



Building Safety Act 2022

2022 CHAPTER 30

PART 5

OTHER PROVISION ABOUT SAFETY, STANDARDS ETC

Prohibitions on development and building control

129 Building control prohibitions

- (1) The Secretary of State may by regulations impose a building control prohibition, as regards buildings or proposed buildings, in relation to persons of a prescribed description.
- (2) The descriptions of persons which may be prescribed include in particular persons who—
 - (a) are eligible to be members of a scheme established under section 126, and
 - (b) are not members of that scheme.
- (3) A building control prohibition may be imposed for any purpose connected with—
 - (a) securing the safety of people in or about buildings in relation to risks arising from buildings, or
 - (b) improving the standard of buildings,including securing that safety, or improving that standard, by securing that persons in the building industry remedy defects in buildings or contribute to costs associated with remedying defects in buildings.
- (4) A “building control prohibition”, in relation to a person, prohibits—
 - (a) the person from applying for building control approval or from depositing plans,
 - (b) the person from giving an initial notice (whether or not jointly with anyone else) or a public body’s notice, public body’s plans certificate or public body’s final certificate,
 - (c) the granting of building control approval to the person,

Changes to legislation: There are currently no known outstanding effects for the Building Safety Act 2022, Section 129. (See end of Document for details)

- (d) the passing of plans deposited by the person,
 - (e) the acceptance of an initial notice given by the person (whether or not jointly with anyone else) or a public body’s notice, public body’s plans certificate or public body’s final certificate given by the person,
 - (f) the giving of a final certificate in relation to works carried out by the person,
 - (g) the person from giving a prescribed document,
 - (h) the giving of a prescribed document to the person or in respect of works carried out by the person, or
 - (i) the acceptance of any prescribed document given by the person or in respect of works carried out by the person.
- (5) A building control prohibition applies despite any provision made by or under the Building Act 1984.
- (6) The regulations may contain exceptions.
- (7) The regulations may provide that anything done in contravention of the regulations is of no effect.
- (8) Any reference in this section to a building or proposed building is to a building or proposed building in England.
- (9) In this section—
- “building” and “building control approval”, and references to the deposit and passing of plans, are to be read in accordance with Part 1 of the Building Act 1984;
 - “initial notice”, “final certificate”, “public body’s notice”, “public body’s plans certificate” and “public body’s final certificate” have the same meaning as in Part 2 of that Act;
 - “prescribed” means prescribed by regulations under this section;
 - “standard” is to be read in accordance with section 30.

Commencement Information

- I1** S. 129 not in force at Royal Assent, see [s. 170\(5\)](#)
- I2** S. 129 in force at 1.9.2022 by [S.I. 2022/927](#), [reg. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Building Safety Act 2022, Section 129.