

Building Safety Act Summary

The Building Safety Act 2022 (BSA) has made Clients, Contractors, and Designers criminally responsible to ensure that **any** and **all** building work subject to the Building Regulations complies in terms of design and construction. This duty has put competence at the heart of construction and any one appointed to carry out design or construction must be competent to undertake the work.

The BSA has also brought about the Gateway Process for Higher Risk Buildings (HRB). A HRB is any building which:

- is at least 18 metres in height (ground level to floor height of top floor) or has at least 7 storeys above ground, **and**
- contains at least 2 residential units.

Any building work on HRB must be submitted to the Building Safety Regulator and go through the Gateway process. This means work must not start until the design is approved. On new builds, must not be occupied until the final certificate has been issued. If the HRB is residential, the building has to be registered before occupation too.

Above and beyond the requirements under the Construction (Design and Management) Regulations 2015 (CDM 2015), the key points of the BSA are:

- The BSA applies to all Building Work under the Building Regulations 2010.
- The BSA has created a specific process when the building work involves HRB.
- All building work on HRB has to go through Gateway process with the Building Safety Regulator and works on site must not start until approval has been obtained.
- The Building Act has made Duty Holders criminally responsible for ensuring the work they undertake complies with the Building Regulations.
- Under the Act the Duty Holders are the Client, Principal Contractor, Principal Designer, Contractors and Designers.
- The duty to comply brings with it a duty for all duty holders to be competent to undertake the work they are commissioned to complete.
- The BSA makes it mandatory for duty holders to communicate and collaborate.
- The BSA put emphasis on the client agreeing to and being provided with information that enables them to manage the building during occupation.

Contact Just Safety Ltd for Health and Safety help with your building projects:

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