

Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Building Safety Act 2022, Paragraph 30. (See end of Document for details)

SCHEDULES

SCHEDULE 5

MINOR AND CONSEQUENTIAL AMENDMENTS IN CONNECTION WITH PART 3

PART 1

AMENDMENTS OF THE BUILDING ACT 1984

PROSPECTIVE

- 30 (1) Section 33 is amended as follows.
- (2) For subsections (1) and (2) substitute—
- “(1) Where work to which building regulations are applicable is proposed or carried out, the building control authority has the powers under [subsection \(2\)](#) for the purpose of ascertaining whether any provision of building regulations is or would be contravened—
- (a) by or in connection with the work, or
 - (b) in relation to the building that the work has been, is being or will be carried out on.
- (2) The powers are—
- (a) to require a person by whom or on whose behalf the work was, is being, or is proposed to be done to carry out such reasonable tests of or in connection with the work, or in relation to the building, as may be specified in the requirement, or
 - (b) to carry out any reasonable tests of or in connection with the work, or in relation to the building, and to take any samples necessary to enable them to carry out such a test. ”
- (3) After subsection (3) insert—
- “(3A) The tests that may be required or carried out under [subsection \(2\)](#) include in particular tests involving—
- (a) the cutting into or laying open of any work or any building, and
 - (b) the pulling down of any work.”
- (4) In subsections (4), (5) and (6) for “local authority”, in each place it occurs, substitute “building control authority”.

Commencement Information

- II** Sch. 5 para. 30 not in force at Royal Assent, see [s. 170\(4\)\(b\)\(viii\)\(c\)](#)

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