
STATUTORY INSTRUMENTS

2024 No. 41

The Higher-Risk Buildings (Keeping and Provision of Information etc.) (England) Regulations 2024

PART 1

General

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Higher-Risk Buildings (Keeping and Provision of Information etc.) (England) Regulations 2024 and come into force at the same time as section 83 of the 2022 Act comes into force.

(2) These Regulations extend to England and Wales and apply in relation to England only.

Interpretation

2. In these Regulations—

“the 2022 Act” means the Building Safety Act 2022;

“the 2010 Regulations” means the Building Regulations 2010(1);

“the Fire Safety Regulations” means the Fire Safety (England) Regulations 2022(2);

“AP” means accountable person(3);

“AP client” has the meaning given in regulation 17(6);

“building work” has the same meaning as in regulation 3 of the 2010 Regulations;

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

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

“evacuation information” has the meaning given in paragraph 7(3) of Schedule 1;

“fabric of the building” means a part of the building that forms, with other parts, the structure of the building including in particular any wall, roof, floor, stairs, doors, windows, plumbing, central heating systems, electrical wiring and lighting systems;

“fire and rescue authority” means a fire and rescue authority, within the meaning of Part 1 of the Fire and Rescue Services Act 2004(4), for an area in England;

“fire risk assessment” means the record of an assessment by the RP further to the requirement in article 9 (risk assessment) of the Regulatory Reform (Fire Safety) Order 2005(5);

(1) [S.I. 2010/2214](#) as amended by [S.I. 2012/3119](#), [2013/1959](#), [2014/110](#), [2015/767](#), [2016/285](#), [2016/1274](#), [2018/1230](#), [2021/1391](#), [2022/608](#) and [2023/520](#). There are other amending instruments, but none is relevant to this instrument.

(2) [S.I. 2022/547](#).

(3) See section 72 of the 2022 Act for the meaning of “accountable person”.

(4) [2004 c. 21](#).

(5) [S.I. 2005/1541](#).

“fire safety management measure” means any equipment, device or materials (whether or not a fixture or part of the fabric of the building) that—

- (a) exists for any of the following purposes—
 - (i) preventing fire outbreak and spread in the building;
 - (ii) reducing the spread of smoke from fire;
 - (iii) reducing the severity of any fire outbreak and spread in the building;
 - (iv) aiding or enabling evacuation of the building;
- (b) is located in any part of the higher-risk building, and
- (c) is not a measure provided by a resident for their own use;

“golden thread information” has the meaning given in regulation 4(3);

“higher-risk building work” has the same meaning as in section 91ZA of the Building Act 1984(6);

“material change of use” has the meaning given in regulation 5 of the 2010 Regulations;

“PAP” means principal accountable person(7);

“plans” has the same meaning as in section 126 of the Building Act 1984(8);

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

“the register” means the register of higher-risk buildings held by the regulator pursuant to section 78 of the 2022 Act;

“relevant landlord” means the owner of a residential unit(9) in a higher-risk building where an AP for that building has given a contravention notice(10) to any person residing in that residential unit;

“relevant RP” means any person who is a RP for a higher-risk building and, where applicable, for the wider building of a higher-risk building, but who is not also an AP for the same higher-risk building;

“resident client” means a client who is also a resident of the higher-risk building to which their project relates;

“RP” means the responsible person under article 3 of the Regulatory Reform (Fire Safety) Order 2005;

“scheme work” means work to which—

- (a) regulation 20 (provisions applicable to self-certification schemes) of the 2010 Regulations applies, or
- (b) regulation 20A (provisions applicable to third party certification schemes) of the 2010 Regulations applies;

“wider building” has the same meaning as in regulation 4(8) of the Higher-Risk Buildings (Descriptions and Supplementary Provisions) Regulations 2023(11).

(6) 1984 c. 55. Section 91ZA was inserted by section 32 of the 2022 Act. See section 65 of the 2022 Act for the meaning of “higher-risk building”.

(7) See section 73 of the 2022 Act for the meaning of “principal accountable person”.

(8) 1984 c. 55.

(9) See section 115 of the 2022 Act for the meaning of “residential unit”.

(10) See section 96(3) of the 2022 Act for the meaning of a “contravention notice”.

(11) S.I. 2023/275.

Direction to be made by regulator

3.—(1) The information prescribed by regulation 5 must be given to the regulator in a way specified in a direction made by the regulator.

(2) A direction must specify the date on which it comes into effect, which must not be earlier than five working days after the date on which the regulator publishes it.

(3) The regulator must publish any direction under this regulation on its website.

(4) The regulator may, by a further direction, amend or revoke a direction made under this regulation.

PART 2

Keeping information about higher-risk buildings

Golden thread information

4.—(1) The information and documents prescribed for the purposes of section 88(1) and (2) of the 2022 Act (together “the golden thread information”) are set out in Schedule 1(12).

(2) If there is more than one AP for a higher-risk building, each AP is responsible for keeping such of the information or copies of such of the documents set out in Schedule 1 as relate to the part of the building for which that AP is responsible(13).

PART 3

Prescribed persons and provision of information

Provision of information to the regulator

5.—(1) Where an appointment referred to in paragraph (2) is made in relation to an AP, the AP must provide the following information to the regulator—

- (a) their own name and the address of each higher-risk building for which they are responsible as an AP,
- (b) where the AP is a company, the company registration number,
- (c) the name and description of the appointment of that office-holder or person appointed as set out in paragraph (2), and
- (d) a postal address, and a telephone number or email address for that office-holder or person appointed as set out in paragraph (2).

(2) The appointments mentioned in paragraph (1) are—

- (a) the appointment of a monitor in relation to a moratorium that has taken effect pursuant to Part A1 of the Insolvency Act 1986(14);
- (b) the appointment of a supervisor in relation to a voluntary arrangement that has been approved pursuant to Part 1 or 8 of the Insolvency Act 1986;

(12) The standards in accordance with which the information and documents must be kept are prescribed in the Higher-Risk Building (Management of Safety Risks) (England) Regulations 2023, [S.I. 2023/907](#).

(13) See section 74 of the 2022 Act and regulations 26 to 30 of the Building Safety (Registration of Higher-Risk Buildings and Review of Decisions) (England) Regulations 2023, [S.I. 2023/315](#) as amended by regulation 21 of these Regulations.

(14) Part A1 was inserted by section 1(1) of the Corporate Insolvency and Governance Act 2020 ([c. 12](#)).

- (c) the appointment of an administrator pursuant to Schedule B1 to the Insolvency Act 1986;
 - (d) the appointment of a receiver under Part 3 of the Insolvency Act 1986⁽¹⁵⁾ or section 109 of the Law of Property Act 1925⁽¹⁶⁾;
 - (e) the appointment of a liquidator under Part 4 or 5 (which make provision regarding winding up) of the Insolvency Act 1986;
 - (f) the appointment of a trustee in bankruptcy⁽¹⁷⁾ pursuant to Part 9 of the Insolvency Act 1986;
 - (g) the appointment of a housing administrator pursuant to the making of a housing administration order under section 99 of the Housing and Planning Act 2016⁽¹⁸⁾.
- (3) In this regulation—
- “housing administrator” has the meaning given in section 95(2) of the Housing and Planning Act 2016;
- “liquidator” means a liquidator within the meaning of Part 4 or Part 5 of the Insolvency Act 1986⁽¹⁹⁾;
- “monitor” has the meaning given in section A54(1) of the Insolvency Act 1986;
- “supervisor” has the meaning given in section 263(2) of the Insolvency Act 1986 (where the supervisor is the supervisor of an individual voluntary arrangement) and the meaning given in section 7(2) of the same Act (where the supervisor is the supervisor of a company voluntary arrangement).

Provision of information and documents to another AP for the higher-risk building

6.—(1) Subject to paragraph (2) and regulations 17 and 18, where there is more than one AP for a higher-risk building each AP for that building must provide to every other AP for that building the golden thread information that that AP is required to keep for that building.

- (2) The duty in paragraph (1) does not require an AP to—
- (a) provide to another AP any information or document obtained from that AP where that information or document is up to date, or
 - (b) provide to another AP any information or document that is kept by the AP but to which the other AP has access and has been notified of this in writing by the AP.

Provision of information and documents to residents of the building

7.—(1) Subject to paragraph (2) and regulation 18, an AP for a higher-risk building must provide to each person who is aged 16 or over and who resides in the part of the building for which that AP is responsible the information or a copy of a document prescribed in Schedule 2.

- (2) The duty in paragraph (1) does not require an AP to provide information or documents to a person where the AP—
- (a) is not aware that the person resides in that part of the building, and
 - (b) has taken all reasonable steps to make themselves aware of who resides in residential units in that part of the building.

⁽¹⁵⁾ See section 29 of the Insolvency Act 1986 for the definition of “receiver” and “administrative receiver” in relation to their appointment under that Act.

⁽¹⁶⁾ 1925 c. 20.

⁽¹⁷⁾ See sections 291A and 296 of the Insolvency Act 1986 in relation to the appointment of a trustee in bankruptcy.

⁽¹⁸⁾ 2016 c. 22.

⁽¹⁹⁾ 1986 c. 45.

Provision of information and documents to owners of residential units in the building

8. Subject to regulation 18, an AP for a higher-risk building must take all reasonable steps to provide to each owner of a residential unit in the part of the building for which that AP is responsible the information or a copy of a document prescribed in Schedule 2.

Provision of documents to relevant landlord etc

9.—(1) A relevant landlord is prescribed for the purposes of section 89(1)(e) of the 2022 Act.

(2) Subject to regulation 17, where an AP has given a contravention notice(20) to a person who resides in, but is not the owner of, a residential unit in a higher-risk building, the AP must take all reasonable steps to provide a copy of that notice to the relevant landlord.

Provision of information and documents to client etc

10.—(1) Subject to paragraph (5) and regulations 15, 17 and 18, in relation to any project, the client for the project is prescribed for the purposes of section 89(1)(e) of the 2022 Act.

(2) An AP for a higher-risk building must provide to the client for a project which relates to the part of the building for which the AP is responsible any information that the AP must keep pursuant to section 88(1) of the 2022 Act which falls within any of the following provisions in Schedule 1 to these Regulations—

- (a) paragraph 6 (fire safety management) where the information relates to the part of the building specified in the notice;
- (b) paragraph 9 (structural risks) where the information relates to the part of the building specified in the notice except where the client has previously given the information to that AP and the information has not changed since it was given;
- (c) paragraph 10 (management of building safety risks) where the information relates to the part of the building specified in the notice;
- (d) paragraph 11 (building design) where the information relates to the part of the building specified in the notice.

(3) An AP for a higher-risk building must provide to the client for a project which relates to the part of the building for which the AP is responsible a copy of any document which that AP must keep pursuant to section 88(2) of the 2022 Act which falls within any of the following provisions in Schedule 1 to these Regulations—

- (a) paragraph 22 (fire safety management) where the document relates to the part of the building specified in the notice;
- (b) paragraph 24 (structural risks) where the document relates to the part of the building specified in the notice except where the client has previously given the document to that AP and it is the same version of the document as the version that was given;
- (c) paragraph 27(a) (plans) where the plan relates to the part of the building specified in the notice.

(4) For the purposes of paragraph (3)(c), it is sufficient for the AP to provide part or a collection of parts of a plan where that part or collection of parts relate to the entire part of the building specified in the notice for which an AP has responsibility.

(5) This regulation only applies in relation to a client where the client—

- (a) is not an AP for the building to which the project relates, and
- (b) has given notice in writing to the AP that—

(20) See section 96 of the 2022 Act in relation to contravention notices.

- (i) confirms that they are a client,
 - (ii) provides a brief description of the project including details of the parts of the higher-risk building to which it relates, and
 - (iii) provides their name, address, and (if available) email address.
- (6) In this regulation “notice” means a notice given in accordance with paragraph (5)(b).

Provision of information and documents to relevant RP etc

11.—(1) Subject to regulations 17 and 18, a relevant RP is prescribed for the purposes of section 89(1)(e) of the 2022 Act.

(2) An AP for a higher-risk building must provide to each relevant RP of that building any information and a copy of any document which relates to the part of the building for which the AP is responsible and that the AP must keep pursuant to section 88 of the 2022 Act and which falls within the following provisions of Schedule 1 to these Regulations—

- (a) paragraphs 6(1) and 22 (fire safety management);
- (b) paragraph 7(2) (evacuation);
- (c) paragraph 27 (plans).

(3) An AP who is also the PAP for a building must provide to each relevant RP of that building—

- (a) a copy of the safety case report⁽²¹⁾ for that building;
- (b) any information that an AP is required to keep pursuant to section 88 of the 2022 Act which falls within paragraph 7(1) (evacuation) of Schedule 1 to these Regulations.

(4) Paragraph (2) does not apply to any information that the relevant RP has previously given to the AP and that has not changed since it was given.

(5) Paragraph (2) does not apply to any document that the relevant RP has previously given to the AP and is the same version of the document as the version that was given.

Provision of information and documents to a fire and rescue authority etc

12.—(1) Subject to regulation 18, the fire and rescue authority for the area in which a higher-risk building is situated is prescribed for the purposes of section 89(1)(e) of the 2022 Act.

(2) An AP for a higher-risk building who is also the PAP for that building must provide to the fire and rescue authority for the area in which that building is situated—

- (a) the information that the PAP is required to keep pursuant to—
 - (i) paragraph 4(1) (key building information) of Schedule 1;
 - (ii) paragraph 7(1) (evacuation) of Schedule 1;
- (b) the documents that the PAP is required to keep pursuant to paragraph 20(1) (refusal of building assessment certification application) of Schedule 1;
- (c) the safety case report for that building.

(3) An AP for a higher-risk building must provide to the fire and rescue authority for the area in which that building is situated—

- (a) the information that the AP is required to keep pursuant to—
 - (i) paragraph 7(2) (evacuation) of Schedule 1;
 - (ii) paragraph 8 (Fire Safety Regulations information) of Schedule 1;

(21) See section 85(1) of the 2022 Act for the definition of “safety case report”.

- (iii) paragraph 11 (building design) of Schedule 1;
- (b) the documents that the AP is required to keep pursuant to—
 - (i) paragraph 23 (Fire Safety Regulations information) of Schedule 1;
 - (ii) paragraph 27(a) (plans) of Schedule 1;
 - (iii) paragraph 31 (contravention notices) of Schedule 1.

(4) Where the fire and rescue authority for the area in which a higher-risk building is situated makes a written request to an AP for the higher-risk building to be provided with any information or a copy of a document that the AP is responsible for keeping as golden thread information, the AP must provide to that fire and rescue authority the information and a copy of the document requested.

Provision of information and documents etc on change in AP

13. Subject to regulation 17, the information and documents prescribed for the purposes of section 90(2) of the 2022 Act are the golden thread information that the outgoing person was, immediately before the relevant time⁽²²⁾, required to keep under regulation 4 by virtue of being an AP for the higher-risk building and, where applicable, was, immediately before the relevant time, required to keep under regulation 4 by virtue of being the PAP for the higher-risk building.

Resident engagement: requests for further information

14. Subject to regulations 16, 17 and 18, the information and documents prescribed for the purposes of section 92(1) of the 2022 Act are the information and documents specified in Schedule 3 to these Regulations.

PART 4

Limitations in relation to the duty to provide information or documents

Exception for security: provision of documents to a client

15.—(1) The duty under regulation 10(3)(b) does not apply to any security sensitive material in a document described in paragraph 24(1) (structural risks) of Schedule 1 that an AP would otherwise be required to provide to a resident client.

- (2) Material is “security sensitive” where—
 - (a) it relates to a building, to land or to any other thing found in or on a building or land, where that building, land or other thing is not part of the higher-risk building or contained in it, or
 - (b) it is about a part of the higher-risk building for which the AP is responsible pursuant to section 74 (part of the building for which an AP is responsible) of the 2022 Act or it is about anything contained in such a part, and—
 - (i) it relates to a relevant safety item⁽²³⁾, and
 - (ii) it discloses how the item operates or how to interfere with its intended function.

⁽²²⁾ See section 90(1) of the 2022 Act for the definition of “relevant time”.

⁽²³⁾ See section 95(4) of the 2022 for the meaning of “relevant safety item”.

Exception for security: requests for further information by a resident or owner of a residential unit

16.—(1) The duty under section 92(2) of the 2022 Act does not apply to any security sensitive information, or to any security sensitive material in a document, that falls within any of the following provisions of Schedule 1—

- (a) paragraph 16(1)(a) and 16(2)(a) (completion and partial completion of works);
 - (b) paragraph 24(1) (structural risks);
 - (c) paragraph 25 (building safety risk assessment);
 - (d) paragraph 26 (management of building safety risks);
 - (e) paragraph 27 (plans).
- (2) Information or material is “security sensitive” where—
- (a) it relates to a building, to land or to any other thing found in or on a building or land, where that building, land or other thing is not part of the higher-risk building or contained in it, or
 - (b) it is about a part of the higher-risk building for which the AP is responsible pursuant to section 74 (part of the building for which an AP is responsible) of the 2022 Act or it is about anything contained in such a part, and—
 - (i) it relates to a relevant safety item(24), and
 - (ii) it discloses how the item operates or how to interfere with its intended function.

Exception for commercial sensitivity

17.—(1) This regulation applies in relation to the following—

- (a) the duty of an AP under regulation 6 to provide information or documents to another AP,
- (b) the duty of an AP under regulation 10 to provide information or documents to a client,
- (c) the duty of an AP or a PAP under regulation 11 to provide information or documents to a relevant RP,
- (d) the duty of an outgoing person under regulation 13 to provide information or documents to an AP or a PAP, and
- (e) the duty of an AP under regulation 14 to provide information or documents to a resident or owner of a residential unit.

(2) Subject to paragraphs (4) and (5), the duties specified in paragraph (1) do not apply to any information or material in a document that is commercially sensitive.

(3) For the purposes of this regulation, information or material within a document is commercially sensitive where it is not in the public domain at the time that the AP or outgoing person complies with a duty referred to in paragraph (1), and where it discloses—

- (a) customer identities that are confidential to the AP, the outgoing person or a third party,
- (b) marketing and product development strategies and analysis that are confidential to the AP, the outgoing person or a third party,
- (c) supplier identities that are confidential to the AP, the outgoing person or a third party,
- (d) cost, price or other quantitative data that is confidential and relates to the operations of the AP’s or outgoing person’s organisation or to the operations of a third party,
- (e) data or information covered by commercial confidentiality or non-disclosure agreements, or

(24) See section 95(4) of the 2022 Act for the meaning of “relevant safety item”.

- (f) any other trade secret of the AP, outgoing person, or a third party.
- (4) Paragraph (2) does not apply to any information or material in a document that is significant for managing building safety.
- (5) Paragraph (2) does not apply to a duty to provide—
- (a) a building assessment certificate⁽²⁵⁾ for a higher-risk building,
 - (b) the most recent written notice given by the regulator in accordance with section 81(3)(b)⁽²⁶⁾ (building assessment certificates) of the 2022 Act,
 - (c) information kept under paragraph 3 (registration) of Schedule 1,
 - (d) information kept under paragraph 4 (key building information) of Schedule 1,
 - (e) any list kept under paragraph 6(1)(a) (fire safety management) of Schedule 1,
 - (f) information kept under paragraph 7 (evacuation) of Schedule 1,
 - (g) information kept under paragraph 8 (Fire Safety Regulations information) of Schedule 1,
 - (h) any list kept under paragraph 9(1) (structural risks) of Schedule 1,
 - (i) information kept under paragraph 11 (building design) of Schedule 1,
 - (j) information kept under paragraph 14 (complaints) of Schedule 1,
 - (k) any certificate kept under paragraph 16 (completion and partial completion of works) of Schedule 1,
 - (l) any document kept under paragraph 18 (registration) of Schedule 1,
 - (m) any document kept under paragraph 23 (Fire Safety Regulations information) of Schedule 1, or
 - (n) any document kept under paragraph 30 (complaints) of Schedule 1.
- (6) In this regulation—
- “AP client” means a client that—
- (a) is not a resident client, or
 - (b) is a resident client of a higher-risk building and is an AP for the same higher-risk building;
- “confidential” means—
- (a) in the case of information held by an AP, or any document or part of a document created by the AP, the information, document or part of a document in relation to which the AP has expressly recorded that it is to be treated as confidential;
 - (b) in the case of information or a document or part of a document provided to the AP by another person, the information, document or part of a document provided in relation to which that other person has notified that AP that it is to be treated as confidential;
- “information or material that is significant for managing building safety” means information or material given to—
- (a) a person who is not an AP for a higher-risk building but is a resident, an owner of a residential unit or a resident client of the higher-risk building, that is necessary to enable them to understand the building safety risks⁽²⁷⁾ and how those risks to their higher-risk building are being managed by the PAP and any AP for their higher-risk building;
 - (b) an AP, a relevant RP, or an AP client, that is necessary to enable them to identify, assess or manage a building safety risk in the higher-risk building or to understand how this

⁽²⁵⁾ See section 81(1)(a) of the 2022 Act for the definition of “building assessment certificate”.

⁽²⁶⁾ Section 81(3)(b) of the 2022 Act requires the regulator to notify the PAP of any refusal of an application for a building assessment certificate.

⁽²⁷⁾ See section 62(1) of the 2022 Act for the definition of “building safety risk”.

is being done by another person who has responsibilities in relation to fire or structural safety for that higher-risk building;

“trade secret” means information, whether or not contained in a document or part of a document, which is not generally known or readily accessible to an AP, a RP or an AP client and has commercial value because it is secret.

Exception for personal data

18.—(1) Subject to paragraph (6), this regulation applies in relation to—

- (a) the duties under regulations 6 to 8 and 10 to 12, and
- (b) an AP’s duty to a resident or owner of a residential unit under section 92(2) of the 2022 Act and pursuant to regulation 14.

(2) Paragraph (4) applies where regulation 7, 8, 10 or 14 would require an AP to share personal data with someone, other than the data subject, who is—

- (a) a resident,
- (b) an owner of a residential unit, or
- (c) a resident client who is not an AP for the same higher-risk building.

(3) Paragraph (5) applies where regulation 6, 10, 11 or 12 would require an AP or PAP to share personal data with someone, other than the data subject, who is—

- (a) another AP for the same higher-risk building,
- (b) a relevant RP,
- (c) an AP client, or
- (d) a fire and rescue authority.

(4) Where this paragraph applies, the AP is not required to provide any personal data that is not permitted personal data.

(5) Where this paragraph applies, the AP or PAP is not required to provide any personal data unless it is—

- (a) permitted personal data, or
- (b) significant for managing building safety.

(6) This regulation does not apply to any information or material in a document that an AP or PAP is required to give to a fire and rescue authority pursuant to regulation 12, where the information or document is—

- (a) information kept under paragraph 6 (fire safety management) of Schedule 1;
- (b) information kept under paragraph 7 (evacuation) of Schedule 1; or
- (c) a document kept under paragraph 22 (fire safety management) of Schedule 1.

(7) In this regulation—

“permitted personal data” means any personal data that a PAP must display in accordance with section 82(1) of the 2022 Act;

“significant for managing building safety” means any information or material within a document that is necessary to enable the AP, PAP, relevant RP, AP client or fire and rescue authority to identify, assess or manage a building safety risk in the higher-risk building or to understand how this is being done by another who has responsibilities in relation to fire or structural safety for that higher-risk building.

Limitation of liability for disclosure of information

19. Where an AP, PAP or outgoing person discloses information in accordance with Parts 3 and 4 of these Regulations, the disclosure of information does not breach—

- (a) any obligation of confidence owed by that AP, PAP or outgoing person in relation to that information;
- (b) any other restriction on the disclosure of information (however imposed outside of these Regulations).

PART 5

Amendment to the Higher-Risk Buildings (Descriptions and Supplementary Provisions) Regulations 2023

Exclusions from the definition of “higher-risk building”

20.—(1) The Higher-Risk Buildings (Descriptions and Supplementary Provisions) Regulations 2023(**28**) are amended as follows.

(2) In regulation 7, for paragraph (2) substitute—

“(2) The following descriptions of building are specified for the purposes of paragraph (1)—

(a) a building that consists entirely of—

- (i) a secure residential institution;
- (ii) a hotel;
- (iii) military barracks;
- (iv) living accommodation provided by the Ministry of Defence;
- (v) living accommodation for—

(aa) His Majesty’s forces;

(bb) any visiting force or international headquarters or defence organisation designated for the purpose of the International Headquarters and Defence Organisations Act 1964;

(b) a building, that is used for residential and non-residential purposes, in which all the living accommodation is provided by the Ministry of Defence.”.

(3) In regulation 8, for paragraph (2) substitute—

“(2) The following descriptions of building are specified for the purposes of paragraph (1)—

(a) a building that consists entirely of—

- (i) a care home;
- (ii) a hospital;
- (iii) a secure residential institution;
- (iv) a hotel;
- (v) military barracks;
- (vi) living accommodation provided by the Ministry of Defence;

- (vii) living accommodation for—
 - (aa) His Majesty’s forces;
 - (bb) any visiting force or international headquarters or defence organisation designated for the purpose of the International Headquarters and Defence Organisations Act 1964;
- (b) a building, that is used for residential and non-residential purposes, in which all the living accommodation is provided by the Ministry of Defence.”.

PART 6

Amendment to the Higher-Risk Buildings (Key Building Information etc.) (England) Regulations 2023

Buildings with more than one AP

21.—(1) The Higher-Risk Buildings (Key Building Information etc.) (England) Regulations 2023~~(29)~~ are amended as follows.

- (2) In regulation 27 for “30” substitute “31”.
- (3) After regulation 30 insert—

“**31.** An AP for a higher-risk building who is the PAP for that building is responsible for any part of that higher-risk building—

- (a) which is not the responsibility of another AP by virtue of regulations 28 to 30, and
- (b) to which the Regulatory Reform (Fire Safety Order) 2005 does not apply.”.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

Lee Rowley
Minister of State
Department for Levelling Up, Housing and
Communities

13th January 2024