



Building Safety Act 2022

2022 CHAPTER 30

PART 3

BUILDING ACT 1984

Miscellaneous and general

PROSPECTIVE

59 Crown application

In Part 5 of the Building Act 1984 before section 132 insert—

“131A Crown application

- (1) The following provisions bind the Crown—
 - (a) Part 1 except sections 35B to 37, 39A and 40;
 - (b) Part 2;
 - (c) Part 2A except sections 58I to 58K, 58U, 58V and 58Z4 to 58Z6;
 - (d) Part 4 so far as it relates to a provision within any of the preceding paragraphs.
- (2) No contravention by the Crown of a provision within subsection (1)(a) to (d) makes the Crown criminally liable.
- (3) Subsection (2) does not affect the criminal liability of persons in the service of the Crown.
- (4) Subsection (5) applies where—
 - (a) a contravention of a provision within subsection (1)(a) or (b), or of Part 4 so far as it relates to such a provision, occurs in relation to a building or proposed building for which a local authority is the building control authority, or

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Building Safety Act 2022, Section 59. (See end of Document for details)

- (b) a contravention of a provision within subsection (1)(c), or of Part 4 so far as it relates to such a provision, occurs in relation to Wales, and the Crown would, but for subsection (2), be criminally liable under this Act in respect of the contravention.
- (5) The High Court may, on the application of—
 - (a) the local authority (in a case within subsection (4)(a)), or
 - (b) the Welsh Ministers (in a case within subsection (4)(b)),declare unlawful the act or omission constituting the contravention.
- (6) In this section a reference to a provision includes any instrument made under it.
- (7) For the application to the Crown of Part 3, and Part 4 so far as it relates to that Part, see section 87.”

Commencement Information

- II** S. 59 not in force at Royal Assent, see [s. 170\(4\)\(c\)](#)

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