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STATUTORY INSTRUMENTS

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**2023 No. 753**

**BUILDING AND BUILDINGS, ENGLAND**

The Building Safety (Responsible Actors  
Scheme and Prohibitions) Regulations 2023

*Made* - - - - *3rd July 2023*

*Coming into force* *4th July 2023*

THE BUILDING SAFETY (RESPONSIBLE ACTORS  
SCHEME AND PROHIBITIONS) REGULATIONS 2023

PART 1

Introduction

1. Citation, commencement, extent and application
2. Interpretation
3. Relevant buildings
4. Notices

PART 2

The Responsible Actors Scheme

CHAPTER 1

Establishment and eligibility for membership

5. Establishment of scheme
6. Eligibility: general
7. Eligibility: residential property developers
8. Eligibility: buildings eligible for remediation funds
9. Voluntary eligibility
10. Residential property development
11. Profit condition
12. Eligibility: avoidance

*Status: This is the original version (as it was originally made).*

## CHAPTER 2

### Membership of the scheme

13. Invitation by the Secretary of State to apply for membership
14. Application for membership following invitation
15. Request for an invitation to apply for membership
16. Applications for volunteers
17. Late application for membership
18. Application following revocation of membership
19. Determination of applications
20. Publication of list of members, prohibitions list and other lists

## CHAPTER 3

### Conditions of scheme

21. Self Remediation Terms
22. Provision of information to the Secretary of State
23. Membership conditions: avoidance

## CHAPTER 4

### Termination of membership

24. Grounds for revocation of membership
25. Warning of revocation of membership
26. Procedure for revocation of membership
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## PART 3

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##### Application

28. Application of prohibitions

#### CHAPTER 2

##### Prohibition on Development

29. Planning prohibition
30. Notice of prohibition
31. Exception for critical national infrastructure
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#### CHAPTER 3

##### Building Control Prohibitions

33. Building control prohibitions

34. Exception to building control prohibition: emergency repair work
35. Exception to building control prohibition: work to occupied buildings
36. Exception to building control prohibition: purchasers
37. Exception to building control prohibitions and modification of the Building Regulations 2010: regularisation
38. Exception for critical national infrastructure
39. Effect of things done in contravention of these Regulations
40. Transitional provision

## CHAPTER 4

### Enforcement and disapplication of the prohibitions to certain persons not in the building industry

41. Application of Part 7 (Enforcement) of the Town and Country Planning Act 1990
42. Exception: disapplication of the prohibitions to certain persons not in the building industry

### PART 4

#### Review

43. Review  
Signature

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### SCHEDULE — Modifications to the Town and Country Planning Act 1990

1. Part 7 of the Town and Country Planning Act 1990...
2. Modification of section 171A (expressions used in connection with enforcement)
3. Modification of section 171C (power to require information about activities on land)
4. Modification of section 171E (temporary stop notice)
5. Modification of section 171F (temporary stop notice: restrictions)
6. Modification of section 171H (temporary stop notices: compensation)
7. Modification of section 172 (issue of enforcement notice)
8. Modification of section 173 (contents and effect of notice)
9. Modification of section 174 (appeal against enforcement notice)
10. Modification of section 175 (appeals: supplementary provisions)
11. Modification of section 176 (general provisions relating to determination of appeals)
12. Modification of section 177 (grant or modification of planning permission on appeals against enforcement notices)
13. Modification of section 180 (effect of planning permission, etc, on enforcement or breach of condition notice)
14. Modifications of section 181 (enforcement notice to have effect against subsequent development)
15. Modification of section 183 (stop notices)
16. Modification of section 186 (compensation for loss due to stop notice)
17. Modification of section 188 (Register of enforcement and stop notices)

Explanatory Note