
STATUTORY INSTRUMENTS

2022 No. 1210 (C. 95)

BUILDING AND BUILDINGS, ENGLAND

**The Building Safety Act 2022 (Commencement
No. 3 and Transitional Provision) Regulations 2022**

Made - - - - 18th November 2022

The Secretary of State makes these Regulations in exercise of the powers conferred by section 170(2)(b) and (6) of the Building Safety Act 2022⁽¹⁾.

Citation and interpretation

1.—(1) These Regulations may be cited as the Building Safety Act 2022 (Commencement No. 3 and Transitional Provision) Regulations 2022.

(2) In these Regulations “the 2022 Act” means the Building Safety Act 2022.

Provisions coming into force on 1st December 2022

2. The following provisions of the 2022 Act come into force on 1st December 2022—

- (a) sections 4(1), (2), (3) and (4) (regulator’s duty to facilitate building safety);
- (b) sections 9(1) and (2) (building advisory committee); and
- (c) section 11 (residents’ panel).

Transitional provision

3.—(1) Until the relevant date, the reference in section 4(3)(d) of the 2022 Act to persons upon whom duties are imposed by virtue of paragraph 5B of Schedule 1 to the Building Act 1984⁽²⁾ is to be read as referring to persons who design or carry out building work (as defined in regulation 3 of the Building Regulations 2010⁽³⁾) in relation to a building, or a proposed building, which is a higher-risk building as defined in section 65 of the 2022 Act.

(2) In this regulation—

“relevant date” means the day on which section 32 of the Building Safety Act 2022 (building control authorities) comes into force, ignoring any commencement of that section for the purpose only of making regulations.

(1) [2022 c. 30](#).

(2) [1984 c. 55](#). Paragraph 5B is inserted into Schedule 1 by section 34 of the 2022 Act.

(3) [S.I. 2010/2214](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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

18th November 2022

Lee Rowley
Parliamentary Under Secretary of State
Department for Levelling Up, Housing and
Communities

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the third commencement regulations made under the Building Safety Act 2022 (c. 30) (“the Act”).

Regulation 2 brings into force on 1st December 2022 sections 4(1) to (4) of the Act, which impose a duty on the regulator to assist specified groups in the improvement of building safety; section 9(1) and (2) of the Act, which requires the regulator to establish a building advisory committee; and section 11, which requires the regulator to establish and maintain a committee of residents of higher-risk buildings to advise it on its functions.

Regulation 3 contains a transitional provision.

An impact assessment has been produced in relation to the Act and copies can be obtained at <https://publications.parliament.uk/pa/bills/cbill/58-02/0139/BuildingSafetyBillImpactAssessment.pdf> or from the Department for Levelling Up, Housing and Communities at 2 Marsham Street, London, SW1P 4DF, United Kingdom.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Building Safety Act 2022 have been brought into force by commencement regulations made before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 2(2)	28th June 2022	S.I. 2022/561
Section 3	28th June 2022	S.I. 2022/561
Section 17	28th June 2022	S.I. 2022/561
Section 18	28th June 2022	S.I. 2022/561
Section 31 (partially)	28th June 2022	S.I. 2022/561
Section 41 (partially)	28th June 2022	S.I. 2022/561
Section 48 (partially)	28th July 2022	S.I. 2022/561
Section 55 (partially)	28th June 2022	S.I. 2022/561
Section 57 (partially)	28th June 2022	S.I. 2022/561
Sections 126 to 129	1st September 2022	S.I. 2022/927
Sections 130 to 131	28th June 2022	S.I. 2022/561
Section 132 (partially)	28th May 2022	S.I. 2022/561
Section 132 (remaining purposes)	28th June 2022	S.I. 2022/561
Section 160	1st October 2022	S.I. 2022/561
Schedule 1	28th June 2022	S.I. 2022/561

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 5, paragraphs 1 (partially), 2, 3, 4 (partially), 5 (partially), 6, 9, 10, 11 (partially), 12 (partially), 13 (partially), 14 (partially), 15 (partially), 16, 22 (partially), 46 (partially), 50, 51, 53, 55 (partially), 57 (partially), 67, 71, 74 (partially), 75, 76 (partially), 77 (partially), 78, 81 (partially), 82, 83 (partially) and 84 (partially).	28th June 2022	S.I. 2022/561