
STATUTORY INSTRUMENTS

2023 No. 396

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⁽¹⁾ 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⁽²⁾ 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.

⁽¹⁾ [S.I. 2005/1541](#). Relevant amendments are made by the Fire Safety Act [2010 \(c. 24\)](#).

⁽²⁾ [2002 c. 15](#).