



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.
- [^{F1}(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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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.

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)

96 Supplementary provisions as to entry.

- (1) An authorised officer entering premises by virtue of section 95 above, or of a warrant issued under it, may take with him such other persons as may be necessary, and on leaving unoccupied premises that he has entered by virtue of such a warrant he shall leave them as effectually secured against trespassers as he found them.

- (2) A warrant issued under that section shall continue in force until the purpose for which the entry is necessary has been satisfied.

- (3) A person who—

- (a) is admitted into a factory or workplace in compliance with that section or a warrant issued under it, and
 (b) discloses to another person information obtained by him in the factory or workplace with regard to a manufacturing process or trade secret,

is liable on summary conviction to a fine not exceeding level 3 on the standard scale or to imprisonment for a term not exceeding three months, unless the disclosure was made in the performance of his duty.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1A)(d) inserted by [2015 c. 7 s. 37\(2\)](#)
- s. 44(11) inserted by [2004 c. 22 s. 3\(8\)](#)
- s. 79A inserted by [2023 asc 3 Sch. 13 para. 65](#)
- s. 91B inserted by [2022 c. 30 Sch. 5 para. 56](#)
- s. 95(5) inserted by [2022 c. 30 s. 60\(2\)](#)
- s. 105C inserted by [2022 c. 30 s. 58](#)
- s. 116(3)-(6) inserted by [2022 c. 30 s. 45\(2\)\(d\)](#)
- s. 117(A1)(A2) inserted by [2022 c. 30 s. 45\(3\)\(b\)](#)
- s. 118(1A) inserted by [2022 c. 30 s. 45\(4\)\(b\)](#)
- s. 131A inserted by [2022 c. 30 s. 59](#)
- s. 131B inserted by [2022 c. 30 s. 60\(3\)](#)
- Sch. 1 para. 7A inserted by [2015 c. 7 s. 37\(4\)](#)