



# Building Safety Act 2022

## 2022 CHAPTER 30

### PART 2

#### THE REGULATOR AND ITS FUNCTIONS

##### *Staffing etc*

#### **13 Local authorities and fire and rescue authorities: assistance etc to regulator**

- (1) A relevant authority may at the request of the regulator do anything for the purpose of—
  - (a) facilitating the exercise by the regulator of a relevant function, or
  - (b) enabling the relevant authority to facilitate the exercise by the regulator of a relevant function.
- (2) The regulator may, for a purpose mentioned in [paragraph \(a\)](#) or [\(b\)](#) of [subsection \(1\)](#), direct a relevant authority to do anything specified in the direction.
- (3) The direction may specify the way in which, and the time by which, the thing is to be done.
- (4) A direction—
  - (a) may be given only if the regulator considers that it is expedient for the authority to do the specified thing, and
  - (b) must state how, in the regulator’s opinion, the doing of the thing will facilitate the exercise of a relevant function or enable the authority to facilitate that exercise.
- (5) A direction may be given only with the consent of the Secretary of State.
- (6) Before giving a direction, the regulator must—
  - (a) make a written request under [subsection \(1\)](#) for the authority to do the thing, and

*Status: Point in time view as at 28/04/2022.*

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- (b) have regard to any written representations made by the authority in the period specified in the request.
- (7) A request under [subsection \(6\)\(a\)](#) must—
- (a) state that the regulator may seek consent to give a direction under this section if the request is not complied with,
  - (b) state how, in the regulator’s opinion, the doing of the thing will facilitate the exercise of a relevant function or enable the authority to facilitate that exercise, and
  - (c) specify a reasonable period for the authority to make any representations as to why it should not do the thing requested.
- (8) In this section—
- “relevant authority” means a local authority or fire and rescue authority;
  - “relevant function” means—
- (a) a function of the regulator relating to—
    - (i) the regulation of higher-risk buildings (within the meaning of the Building Act 1984 or [Part 4](#) of this Act), or
    - (ii) higher-risk building work (as defined by [section 91ZA](#) of the Building Act 1984), or
  - (b) in the case of a local authority, a function of the regulator relating to the regulation of any work for which the regulator is the building control authority by virtue of [section 91ZB](#) of the Building Act 1984.
- (9) A direction or consent under this section must be in writing.

**Commencement Information**

**II** S. 13 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)

**14 FSO authorised persons: assistance etc to regulator**

- (1) An FSO authorised person may at the request of the regulator do anything for the purpose of—
- (a) facilitating the exercise by the regulator of a relevant function, or
  - (b) enabling FSO authorised persons to facilitate the exercise by the regulator of a relevant function.
- (2) In this section—
- “FSO authorised person” means a person authorised as mentioned in article 25(1)(e) of the Regulatory Reform (Fire Safety) Order 2005;
  - “relevant function” means a function of the regulator relating to—
- (a) the regulation of higher-risk buildings (within the meaning of the Building Act 1984 or [Part 4](#) of this Act), or
  - (b) higher-risk building work (as defined by [section 91ZA](#) of the Building Act 1984).

**Commencement Information**

**I2** S. 14 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)

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## 15 Provision of assistance etc: supplementary

- (1) This section supplements sections 13 and 14.
- (2) A relevant authority must ensure that any of its staff involved in providing relevant assistance to the regulator have the appropriate skills, knowledge, experience and behaviours.
- (3) For this purpose “relevant assistance” means anything done by the authority pursuant to a request or direction, for the purpose of facilitating the exercise by the regulator of a relevant function.
- (4) The Secretary of State may by regulations make provision about the reimbursement by the regulator of expenditure incurred by relevant authorities in complying with requests or directions.
- (5) The Secretary of State may pay a relevant authority such amount as the Secretary of State considers appropriate in respect of things done by the relevant authority in complying with a request or direction.
- (6) The Secretary of State may by regulations make further provision in relation to requests and directions, including in particular provision about—
  - (a) things done by a relevant authority in connection with a request or direction;
  - (b) things done by an FSO authorised person in connection with a request.
- (7) In this section—
  - “direction” means a direction given under section 13;
  - “FSO authorised person” has the meaning given by section 14;
  - “relevant authority” has the meaning given by section 13;
  - “relevant function” has the meaning given by section 13;
  - “request” means a request made under section 13 or 14.

### Commencement Information

**I3** S. 15 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)

## 16 Guidance about the provision of assistance

- (1) The regulator may issue guidance to—
  - (a) relevant authorities about their functions under section 13;
  - (b) FSO authorised persons about their functions under section 14.
- (2) The regulator may revise or withdraw any issued guidance.
- (3) A relevant authority must have regard to any guidance under this section when exercising its functions under section 13.
- (4) An FSO authorised person must have regard to any guidance under this section when exercising their functions under section 14.
- (5) Guidance under this section may be issued, revised or withdrawn only with the consent of the Secretary of State.
- (6) In this section—

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“FSO authorised person” has the meaning given by section 14;  
“relevant authority” has the meaning given by section 13.

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**Commencement Information**

**I4** S. 16 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)

**Status:**

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