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STATUTORY INSTRUMENTS

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**2024 No. 41**

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

**PART 4**

Limitations in relation to the duty to provide information or documents

**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<sup>(1)</sup>, and
    - (ii) it discloses how the item operates or how to interfere with its intended function.

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<sup>(1)</sup> See section 95(4) of the 2022 Act for the meaning of “relevant safety item”.