



Building Safety Act 2022

2022 CHAPTER 30

PART 2

THE REGULATOR AND ITS FUNCTIONS

Supplementary and general

30 Interpretation of **Part 2**

(1) In **this Part**—

“building” (except in section 28(6)) means any permanent or temporary building in England except a building of a prescribed description;

“building function” has the meaning given by section 3;

“the built environment industry” means—

(a) persons carrying on, for business purposes, activities connected with the design, construction, management or maintenance of buildings, and

(b) employees of such persons;

and references to a person “in” the industry are to any such person or employee;

“contravention” includes a failure to comply;

“the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);

“disabled”: a person is disabled if the person has a physical or mental impairment which has a substantial and long-term adverse effect on the person’s ability to carry out normal day-to-day activities;

“financial year” means a year ending with 31 March;

“fire and rescue authority” means a fire and rescue authority, within the meaning of Part 1 of the Fire and Rescue Services Act 2004, for an area in England;

“local authority” means—

(a) a district council or relevant unitary authority,

Status: This is the original version (as it was originally enacted).

- (b) a London borough council,
- (c) the Common Council of the City of London,
- (d) the Sub-Treasurer of the Inner Temple,
- (e) the Under Treasurer of the Middle Temple, or
- (f) the Council of the Isles of Scilly;

“maximum summary term for either-way offences”, with reference to imprisonment for an offence, means—

- (a) if the offence is committed before the time when paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 comes into force, 6 months;
- (b) if the offence is committed after that time, 12 months;

“owner” has the meaning given by section 115;

“personal data” has the same meaning as in the Data Protection Act 2018;

“prescribed” means prescribed by regulations made by the Secretary of State;

“registered building inspector” has the meaning given by section 58A of the Building Act 1984;

“the regulator” has the meaning given by section 2;

“resident” and “resident of a higher-risk building” have the same meaning as in Part 4 (see section 71(3) and (4)(c));

“residential unit” means—

- (a) a dwelling, or
- (b) any other unit of living accommodation;

“standard”: any reference to the standard of a building is to its standard from a technical perspective.

- (2) In subsection (1), in the definition of “local authority”, “relevant unitary authority” means a council for a county in England so far as it is the council for an area for which there are no district councils.
- (3) The Secretary of State may by regulations provide that in any prescribed provision of this Part a reference to a building includes any of the following—
 - (a) any other structure or erection of any kind (whether temporary or permanent);
 - (b) any vehicle, vessel or other movable object of any kind, in such circumstances as may be prescribed.