
STATUTORY INSTRUMENTS

2023 No. 396

The Higher-Risk Buildings (Key Building Information etc.) (England) Regulations 2023

Buildings with more than one AP

30.—(1) If an AP has the right to let or (excluding a residential unit let on a long lease⁽¹⁾) lets a residential unit in the building, the AP is responsible for that unit.

(2) If a residential unit is let under a long lease, the AP responsible for the unit is—

- (a) the lessor in relation to the long lease, or
- (b) where, by virtue of section 72 of the 2022 Act, the lessor in relation to the long lease is not an AP, the AP responsible for the part of the common parts that adjoins or is nearest to the main entrance door of the unit.

(3) For this regulation, the residential unit is treated as including any garden, yard, garage, outhouse, or other appurtenance that is—

- (a) within the higher-risk building,
- (b) for the use, benefit and enjoyment of a resident of that unit, and
- (c) not a part subject to regulations 28 and 29.

⁽¹⁾ See section 115 of the 2022 Act for the definition of ‘long lease’.