



# Building Safety Act 2022

## 2022 CHAPTER 30

### PART 4

#### HIGHER-RISK BUILDINGS

##### *Duties relating to information and documents*

#### **90 Provision of information etc on change in accountable person**

- (1) This section applies where at any time (“the relevant time”) an accountable person for a higher-risk building (the “outgoing person”) ceases to be responsible for all or any part of the building.
- (2) The outgoing person must give prescribed information and a copy of any prescribed document to any person who, immediately after the relevant time—
  - (a) is an accountable person for the building, and
  - (b) is responsible for a part of the building for which the outgoing person ceased to be responsible at the relevant time.
- (3) The information and documents must be given—
  - (a) by the prescribed time,
  - (b) in the prescribed way, and
  - (c) in accordance with prescribed standards.
- (4) The outgoing person must give prescribed information to the regulator in the prescribed way, as soon as reasonably practicable after the relevant time.
- (5) Subject to [subsection \(6\)](#), regulations made by the Secretary of State under this section may provide that the disclosure of information under this section does not breach—
  - (a) any obligation of confidence owed by the outgoing person in relation to that information;
  - (b) any other restriction on the disclosure of information (however imposed).

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*Changes to legislation: There are currently no known outstanding effects for the Building Safety Act 2022, Section 90. (See end of Document for details)*

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- (6) 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).
- (7) A person who, without reasonable excuse, contravenes [subsection \(2\)](#) or [\(4\)](#) commits an offence and is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding the maximum summary term for either-way offences or a fine (or both);
  - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both);
- and (in either case) is liable on summary conviction to a further fine not exceeding level 1 on the standard scale for each day on which the default continues after the initial conviction.

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**Commencement Information**

- I1** S. 90 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
- I2** S. 90 in force at 16.1.2024 in so far as not already in force by [S.I. 2024/40](#), [reg. 2\(k\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Building Safety Act 2022, Section 90.