

## SCHEDULES

### SCHEDULE 5

#### MINOR AND CONSEQUENTIAL AMENDMENTS IN CONNECTION WITH PART 3

##### PART 1

###### AMENDMENTS OF THE BUILDING ACT 1984

56 After section 91A insert—

###### **“91B Cooperation and the sharing of information: Wales**

- (1) Relevant persons (as defined by subsection (7)) must cooperate with each other in the exercise of any of the following functions—
  - (a) any function of a local authority under this Act,
  - (b) any function of a Welsh fire and rescue authority under—
    - (i) section 6 or 7 of the Fire and Rescue Services Act 2004, or
    - (ii) the Regulatory Reform (Fire Safety) Order 2005, and
  - (c) any function of a fire inspector under that Order.
- (2) 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.
- (3) The Welsh Ministers and a relevant person must cooperate with each other in the exercise of any of the following functions—
  - (a) a function of the Welsh Ministers under Part 2A;
  - (b) a function mentioned in the relevant paragraph of subsection (1).
- (4) The Welsh Ministers may disclose information held in connection with a function under Part 2A to a relevant person for the purposes of—
  - (a) a function of the Welsh Ministers under Part 2A, or
  - (b) a function mentioned in the relevant paragraph of subsection (1).
- (5) A relevant person may disclose information held in connection with a function mentioned in the relevant paragraph of subsection (1) to the Welsh Ministers for the purposes of—
  - (a) a function mentioned in the relevant paragraph of subsection (1), or
  - (b) a function of the Welsh Ministers under Part 2A.
- (6) In subsections (3) to (5) “the relevant paragraph” of subsection (1), in relation to a kind of relevant person, means the paragraph of subsection (1) relating to a relevant person of that kind.
- (7) In this section—

---

*Status: This is the original version (as it was originally enacted).*

---

“fire inspector” means an inspector or assistant inspector appointed under section 28(1) of the Fire and Rescue Services Act 2004;

“relevant person” means a local authority in Wales, Welsh fire and rescue authority or fire inspector;

“relevant function” means—

(a) in relation to a local authority, any function of a local authority under—

- (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) Part 3 of the Environmental Protection Act 1990,
- (v) Parts 1 to 4 of the Housing Act 2004, or
- (vi) this Act,

or any prescribed function of a local authority;

(b) in relation to a Welsh fire and rescue authority, any function of such an authority under—

- (i) the Fire and Rescue Services Act 2004, or
- (ii) the Regulatory Reform (Fire Safety) Order 2005,

or any prescribed function of such an authority;

(c) in relation to a fire inspector, any function of a fire inspector under the Regulatory Reform (Fire Safety) Order 2005;

“Welsh fire and rescue authority” means a fire and rescue authority, within the meaning of Part 1 of the Fire and Rescue Services Act 2004, for an area in Wales.

(8) Except as provided by subsection (9), the disclosure of information under this section does not breach—

- (a) any obligation of confidence owed by the person making the disclosure, or
- (b) any other restriction on the disclosure of information (however imposed).

(9) This section does not authorise a disclosure of information if the disclosure would contravene the data protection legislation (but in determining whether a disclosure would do so, take into account the powers conferred by this section).”