



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.

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.
- (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.

Status: This is the original version (as it was originally enacted).

- (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 [\(b\)](#).

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.

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.

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.

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

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.