notice ceasing to be in force*

- 4 (1) This paragraph applies where a public body's notice ceases...

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### *Consultation*

- 5 Building regulations may make provision for requiring, in such circumstances...

#### SCHEDULE 5 — Transitional Provisions

##### *Joint application to the Secretary of State for the determination of certain questions relating to building regulations*

- 1 After the date on which section 30 of this Act...

##### *The Clean Air Act 1956 and the Housing Act 1957*

- 2 .....

##### *Repeal and amendment of Acts etc.*

- 3 Any power that is exercisable by virtue of—  
4 (1) Section 64(5) of the Act of 1936, in so...  
5 Without prejudice to the power to make building regulations, the...

#### SCHEDULE 6 — Consequential Amendments

##### *The Restriction of Ribbon Development Act 1935*

- 1 .....

##### *The Public Health Act 1936*

- 2 In section 6(1) of the Public Health Act 1936, after...  
3 In section 269(8)(i) of that Act, for “the building byelaws...

##### *The Atomic Energy Authority Act 1954*

- 4 In section 5(5) of the Atomic Energy Authority Act 1954,...

##### *The Clean Air Act 1956*

- 5 .....

##### *The Housisng Act 1957*

- 6 .....

##### *The Radioactive Substances Act 1960*

- 7 .....

##### *The Public Health Act 1961*

- 8 In section 17(15) of the Public Health Act 1961 (as...

##### *The London Government Act 1963*

- 9 In paragraph 19 of Part I of Schedule 11 to...  
10 In paragraph 9(5) of Part II of Schedule 11 to...



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*The Offices, Shops and Railway Premises Act 1963*

11 In section 9(6) of the Offices, Shops and Railway Premises...

*The Faculty Jurisdiction Measure 1964*

12 In section 2(4) of the Faculty Jurisdiction Measure 1964—

*The Fire Precautions Act 1971*

13 For section 30(3)(a) and (b) of the Fire Precautions Act...

*The Local Government Act 1972*

14 In section 181(2)(a) of the Local Government Act 1972, for...

*The Safety of Sports Grounds Act 1975*

15 In section 9(1)(c) of the Safety of Sports Grounds Act...

*The Local Land Charges Act 1975*

16 In section 1(1)(a) of the Local Land Charges Act 1975,...

*The Local Government (Miscellaneous Provisions) Act 1976*

17 In section 12(3) of the Local Government (Miscellaneous Provisions) Act...

*The Development of Rural Wales Act 1976*

18 .....

*The Interpretation Act 1978*

19 In Schedule 1 to the Interpretation Act 1978, in the...

*The Highways Act 1980*

20 In section 168(1)(b) of the Highways Act 1980, for “section...

21 In section 223(1)(a) of that Act, for “section 66 of...

*New Towns Act 1981*

22 .....

*The Public Health (Control of Disease) Act 1984*

23 There is added at the end of section 7(4) of...

SCHEDULE 7 — Repeals

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