

Changes to legislation: Building Safety Act 2022, Schedule 3 is up to date with all changes known to be in force on or before 11 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 3 **E+W**

Section 27

COOPERATION AND INFORMATION SHARING

Modifications etc. (not altering text)

- C1** Sch. 3 applied (with modifications) (5.9.2023 for W. for specified purposes, 1.10.2023 in so far as not already in force) by 1984 c. 55, s. 58Y (as inserted by Building Safety Act 2022 (c. 30), ss. 42, 170(4); S.I. 2023/914, reg. 2(b)(viii)(cc); S.I. 2023/993, reg. 2(k))
- C2** Sch. 3 applied (with modifications) (5.9.2023 for W., 6.4.2024 for E.) by 1984 c. 55, s. 58Y(6) (as inserted by Building Safety Act 2022 (c. 30), ss. 42, 170(4); S.I. 2023/914, reg. 2(b)(viii)(cc); S.I. 2024/104, reg. 2(a) (with reg. 3))

Interpretation

- 1 In this Schedule any reference to a function under an enactment includes a function under an instrument made under the enactment.

Commencement Information

- I1** Sch. 3 para. 1 in force at Royal Assent for specified purposes, see s. 170(2)(a)
- I2** Sch. 3 para. 1 in force at 6.4.2023 in so far as not already in force by S.I. 2023/362, reg. 3(1)(k)

Local authorities, fire and rescue authorities etc

- 2 (1) The regulator and a local authority must cooperate with each other in the exercise of their relevant functions.
- (2) The regulator and a fire and rescue authority must cooperate with each other in the exercise of—
- (a) any building function of the regulator,
 - (b) any function of the authority under—
 - (i) section 6 or 7 of the Fire and Rescue Services Act 2004,
 - (ii) the Regulatory Reform (Fire Safety) Order 2005, or
 - (iii) section 13 of this Act, and
 - (c) any other prescribed function of the authority.
- (3) The regulator and an FSO authorised person must cooperate with each other in the exercise of their relevant functions.
- (4) A relevant person may disclose information held in connection with any of their relevant functions to another relevant person for the purposes of a relevant function of either of them.

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(5) In [this paragraph](#)—

“FSO authorised person” has the meaning given by section 14;

“relevant function” means—

- (a) in relation to the regulator, any building function;
- (b) in relation to a local authority, a function under any of the following—
 - (i) the Prevention of Damage by Pests Act 1949;
 - (ii) Part 2 of the Public Health Act 1961;
 - (iii) Part 11 of the Local Government (Miscellaneous Provisions) Act 1982;
 - (iv) the Building Act 1984;
 - (v) Part 3 of the Environmental Protection Act 1990;
 - (vi) Parts 1 to 4 of the Housing Act 2004;
 - (vii) section 13 of this Act;
 or any other prescribed function;
- (c) in relation to a fire and rescue authority, a function under any of the following—
 - (i) the Fire and Rescue Services Act 2004;
 - (ii) the Regulatory Reform (Fire Safety) Order 2005;
 - (iii) section 13 of this Act;
 or any other prescribed function;
- (d) in relation to an FSO authorised person, any function under—
 - (i) the Regulatory Reform (Fire Safety) Order 2005, or
 - (ii) section 14 of this Act;
 “relevant person” means—
 - (a) the regulator;
 - (b) a local authority;
 - (c) a fire and rescue authority;
 - (d) an FSO authorised person.

Commencement Information

I3 Sch. 3 para. 2 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)

I4 Sch. 3 para. 2 in force at 6.4.2023 in so far as not already in force by [S.I. 2023/362](#), [reg. 3\(1\)\(k\)](#)

Ombudsmen

- 3 (1) The regulator and a person mentioned in [sub-paragraph \(4\)](#) must cooperate with each other in the exercise of—
- (a) any building function of the regulator, and
 - (b) any relevant function of the person.
- (2) The regulator may disclose to a person mentioned in [sub-paragraph \(4\)](#) information held in connection with any of its building functions, for the purpose of any of those functions or any relevant functions of the person.

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- (3) A person mentioned in [sub-paragraph \(4\)](#) may disclose to the regulator information held in connection with any of their relevant functions, for the purpose of any of those functions or any building function of the regulator.
- (4) The persons are—
- (a) the Regulator of Social Housing;
 - (b) a person who administers a relevant scheme.
- (5) “Relevant scheme” means—
- (a) a scheme approved under Schedule 2 to the Housing Act 1996 (housing complaints: social landlords),
 - (b) a redress scheme to which persons are required by virtue of section 83 of the Enterprise and Regulatory Reform Act 2013 (lettings agency work) to be members,
 - (c) a redress scheme to which persons are required by virtue of section 84 of that Act (property management work) to be members, or
 - (d) the new homes ombudsman scheme.
- (6) In [this paragraph](#) “relevant function” means—
- (a) in relation to the Regulator of Social Housing, any of its functions;
 - (b) in relation to a person who administers a relevant scheme, any function relating to that scheme.

Commencement Information

- 15** Sch. 3 para. 3 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
16 [Sch. 3 para. 3](#) in force at 6.4.2023 in so far as not already in force by [S.I. 2023/362](#), [reg. 3\(1\)\(k\)](#)

Secretary of State

- 4 (1) The regulator may disclose to the Secretary of State information held in connection with any of its building functions, for the purpose of any of those functions or any relevant function of the Secretary of State.
- (2) The Secretary of State may disclose to the regulator information held in connection with any relevant function, for the purpose of any relevant function or any building function of the regulator.
- (3) In [this paragraph](#) “relevant function” means any function of the Secretary of State (whether or not under an enactment) that relates to buildings.

Commencement Information

- 17** Sch. 3 para. 4 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
18 [Sch. 3 para. 4](#) in force at 6.4.2023 in so far as not already in force by [S.I. 2023/362](#), [reg. 3\(1\)\(k\)](#)

Police

- 5 (1) The regulator may disclose to a constable information held by it in connection with any of its building functions.

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- (2) A constable to whom information is disclosed in pursuance of [sub-paragraph \(1\)](#) must not use the information for a purpose other than—
- (a) a purpose relating to the prevention, detection, investigation or prosecution of an offence (whether or not under this Act);
 - (b) a purpose of the police relating to public health or public safety;
 - (c) a purpose relating to national security.

Commencement Information

I9 Sch. 3 para. 5 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)

I10 [Sch. 3 para. 5](#) in force at 6.4.2023 in so far as not already in force by [S.I. 2023/362](#), [reg. 3\(1\)\(k\)](#)

Public authorities

- 6 (1) The Secretary of State may by regulations make provision requiring the regulator and any prescribed public authority to cooperate with each other in the exercise of—
- (a) any building function of the regulator, and
 - (b) any prescribed function of the public authority, so far as it relates to England.
- (2) The Secretary of State may by regulations make provision authorising a relevant person and any prescribed public authority to disclose prescribed information to each other for the purpose of—
- (a) any relevant function of the relevant person, and
 - (b) any prescribed function of the public authority, so far as it relates to England.
- (3) In [this paragraph](#) “relevant person” and “relevant function” have the meaning given in [paragraph 2](#).

Commencement Information

I11 Sch. 3 para. 6 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)

I12 [Sch. 3 para. 6](#) in force at 6.4.2023 in so far as not already in force by [S.I. 2023/362](#), [reg. 3\(1\)\(k\)](#)

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Changes and effects yet to be applied to :

- Sch. 3 para. 3(5)(c) word omitted by [2024 c. 22 Sch. 13 para. 7\(a\)](#)

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. 120(4A) inserted by [2024 c. 22 s. 114\(3\)](#)
- s. 123(2)(a)(b) and words substituted for words by [2024 c. 22 s. 115\(2\)](#)
- s. 123(8)(9) inserted by [2024 c. 22 s. 115\(4\)](#)
- s. 124(2A)(2B) inserted by [2024 c. 22 s. 116\(3\)](#)
- s. 124(4)(aa) inserted by [2024 c. 22 s. 116\(5\)\(b\)](#)
- Sch. 3 para. 3(5)(e) and word inserted by [2024 c. 22 Sch. 13 para. 7\(b\)](#)