Housing and Regeneration Act 2008

2008 CHAPTER 17

PART 2

REGULATION OF SOCIAL HOUSING

CHAPTER 6

REGULATORY POWERS

Monitoring

203 Inspector's powers

(1) An inspector may by notice require a person to provide specified documents or information.

(2) The power under subsection (1) may be exercised only in relation to documents and information of a kind in respect of which the regulator can impose a requirement under section 107.

(3) Sections **[**[F1]107(2A) to (4) and (5) to (7)**]** and 108 apply for the purposes of subsection (1) (with any necessary modifications).

(4) An inspector may at any reasonable time—

(a) enter premises occupied by the registered provider which is being inspected, and

(b) inspect, copy or take away documents found there.

(5) The reference to documents found on premises includes—

(a) documents stored on computers or electronic storage devices on the premises, and

(b) documents stored elsewhere which can be accessed by computers on the premises.

Changes to legislation: *Housing and Regeneration Act 2008, Section 203 is up to date with all changes known to be in force on or before 08 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(6) The power to inspect documents includes the power to inspect any computer or electronic storage device on which they have been created or stored.

(7) An inspector may require any person on the premises to provide such facilities or assistance as the inspector reasonably requests.

(8) For the purposes of subsections (5) and (6) an inspector may require any person having charge of a computer to provide such assistance as the inspector reasonably requests.

(9) It is an offence for a person without reasonable excuse to obstruct an inspector exercising the powers conferred by subsections (4) to (8).

(10) A person guilty of an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(11) Proceedings for an offence may be brought only by or with the consent of—

(a) the regulator, or

(b) the Director of Public Prosecutions.

[[F2](12) In this section " inspector " means a person authorised in writing by the regulator to exercise the powers under this section **[**[F3]and section 203A**]** for the purposes of an inspection under section 201. **]**

Textual Amendments

F1 Words in s. 203(3) substituted (1.4.2024) by Social Housing (Regulation) Act 2023 (c. 36), s. 46(3), **Sch. 5 para. 21**; S.I. 2024/437, reg. 2(z)

F2 S. 203(12) substituted (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 17 para. 12**; S.I. 2012/628, art. 6(i) (with arts. 911141517)

F3 Words in s. 203(12) inserted (1.4.2024) by Social Housing (Regulation) Act 2023 (c. 36), **ss. 30(3)**, 46(3); S.I. 2024/437, reg. 2(q)

Commencement Information

I1 S. 203 in force at 1.4.2010 by S.I. 2010/862, **art. 2** (with Sch.)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(6A) inserted by 2023 c. 55 s. 138
- s. 251(1)(c) and word inserted by 2023 c. 36 s. 31(7)
- s. 251(1)(ab)(ac) inserted by 2023 c. 36 s. 10(6)