



Building Safety Act 2022

2022 CHAPTER 30

PART 4

HIGHER-RISK BUILDINGS

Appeals etc

104 Appeals against decisions of the regulator made under [this Part](#)

- (1) This section applies in relation to a decision of the regulator—
 - (a) not to register a building on an application under section 78(1);
 - (b) to remove a building from the register under section 78(3);
 - (c) to refuse an application for a building assessment certificate under section 81(3);
 - (d) to give a direction under section 83(2).
- (2) An affected person may appeal the decision.
- (3) An appeal may be on the grounds—
 - (a) that the decision was based on an error of fact;
 - (b) that the decision was wrong in law;
 - (c) that the decision was unreasonable.
- (4) In this section “an affected person” means—
 - (a) in relation to a decision of the regulator mentioned in [paragraph \(a\)](#) or [\(b\)](#) of [subsection \(1\)](#), an accountable person for the higher-risk building (or a person who would be an accountable person for the building if the building were a higher-risk building);
 - (b) in relation to a decision of the regulator mentioned in [paragraph \(c\)](#) of [subsection \(1\)](#), an accountable person for the higher-risk building;
 - (c) in relation to a decision of the regulator mentioned in [paragraph \(d\)](#) of [subsection \(1\)](#), the accountable person subject to the direction.

Changes to legislation: There are currently no known outstanding effects for the Building Safety Act 2022, Section 104. (See end of Document for details)

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Commencement Information

- I1** S. 104 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
- I2** [S. 104](#) in force at 1.10.2023 in so far as not already in force by [S.I. 2023/993](#), [reg. 2\(v\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Building Safety Act 2022, Section 104.