
STATUTORY INSTRUMENTS

2023 No. 907

The Higher-Risk Buildings (Management of Safety Risks etc) (England) Regulations 2023

PART 2

Higher-Risk Buildings

Provision of information to the regulator, residents etc

8.—(1) For the purposes of section 89(2)(a) of the 2022 Act, an AP must give information and copies of documents prescribed under section 89(1) of that Act to the persons specified in section 89(1)(a) or (b) or (subject to paragraph (2)), prescribed by regulations made under paragraph (e) of that subsection, as soon as reasonably practicable after the information or document has been created or updated, or where there is a requirement for the recipient to request the information or document, as soon as reasonably practicable after the request is made.

(2) In the case of a client whose project is carried out, whether in full or in part, in relation to a higher-risk building, the obligation to give the information and copies of documents arises as soon as reasonably practicable after the client gives written notice to the AP that a project is taking place in the building and which provides a name, address and email address for the supply of prescribed information and documents.

(3) In paragraph (2)—

“client” means any person for whom a project is carried out;

“project” means a project which includes or is intended to include any building work and includes all planning work, design work, management or other work involved in a project until the end of the construction phase.

(4) In paragraph (3)—

“building work” has the same meaning as in regulation 3 of the Building Regulations 2010⁽¹⁾.

“construction phase” means the period beginning when any building work on a project starts and ending when that project is completed.

(5) For the purposes of section 89(2)(b) and (c) of the 2022 Act, an AP must give information and copies of documents prescribed under section 89(1) of the 2022 Act electronically and in a format that the recipient can access to—

(a) other APs for the building; and

(b) subject to paragraph (6), any persons prescribed by regulations made under section 89(1) (e) of the 2022 Act.

(6) Nothing in paragraph (5) applies in relation to the owner of a residential unit in a higher-risk building where an AP of that building has given a contravention notice to any person residing in

that residential unit (and accordingly section 29 of the 2022 Act applies in relation to the giving of information and copies of documents to such an owner).

(7) For the purposes of section 89(2)(a) of the 2022 Act, an AP must give information and documents prescribed under section 89(1) of the 2022 Act to any resident of the building—

- (a) where a higher-risk building becomes occupied, as soon as reasonably practicable after the building becomes occupied, or if later, the time when the person became an AP for the building;
- (b) where a new resident moves into a higher-risk building, as soon as reasonably practicable after the AP becomes aware that the resident has moved in;
- (c) where prescribed information previously given to a resident has become out of date, as soon as reasonably practicable after the AP has become aware that the information has become out of date.

(8) For the purposes of section 89(2)(a) of the 2022 Act, an AP must give information and documents prescribed under section 89(1) of the 2022 Act to any non-resident owner of residential units—

- (a) as soon as reasonably practicable after the AP becomes aware that the person has taken ownership of a residential unit in the building;
- (b) where the prescribed information is a copy of a contravention notice given to any person residing in the residential unit owned by the person, as soon as reasonably practicable after that notice has been given;
- (c) where prescribed information previously given to an owner of a residential unit has become out of date, as soon as reasonably practicable after the AP has become aware that the information is out of date.

(9) For the purposes of section 89(2)(b) and (c) of the 2022 Act, information and documents given to residents and non-resident owners of residential units must be—

- (a) in writing;
- (b) in a form which allows the recipients to understand the content and aims of the information or document given, including explanations of technical language used, or with plain English summaries of complex or technical provisions;
- (c) displayed in common parts of the building where the prescribed information consists of—
 - (i) the process for reporting a building safety risk as regards the building,
 - (ii) how to make a relevant complaint⁽²⁾,
 - (iii) the identity of and the address, telephone number and email address of—
 - (aa) the PAP for the building,
 - (bb) any other AP for the building,
 - (cc) any person who is a responsible person within the meaning of article 3 of the Regulatory Reform (Fire Safety) Order 2005⁽³⁾ in relation to the building,
 - (iv) any person the PAP has appointed for administrative purposes as a single point of contact in regard to resident communication to contact to request further building safety information,
 - (v) the list of types of further information that a resident can request and the process for making such a request.

⁽²⁾ See section 93(4) of the 2022 Act for the definition of “relevant complaint”.

⁽³⁾ [S.I. 2005/1541](#).

(10) The obligation in paragraph (9)(c) to display prescribed information is without prejudice to the obligation to give prescribed information specified in that sub-paragraph to residents of the building in accordance with section 29 of the 2022 Act.