

PART II**Chapter 1****Purpose and Applicability**

8. Purpose.—The purpose of this Part is to relate the provisions of the Code to different documents for administration and enforcement of the Code and all legal issues shall be referred to the Building Construction Act, 1952.

9. Applicability.—The requirements of this Code shall be complied within any construction, addition, alteration or repair, use and occupancy, location, maintenance, demolition and removal of a building or structure or any appurtenances connected or attached to it as set forth herein below:

- (a) **Construction:** For construction of a new building, the provisions of this Code shall apply to its design and construction;
- (b) **Removal:** For removal of any portion or the whole of a building, the provisions of this Code shall apply to all parts of the building whether removed or not;
- (c) **Demolition:** For dismantling or demolition of any part or the whole of a building, the provisions of this Code shall apply to any remaining portion and to the work involved in the dismantling or demolition process;
- (d) **Alteration:** For alteration of a building, the provisions of this Code shall apply to the whole building whether existing or new. If the portion of the building to which the alteration is made is completely self-contained with respect to the facilities and safety measures required by this Code, the provisions of this Code shall apply only to that portion and not to the whole building.
- (e) **Maintenance:** Maintenance work shall be undertaken for all new and existing buildings and all parts thereof to continue their compliance with the provisions of this Code. All devices, equipment and safeguards installed as per the requirements of this Code shall be maintained in conformity with the edition of the Code under which installed. The owner of the building or his designated agent shall at all times be responsible for the safe and sanitary maintenance of the building or structure, its means of egress facilities and the safety devices, equipment and services installed therein. The Authorized Officer or his delegated persons as described in relevant documents mentioned in Chapter 2 may cause re-inspection of a building to determine its continued compliance with this Section.

- (f) **Repair:** Application or notice to the Authority administering the Code is not necessary for ordinary repairs to buildings or structures, provided such repairs do not involve the cutting away of any wall or portion thereof, the removal or cutting of any structural or bearing element, the removal or alteration of any required means of egress, or the rearrangement of any parts of a structure affecting the access and exit facilities. All works involving addition to, alteration or change of use of any building or structure shall conform to the requirements set forth in Part 9 of this Code.
- (g) **Land Development:** For development of a land for construction of a building, the provisions of this Code shall apply to the entire development work. For land development purposes the following laws shall also be applicable:
- (i) Building Construction Act 1952;
 - (ii) Private Residential Land Development Rules 2004;
 - (iii) Natural Water Body Protection and Preservation of Open Space and Playground Act 2000.

PART II
Chapter 2
Establishment Of Authority, Etc

10. Establishment of Authority.—The Government may, with the approval of the Ministry of Public Administration, Finance Division and other relevant Ministries and Divisions, by a notification in the official Gazette, establish the Bangladesh Building Regulatory Authority (BBRA).

11. Head office of the Authority.—The head office of the Authority shall be in Dhaka.

12. Constitution of Authority.—(1) The Authority shall consist of the following 5 (five) members, namely:-

- (a) a civil engineer having professional experience of 30 years in design/ construction/teaching/research related to building;
- (b) an architect having professional experience of 30 years in design/ construction/ teaching/ research related to building;
- (c) a planner having professional experience of 30 years in planning/ teaching/research related to building;
- (d) a judge or legal practitioner having professional experience of 30 years in law including the qualification for appointment of a judge of the High Court Division;
- (e) a person having professional experience of 30 years in Bangladesh Civil Service.

(2) The Government shall appoint the members of the Authority and they shall hold office for a period of 3 (three) years.

(3) The Government shall nominate one of the members as the Chairman of the Authority.

13. Responsibilities of the Authority.—The Authority shall—

- (a) be the organization responsible for establishing regulatory framework for building design and construction with efficient and effective compliance mechanism;
- (b) develop building check and control procedure for ensuring high degree of regulatory compliance in planning and the Code requirements and reduce information asymmetry between the end user (building occupant, home owner) and seller (developers, builders);