
STATUTORY INSTRUMENTS

2023 No. 907

The Higher-Risk Buildings (Management of Safety Risks etc) (England) Regulations 2023

PART 2

Higher-Risk Buildings

Compliance notices

14.—(1) A compliance notice given under section 99 of the 2022 Act must be in writing and state—

- (a) that it is a compliance notice given under section 99 of the 2022 Act;
- (b) the date on which the compliance notice is given;
- (c) the name and address of the AP to whom the compliance notice is given;
- (d) details of the relevant requirement⁽¹⁾ which it is alleged the AP has contravened;
- (e) details of the nature of the contravention;
- (f) the building or part of the building in which the contravention of the relevant requirement is alleged to have occurred;
- (g) if specified that the compliance notice is an urgent action notice⁽²⁾, the reasons why the regulator considers it appropriate to so specify;
- (h) the consequences of contravention of the compliance notice;
- (i) that the compliance notice may be withdrawn by the regulator at any time;
- (j) details of the right to appeal to the tribunal⁽³⁾ under section 103(1) of the 2022 Act, including the following details—
 - (i) the period within which any appeal must be made,
 - (ii) the right to apply to the tribunal under section 103(4)(a) of the 2022 Act for a direction where it is specified in the notice that it is an urgent action notice,
 - (iii) the right to apply to the tribunal under section 103(5) of the 2022 Act for an extension of the period for the doing of any thing specified to be done in the compliance notice.

(2) A compliance notice may not relate to the contravention of more than one relevant requirement.

(3) Where the compliance notice relates to the contravention of a relevant requirement that is a requirement on the PAP, the regulator must give the compliance notice to the PAP, and give a copy of the compliance notice to all other APs for the building.

⁽¹⁾ See section 99(7) of the 2022 Act for the definition of “relevant requirement”.

⁽²⁾ See section 99(4) of the 2022 Act for the definition of “urgent action notice”.

⁽³⁾ Section 115 of the 2022 Act defines “the tribunal” as “the First-tier Tribunal”.

Status: This is the original version (as it was originally made).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

(4) Where the compliance notice relates to the contravention of a relevant requirement that is a requirement on an AP pertaining to the part of a building for which that AP is responsible, the regulator must give the compliance notice to that AP, and give a copy of the compliance notice to all other APs for the building, including the PAP.

(5) The regulator may withdraw a compliance notice at any time.

(6) Where the regulator withdraws a compliance notice, it must as soon as reasonably practicable give the recipient of the compliance notice a notice in writing to that effect.