



Landlord and Tenant Act 1985

1985 CHAPTER 70

[^{F1}Higher-risk buildings in England

[^{F1}30C Implied terms relating to building safety

- (1) This section applies to a lease of premises which consist of or include a dwelling in a higher-risk building.
- (2) In the lease there is implied a covenant by the landlord—
 - (a) where the landlord is an accountable person for the higher-risk building, to comply with their building safety duties;
 - (b) to cooperate with any person in connection with a relevant person complying with their building safety duties;
 - (c) where a special measures order in relation to the higher-risk building is in force, to comply with that order so far as it relates to the landlord.
- (3) In the lease there is implied a covenant by the tenant—
 - (a) to allow the landlord, a relevant person or a person authorised in writing by the landlord or a relevant person to enter the premises for a relevant building safety purpose;
 - (b) where the tenant is a resident of the higher-risk building, to comply with their duties under sections 95 and 97 of the Building Safety Act 2022;
 - (c) where a special measures order in relation to the higher-risk building is in force, to comply with that order so far as it relates to the tenant.
- (4) In the covenant implied by subsection (2)(b), “cooperate”, in relation to a person, includes—
 - (a) taking any steps which are reasonably required by the person to facilitate compliance by a relevant person with their building safety duties;
 - (b) where the person is a relevant person (or a person authorised in writing by a relevant person), providing any information (including names and contact details of residents and tenants of the premises) to the person which is reasonably required in connection with the relevant person complying with their building safety duties.

Changes to legislation: Landlord and Tenant Act 1985, Section 30C is up to date with all changes known to be in force on or before 16 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (5) In the covenant implied by subsection (3)(a), a relevant building safety purpose means—
- (a) inspecting the premises in connection with a relevant person complying with their building safety duties;
 - (b) carrying out works to the premises, where such works are required to be carried out in connection with a relevant person complying with their building safety duties;
 - (c) accessing a part of the higher-risk building that is not let to the tenant in order to—
 - (i) inspect that part of the building in connection with a relevant person complying with their building safety duties;
 - (ii) carry out works to that part of the building, where such works are required to be carried out in connection with a relevant person complying with their building safety duties.
- (6) The covenant implied by subsection (3)(a) requires entry to the premises to be allowed—
- (a) only at reasonable times, and
 - (b) only if the tenant has been given at least 48 hours' notice in writing.
- (7) Except as provided by subsection (8), the disclosure of information in accordance with subsections (2)(b) and (4)(b) does not breach—
- (a) any obligation of confidence owed by the landlord in relation to that information;
 - (b) any other restriction on the disclosure of information (however imposed).
- (8) Subsections (2)(b) and (4)(b) do not require a disclosure of information if the disclosure would contravene the data protection legislation (but in determining whether a disclosure would do so, take into account the duty imposed by subsections (2)(b) and (4)(b)).
- (9) In this section—
- “building safety duties”—
- (a) in relation to an accountable person, means any duties of the accountable person under Part 4 of the Building Safety Act 2022, or regulations made under that Part of that Act;
 - (b) in relation to a special measures manager, means any duties of the manager included in the special measures order appointing the manager;
- “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);
- “relevant person” means—
- (a) an accountable person for the higher-risk building;
 - (b) a special measures manager for the higher-risk building;
- “resident” and “resident of a higher-risk building” have the same meaning as in Part 4 of the Building Safety Act 2022 (see section 71(3) and (4)(c) of that Act);
- “works” includes alterations, improvements and installations.]

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Textual Amendments

- F1** Ss. 30C-30I and cross-heading inserted (28.4.2022 for specified purposes, 6.4.2023 for specified purposes) by [Building Safety Act 2022 \(c. 30\)](#), [ss. 112\(2\), 170\(2\)](#) (with [s. 164](#)); [S.I. 2023/362](#), [reg. 3\(1\)\(z10\)\(ii\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(1AB) inserted by [2016 c. 22 Sch. 7 para. 18\(2\)](#)