



Building Safety Act 2022

2022 CHAPTER 30

PART 5

OTHER PROVISION ABOUT SAFETY, STANDARDS ETC

Remediation and redress: other provisions

135 Limitation periods

(1) After section 4A of the Limitation Act 1980 insert—

“4B Special time limit for certain actions in respect of damage or defects in relation to buildings

- (1) Where by virtue of a relevant provision a person becomes entitled to bring an action against any other person, no action may be brought after the expiration of 15 years from the date on which the right of action accrued.
- (2) An action referred to in subsection (1) is one to which—
 - (a) sections 1, 28, 32, 35, 37 and 38 apply;
 - (b) the other provisions of this Act do not apply.
- (3) In this section “relevant provision” means—
 - (a) section 1 or 2A of the Defective Premises Act 1972;
 - (b) section 38 of the Building Act 1984.
- (4) Where by virtue of section 1 of the Defective Premises Act 1972 a person became entitled, before the commencement date, to bring an action against any other person, this section applies in relation to the action as if the reference in subsection (1) to 15 years were a reference to 30 years.
- (5) In subsection (4) “the commencement date” means the day on which section 135 of the Building Safety Act 2022 came into force.”

Changes to legislation: There are currently no known outstanding effects for the Building Safety Act 2022, Section 135. (See end of Document for details)

- (2) In section 1(5) of the Defective Premises Act 1972, for “the Limitation Act 1939, the Law Reform (Limitation of Actions, &c.) Act 1954 and the Limitation Act 1963” substitute “the Limitation Act 1980”.
- (3) The amendment made by [subsection \(1\)](#) in relation to an action by virtue of section 1 of the Defective Premises Act 1972 is to be treated as always having been in force.
- (4) In a case where—
- (a) by virtue of section 1 of the Defective Premises Act 1972 a person became entitled, before the day on which this section came into force, to bring an action against any other person, and
 - (b) the period of 30 years from the date on which the right of action accrued expires in the initial period,
- section 4B of the Limitation Act 1980 (inserted by subsection (1)) has effect as if it provided that the action may not be brought after the end of the initial period.
- (5) Where an action is brought that, but for [subsection \(3\)](#), would have been barred by the Limitation Act 1980, a court hearing the action must dismiss it in relation to any defendant if satisfied that it is necessary to do so to avoid a breach of that defendant’s Convention rights.
- (6) Nothing in this section applies in relation to a claim which, before this section came into force, was settled by agreement between the parties or finally determined by a court or arbitration (whether on the basis of limitation or otherwise).
- (7) In this section—
- “Convention rights” has the same meaning as in the Human Rights Act 1998;
 - “the initial period” means the period of one year beginning with the day on which this section comes into force.

Commencement Information

II [S. 135](#) in force at 28.6.2022, see [s. 170\(3\)\(c\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Building Safety Act 2022, Section 135.