



Building Safety Act 2022

2022 CHAPTER 30

PART 4

HIGHER-RISK BUILDINGS

Enforcement

98 Duty on regulator to enforce Part

The regulator must enforce the provisions of [this Part](#) and regulations made under it.

99 Compliance notices

- (1) The regulator may give a compliance notice to an accountable person for a higher-risk building who appears to the regulator to have contravened, be contravening or be likely to contravene a relevant requirement.
- (2) A “compliance notice” is—
 - (a) a notice requiring the accountable person to take specified steps within a specified period, or
 - (b) a notice requiring the accountable person to remedy the contravention or the matters giving rise to it within a specified period.
- (3) A notice of a kind mentioned in [subsection \(2\)\(a\)](#) may specify any steps relating to—
 - (a) the remedying of the contravention, or
 - (b) avoiding the contravention occurring.
- (4) Where it appears to the regulator that the contravention has placed or will place people in or about the building in imminent danger, the regulator may specify that the compliance notice is a notice to which [this subsection](#) applies (an “urgent action notice”).
- (5) A person who, without reasonable excuse, contravenes a compliance notice commits an offence.

- (6) A person guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding the maximum summary term for either-way offences or a fine (or both);
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both);
- and (in either case) is liable on summary conviction to a further fine not exceeding level 1 on the standard scale for each day on which the default continues after the initial conviction.
- (7) In this section—
- “relevant requirement” means any requirement on an accountable person under, or under regulations made under, [this Part](#) except one that is prescribed for the purposes of this section;
 - “specified” means specified in the notice.

100 Compliance notices: supplementary

- (1) The Secretary of State may by regulations make further provision about compliance notices.
- (2) The regulations may in particular make provision about—
- (a) the form and content of notices;
 - (b) the giving of notices;
 - (c) the amendment or withdrawal of notices;
 - (d) the extension of any period specified in a compliance notice for the doing of a thing.
- (3) [Subsection \(4\)](#) applies where the regulator has given a compliance notice to an accountable person for a higher-risk building.
- (4) The regulator must take reasonable steps to notify—
- (a) the local authority for the area in which the building is situated;
 - (b) the fire and rescue authority for the area in which the building is situated;
 - (c) where the accountable person for the building is a registered provider of social housing, the Regulator of Social Housing;
 - (d) any other prescribed person.

101 Offence: contravention giving rise to risk of death and serious injury

- (1) An accountable person for a higher-risk building commits an offence if—
- (a) without reasonable excuse, the accountable person contravenes a relevant requirement, and
 - (b) the contravention places one or more people in or about the building at critical risk.
- (2) In [subsection \(1\)](#)—
- “critical risk” means a significant risk of death or serious injury arising from a building safety risk;
 - “relevant requirement” means any requirement on an accountable person under, or under regulations made under, [this Part](#) except one that is prescribed for the purposes of this section.

- (3) A person guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding the maximum summary term for either-way offences or a fine (or both);
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both);
- and (in either case) is liable on summary conviction to a further fine not exceeding level 1 on the standard scale for each day on which the default continues after the initial conviction.