



Building Safety Act 2022

2022 CHAPTER 30

PART 2

THE REGULATOR AND ITS FUNCTIONS

Committees

9 Building Advisory Committee

- (1) The regulator must exercise its powers under section 11A(3) of the Health and Safety at Work etc Act 1974 to establish and maintain a committee to be known as the Building Advisory Committee, with the following function.
- (2) That function is to give advice and information to the regulator about matters connected with any of the regulator's building functions except its functions relating to the competence of—
 - (a) persons in the built environment industry, and
 - (b) registered building inspectors.
- (3) The Building Regulations Advisory Committee for England, established under section 14 of the Building Act 1984, is abolished.

Commencement Information

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| I1 | S. 9 in force at Royal Assent for specified purposes, see s. 170(2)(a) |
| I2 | S. 9(1)(2) in force at 1.12.2022 in so far as not already in force by S.I. 2022/1210, reg. 2(b) |
| I3 | S. 9(3) in force at 1.4.2023 in so far as not already in force by S.I. 2023/362, reg. 2(1)(d) |

10 Committee on industry competence

- (1) The regulator must exercise its powers under section 11A(3) of the Health and Safety at Work etc Act 1974 to establish and maintain a committee concerned with the competence of persons in the built environment industry (“industry competence”),

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with the following functions (and any other function that the regulator considers appropriate).

- (2) The functions are—
- (a) monitoring industry competence;
 - (b) advising the regulator in relation to industry competence;
 - (c) advising persons in the built environment industry in relation to industry competence;
 - (d) facilitating persons in the built environment industry to improve industry competence;
 - (e) providing guidance to the public (or a section of the public) about ways of assessing the competence of persons in the built environment industry;
 - (f) carrying out analysis and research in connection with a function mentioned in any of [paragraphs \(a\) to \(e\)](#).

Commencement Information

- I4** S. 10 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
I5 S. 10 in force at 1.10.2023 in so far as not already in force by [S.I. 2023/993, reg. 2\(b\)](#)

11 Residents' panel

- (1) The regulator must exercise its powers under section 11A(3) of the Health and Safety at Work etc Act 1974 to establish and maintain a committee with the functions mentioned in this section (and any other function that the regulator considers appropriate).
- (2) The committee is to consist of—
 - (a) such residents of higher-risk buildings as the regulator considers appropriate, and
 - (b) such relevant persons (if any) as it considers appropriate.
- (3) The regulator must take all reasonable steps to ensure that the committee includes—
 - (a) one or more residents of a higher-risk building who are disabled,
 - (b) a body that represents, supports or promotes the interests of any description of disabled people that includes residents of higher-risk buildings, or
 - (c) a member of a body within [paragraph \(b\)](#).
- (4) The committee is to give advice to the regulator about such matters connected with the regulator's building functions and relating to higher-risk buildings as the regulator may specify.
- (5) The regulator must consult the committee before issuing or revising any of the following—
 - (a) guidance to residents of higher-risk buildings about any of their rights or obligations under [Part 4](#) or regulations made under that Part;
 - (b) guidance relating to any duty under regulations made under section 89 to give information or documents to residents of higher-risk buildings or owners of residential units in such buildings;
 - (c) guidance relating to any of sections 91 to 93 or 95 or regulations made under any of those sections (engagement with residents etc, and residents' duties).

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- (6) If the committee has not been established at a time when the regulator has prepared guidance to which [subsection \(5\)](#) applies—
- (a) that subsection has effect as if it did not require the committee to be consulted before the guidance is issued, and
 - (b) the committee must be consulted in relation to the issued guidance as soon as reasonably practicable.
- (7) See also—
- (a) [section 17\(3\)](#) (duty to consult committee about regulator’s strategic plan);
 - (b) [section 94\(2\)](#) (duty to consult committee about regulator’s complaints system).
- (8) In this section—
- “higher-risk building” has the same meaning as in [Part 4](#) (see [section 65](#));
- “relevant person” means—
- (a) an owner of a residential unit in a higher-risk building,
 - (b) a body that represents, supports or promotes—
 - (i) the interests of any description of residents of higher-risk buildings or owners of residential units in such buildings, or
 - (ii) the interests of any description of persons that includes a description of such residents or owners, or
 - (c) a member of a body within paragraph (b).

Commencement Information

- I6** S. 11 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
- I7** [S. 11](#) in force at 1.12.2022 in so far as not already in force by [S.I. 2022/1210](#), [reg. 2\(c\)](#)

12 Committees: power to amend or repeal

- (1) The Secretary of State may by regulations amend or repeal any of sections 9 to 11 (provision about specific committees).
- (2) But regulations repealing section 9, 10 or 11 may be made only if the regulator has made a proposal to the Secretary of State for the making of such regulations (as to which see [section 7\(2\)](#)).
- (3) Regulations under this section may make consequential amendments of this Act.

Commencement Information

- I8** S. 12 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
- I9** [S. 12](#) in force at 6.4.2023 in so far as not already in force by [S.I. 2023/362](#), [reg. 3\(1\)\(a\)](#)

Changes to legislation:

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Heading: Committees.