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DRAFT STATUTORY INSTRUMENTS

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**2023 No.**

**The Higher-Risk Buildings (Key Building Information etc.) (England) Regulations 2023**

**Part of the building for which an AP is responsible: buildings with only one AP**

**26.**—(1) If a higher-risk building has only one AP and the AP is a commonhold association, the AP is responsible for the following parts of the building —

- (a) the common parts of the building,
- (b) any commonhold unit,
- (c) any balcony, and
- (d) any other part of the building to which the Regulatory Reform (Fire Safety Order) 2005<sup>(1)</sup> does not apply.

(2) If a higher-risk building has only one AP and the AP is not a commonhold association, the AP is responsible for the following parts of the building—

- (a) the common parts of a building,
- (b) any residential unit,
- (c) any balcony, and
- (d) any other part of the building to which the Regulatory Reform (Fire Safety Order) 2005 does not apply.

(3) The common parts of the building are defined by—

- (a) section 25(1) (definition) of the Commonhold and Leasehold Reform Act 2002<sup>(2)</sup> in relation to paragraph (1), and
- (b) section 72(6) of the 2022 Act in relation to paragraph (2)

(4) In this regulation “commonhold association” means as defined under Part 1 of the Commonhold and Leasehold Reform Act 2002.

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<sup>(1)</sup> [S.I. 2005/1541](#). Relevant amendments are made by the Fire Safety Act [2010 c. 24](#).  
<sup>(2)</sup> [2002 c. 15](#).