



# Building Safety Act 2022

## 2022 CHAPTER 30

### PART 4

#### HIGHER-RISK BUILDINGS

##### *Appeals etc*

#### **106 Appeals: supplementary**

- (1) This section applies in relation to an appeal to the tribunal under section 103(1), 104 or 105.
- (2) The tribunal—
  - (a) must consider afresh the decision appealed against, and
  - (b) may take into account evidence that was not available to the regulator.
- (3) The tribunal may confirm, vary or quash the decision of the regulator.
- (4) The Secretary of State may, by regulations—
  - (a) provide for the suspension during the appeal period of the effect of a notice (other than a compliance notice) given or other thing done by the regulator;
  - (b) make other provision about the effect during the appeal period of an appeal (including provision conferring powers on the tribunal).
- (5) In subsection (4) “the appeal period” means the period beginning with the making of the appeal and ending with the final determination or withdrawal of the appeal.

#### **Commencement Information**

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|-----------|---|
| <b>I1</b> | S. 106 in force at Royal Assent for specified purposes, see <a href="#">s. 170(2)(a)</a>  |
| <b>I2</b> | <a href="#">S. 106</a> in force at 1.10.2023 in so far as not already in force by <a href="#">S.I. 2023/993</a> , <a href="#">reg. 2(x)</a> |

**Changes to legislation:**

Building Safety Act 2022, Section 106 is up to date with all changes known to be in force on or before 07 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 120(4A) inserted by [2024 c. 22 s. 114\(3\)](#)
- s. 123(2)(a)(b) and words substituted for words by [2024 c. 22 s. 115\(2\)](#)
- s. 123(8)(9) inserted by [2024 c. 22 s. 115\(4\)](#)
- s. 124(2A)(2B) inserted by [2024 c. 22 s. 116\(3\)](#)
- s. 124(4)(aa) inserted by [2024 c. 22 s. 116\(5\)\(b\)](#)
- Sch. 3 para. 3(5)(e) and word inserted by [2024 c. 22 Sch. 13 para. 7\(b\)](#)