



Building Safety Act 2022

2022 CHAPTER 30

PART 2

THE REGULATOR AND ITS FUNCTIONS

The regulator and its general functions

2 The building safety regulator

- (1) In [this Part](#) “the regulator” means the Health and Safety Executive.
- (2) [Schedule 1](#) contains amendments of provisions of the Health and Safety at Work etc Act 1974 that relate to the regulator.

Commencement Information

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| I1 | S. 2(1) in force at Royal Assent, see s. 170(1)(b) |
| I2 | S. 2(2) in force at Royal Assent for specified purposes, see s. 170(2)(a) |
| I3 | S. 2(2) in force at 28.6.2022 in so far as not already in force by S.I. 2022/561 , regs. 1(2) , 3(a) |

3 The regulator: objectives and regulatory principles

- (1) The regulator must exercise its building functions with a view to—
 - (a) securing the safety of people in or about buildings in relation to risks arising from buildings, and
 - (b) improving the standard of buildings.
- (2) In exercising a building function (other than an excepted function), the regulator must have regard to the following principles—
 - (a) regulatory activities should be carried out in a way which is transparent, accountable, proportionate and consistent, and
 - (b) regulatory activities should be targeted only at cases in which action is needed.

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- (3) The duty in [subsection \(2\)](#) is subject to any other requirement affecting the exercise of the function.
- (4) In [subsection \(2\)](#) “excepted function” means—
- (a) a function under any of sections 4 to 6, or
 - (b) a function of the regulator under the Health and Safety at Work etc Act 1974 so far as relating to any such function.
- (5) In [this Part](#) “building function” means—
- (a) any function of the regulator under, or under an instrument made under, this Act or the Building Act 1984;
 - (b) any prescribed function of the regulator;
 - (c) any function of the regulator under the Health and Safety at Work etc Act 1974 so far as relating to a function within [paragraph \(a\)](#) or [\(b\)](#).

Commencement Information

- I4** S. 3 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
- I5** S. 3 in force at 28.6.2022 in so far as not already in force by [S.I. 2022/561](#), [regs. 1\(2\)](#), [3\(b\)](#)

4 Duty to facilitate building safety: higher-risk buildings

- (1) The regulator must provide such assistance and encouragement to relevant persons as it considers appropriate with a view to facilitating their securing the safety of people in or about higher-risk buildings in relation to building safety risks as regards those buildings.
- (2) The assistance and encouragement that must be provided under [subsection \(1\)](#) includes, in particular, assistance and encouragement with a view to facilitating securing the safety of disabled people in or about higher-risk buildings in relation to building safety risks as regards those buildings.
- (3) For this purpose “relevant persons” means—
- (a) residents of higher-risk buildings within the meaning of [Part 4](#),
 - (b) owners of residential units in such buildings,
 - (c) persons who are accountable persons within the meaning of [Part 4](#), and
 - (d) persons upon whom duties are imposed by virtue of [paragraph 5B](#) of [Schedule 1](#) to the Building Act 1984 (dutyholders).
- (4) In [subsections \(1\)](#) and [\(2\)](#)—
- “building safety risk” has the meaning given by [section 62](#);
- “disabled”: see [section 30](#);
- “higher-risk building” means—
- (a) a higher-risk building within the meaning of [Part 4](#) (see [section 65](#)), or
 - (b) a higher-risk building within the meaning of the Building Act 1984.
- (5) [Parts 3](#) and [4](#) confer further functions on the regulator in relation to higher-risk buildings.

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Commencement Information

- I6** S. 4 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
- I7** [S. 4\(1\)\(2\)\(3\)\(4\)](#) in force at 1.12.2022 in so far as not already in force by [S.I. 2022/1210](#), [reg. 2\(a\)](#) (with [reg. 3](#))
- I8** [S. 4\(5\)](#) in force at 1.10.2023 in so far as not already in force by [S.I. 2023/993](#), [reg. 2\(a\)](#)

5 Duty to keep safety and standard of buildings under review

The regulator must keep under review—

- (a) the safety of people in or about buildings in relation to risks as regards buildings, and
- (b) the standard of buildings.

Commencement Information

- I9** S. 5 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
- I10** [S. 5](#) in force at 1.4.2023 in so far as not already in force by [S.I. 2023/362](#), [reg. 2\(1\)\(a\)](#)

6 Facilitating improvement in competence of industry and building inspectors

- (1) The regulator must provide such assistance and encouragement as it considers appropriate to—
 - (a) persons in the built environment industry, and
 - (b) registered building inspectors,with a view to facilitating their improving the competence of persons in that industry or members of that profession (as the case may be).
- (2) For the meaning of “the built environment industry” and “registered building inspector” see section 30.

Commencement Information

- I11** S. 6 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
- I12** [S. 6](#) in force at 1.4.2023 in so far as not already in force by [S.I. 2023/362](#), [reg. 2\(1\)\(b\)](#)

7 Proposals and consultation relating to regulations

- (1) This section applies to regulations under—
 - (a) [this Part](#), or
 - (b) any provision of [Part 4](#) except section 62, 65 or 68.
- (2) The regulator may at any time make proposals to the Secretary of State for the making of regulations.
- (3) Before making a proposal, the regulator must consult such persons as it considers appropriate.
- (4) Before making regulations, other than regulations proposed by the regulator, the Secretary of State must consult—

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- (a) the regulator, and
- (b) such other persons as the Secretary of State considers appropriate.

Commencement Information

I13 S. 7 in force at Royal Assent, see [s. 170\(1\)\(c\)](#)

8 Duty to establish system for giving of building safety information

- (1) The regulator must make arrangements for a person to establish and operate a voluntary occurrence reporting system.
- (2) A “voluntary occurrence reporting system” is a system to facilitate the voluntary giving of information about building safety to the person who operates the system.

Commencement Information

I14 S. 8 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)

I15 S. 8 in force at 1.4.2023 in so far as not already in force by S.I. 2023/362, [reg. 2\(1\)\(c\)](#)

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