



Social Housing (Regulation) Act 2023

2023 CHAPTER 36

The Regulator of Social Housing

3 Collection of information

(1) The Housing and Regeneration Act 2008 is amended as follows.

(2) In section 107 (collection)—

(a) for subsection (1) substitute—

“(1) The regulator, or a person authorised under subsection (4A), may for a purpose connected with the regulator’s functions require a person to provide documents or information which the regulator or person authorised (as the case may be) has reason to believe is or may be in the person’s possession.”;

(b) omit subsection (2);

(c) before subsection (3), insert—

“(2A) A requirement under subsection (1) may also require the person to provide an explanation of any document or information required under that subsection.”;

(d) in subsection (3)—

(i) in the opening words, after “requirement” insert “under subsection (1)”;

(ii) in paragraph (a), for “document or information” substitute “document, information or an explanation”;

(e) in subsection (4), for “documents or information” substitute “documents, information or explanations”;

(f) after subsection (4) insert—

“(4A) The regulator may in writing authorise a person to exercise any of its powers under this section.

(4B) An authorisation—

- (a) must specify the extent to which the person is authorised to exercise the powers, and
 - (b) may provide that the person is to be authorised for a particular period.”;
 - (g) in subsection (5), after “requirement” insert “under subsection (1)”;
 - (h) in subsection (6), for “to which a requirement relates” substitute “required under subsection (1)”;
 - (i) after subsection (6) insert—
 - “(6A) Knowingly or recklessly providing the regulator, or a person authorised under subsection (4A), with a document, information or an explanation which is false or misleading in purported compliance with a requirement under subsection (1) is an offence.”;
 - (j) in subsection (7), after “requirement” insert “under subsection (1)”.
- (3) In section 108 (section 107: supplemental)—
- (a) in subsection (1), after “requirement” insert “under section 107(1)”;
 - (b) for subsection (2) substitute—
 - “(2) A requirement under section 107(1) does not require a banker to breach a duty of confidentiality owed to a person who is not—
 - (a) a registered provider,
 - (b) a subsidiary of a registered provider,
 - (c) an associate of a registered provider, or
 - (d) a person who is certified in writing by the regulator as being—
 - (i) a person who has applied to be entered in the register of providers of social housing, or
 - (ii) a local authority which the regulator thinks may be, or may become, a provider of social housing.”;
 - (c) in subsection (3), omit the words from “not” to the end;
 - (d) in subsection (4)—
 - (i) in the words before paragraph (a), after “107(6)” insert “or (6A)”;
 - (ii) in paragraph (a) omit the words from “not” to the end;
 - (e) in subsection (5), for “or (6)” substitute “, (6) or (6A)”.