



# Social Housing (Regulation) Act 2023

## 2023 CHAPTER 36

### *The Regulator of Social Housing*

#### **3 Collection of information**

(1) The Housing and Regeneration Act 2008 is amended as follows.

(2) In section 107 (collection)—

(a) for subsection (1) substitute—

“(1) The regulator, or a person authorised under subsection (4A), may for a purpose connected with the regulator’s functions require a person to provide documents or information which the regulator or person authorised (as the case may be) has reason to believe is or may be in the person’s possession.”;

(b) omit subsection (2);

(c) before subsection (3), insert—

“(2A) A requirement under subsection (1) may also require the person to provide an explanation of any document or information required under that subsection.”;

(d) in subsection (3)—

(i) in the opening words, after “requirement” insert “under subsection (1)”;

(ii) in paragraph (a), for “document or information” substitute “document, information or an explanation”;

(e) in subsection (4), for “documents or information” substitute “documents, information or explanations”;

(f) after subsection (4) insert—

“(4A) The regulator may in writing authorise a person to exercise any of its powers under this section.

(4B) An authorisation—

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- (a) must specify the extent to which the person is authorised to exercise the powers, and
  - (b) may provide that the person is to be authorised for a particular period.”;
  - (g) in subsection (5), after “requirement” insert “under subsection (1)”;
  - (h) in subsection (6), for “to which a requirement relates” substitute “required under subsection (1)”;
  - (i) after subsection (6) insert—
    - “(6A) Knowingly or recklessly providing the regulator, or a person authorised under subsection (4A), with a document, information or an explanation which is false or misleading in purported compliance with a requirement under subsection (1) is an offence.”;
  - (j) in subsection (7), after “requirement” insert “under subsection (1)”.
- (3) In section 108 (section 107: supplemental)—
- (a) in subsection (1), after “requirement” insert “under section 107(1)”;
  - (b) for subsection (2) substitute—
    - “(2) A requirement under section 107(1) does not require a banker to breach a duty of confidentiality owed to a person who is not—
    - (a) a registered provider,
    - (b) a subsidiary of a registered provider,
    - (c) an associate of a registered provider, or
    - (d) a person who is certified in writing by the regulator as being—
      - (i) a person who has applied to be entered in the register of providers of social housing, or
      - (ii) a local authority which the regulator thinks may be, or may become, a provider of social housing.”;
  - (c) in subsection (3), omit the words from “not” to the end;
  - (d) in subsection (4)—
    - (i) in the words before paragraph (a), after “107(6)” insert “or (6A)”;
    - (ii) in paragraph (a) omit the words from “not” to the end;
  - (e) in subsection (5), for “or (6)” substitute “, (6) or (6A)”.

#### Commencement Information

- I1** S. 3 not in force at Royal Assent, see [s. 46\(3\)](#)
- I2** [S. 3\(1\)](#) in force at 20.9.2023 for specified purposes by [S.I. 2023/1001](#), [reg. 2\(c\)\(i\)](#)
- I3** [S. 3\(3\)](#) in force at 20.9.2023 for specified purposes by [S.I. 2023/1001](#), [reg. 2\(c\)\(ii\)\(aa\)](#)
- I4** [S. 3\(3\)\(c\)\(d\)\(ii\)](#) in force at 20.9.2023 by [S.I. 2023/1001](#), [reg. 2\(c\)\(ii\)\(bb\)](#)

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**Changes and effects yet to be applied to :**

- s. 3(1)(3) coming into force by [S.I. 2024/437 reg. 2\(a\)](#)
- s. 3(2) coming into force by [S.I. 2024/437 reg. 2\(a\)](#)