



Building Safety Act 2022

2022 CHAPTER 30

PART 4

HIGHER-RISK BUILDINGS

Miscellaneous and general

108 Guidance

- (1) The regulator may issue guidance about any of the following matters—
 - (a) the performance of any duties under section 87 (mandatory reporting requirements);
 - (b) the performance of any duties under section 88 or 89 (duty to keep or give information);
 - (c) the performance of any duties under section 92 (duty to give further information to residents);
 - (d) the performance of any duties under section 93 (complaints procedure).
- (2) The regulator may revise or withdraw any issued guidance.
- (3) Where in any proceedings it is alleged that a person has contravened a provision mentioned in [subsection \(1\)](#)—
 - (a) proof of a failure to comply with any applicable guidance may be relied on as tending to establish that there was such a contravention, and
 - (b) proof of compliance with any applicable guidance may be relied on as tending to establish that there was no such contravention.
- (4) In any proceedings, a document purporting to be guidance under this section is to be taken to be such guidance unless the contrary is proved.
- (5) Guidance under this section may be issued, revised or withdrawn only with the consent of the Secretary of State.

Changes to legislation: Building Safety Act 2022, Section 108 is up to date with all changes known to be in force on or before 29 July 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. (See end of Document for details) [View outstanding changes](#)

(6) In this section any reference to a provision includes regulations made under the provision.

.....
Commencement Information

- I1** S. 108 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
- I2** [S. 108](#) in force at 6.4.2023 in so far as not already in force by [S.I. 2023/362, reg. 3\(1\)\(z7\)](#)

Changes to legislation:

Building Safety Act 2022, Section 108 is up to date with all changes known to be in force on or before 29 July 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\(b\)](#)