



Building Act 1984

1984 CHAPTER 55

PART I

BUILDING REGULATIONS

Approved documents

6 Approval of documents for purposes of building regulations.

- (1) For the purpose of providing practical guidance with respect to the requirements of any provision of building regulations, the Secretary of State or a body designated by him for the purposes of this section may—
- (a) approve and issue any document (whether or not prepared by him or by the body concerned), or
 - (b) approve any document issued or proposed to be issued otherwise than by him or by the body concerned,

if in the opinion of the Secretary of State or, as the case may be, the body concerned the document is suitable for that purpose.

- (2) References in this section and section 7 below to a document include references to a part of a document; and accordingly, in relation to a document of which part only is approved, a reference in the following provisions of this section or in section 7 below to the approved document is a reference only to the part of it that is approved.
- (3) An approval given under subsection (1) above takes effect in accordance with a notice that is issued by the Secretary of State or, as the case may be, the body giving the approval and that—
- (a) identifies the approved document in question,
 - (b) states the date on which the approval of it is to take effect, and
 - (c) specifies the provisions of building regulations for the purposes of which the document is approved.

- (4) The Secretary of State or, as the case may be, the body that gave the approval may—

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- (a) from time to time approve and issue a revision of the whole or any part of an approved document issued by him or it for the purposes of this section, and
- (b) approve any revision or proposed revision of the whole or any part of an approved document,

and subsection (3) above, with the necessary modifications, applies in relation to an approval that is given under this subsection to a revision as it applies in relation to an approval that is given under subsection (1) above to a document.

- (5) The Secretary of State or, as the case may be, the body that gave the approval may withdraw his or its approval of a document under this section; and such a withdrawal of approval takes effect in accordance with a notice that is issued by the Secretary of State or body concerned and that—
 - (a) identifies the approved document in question, and
 - (b) states the date on which the approval of it is to cease to have effect.
- (6) References in subsections (4) and (5) above and in section 7 below to an approved document are references to that document as it has effect for the time being, regard being had to any revision of the whole or any part of it that has been approved under subsection (4) above.
- (7) Where a body ceases to be a body designated by the Secretary of State for the purposes of this section, subsections (4) and (5) above have effect as if any approval given by that body had been given by the Secretary of State.
- (8) The power to designate a body for the purposes of this section is exercisable by order made by statutory instrument, which is subject to annulment in pursuance of a resolution of either House of Parliament.

7 Compliance or non-compliance with approved documents.

- (1) A failure on the part of a person to comply with an approved document does not of itself render him liable to any civil or criminal proceedings; but if, in any proceedings whether civil or criminal, it is alleged that a person has at any time contravened a provision of building regulations—
 - (a) a failure to comply with a document that at that time was approved for the purposes of that provision may be relied upon as tending to establish liability, and
 - (b) proof of compliance with such a document may be relied on as tending to negative liability.
- (2) In any proceedings, whether civil or criminal—
 - (a) a document purporting to be a notice issued as mentioned in section 6(3) above shall be taken to be such a notice unless the contrary is proved, and
 - (b) a document that appears to the court to be the approved document to which such a notice refers shall be taken to be that approved document unless the contrary is proved.

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