
W E L S H S T A T U T O R Y
I N S T R U M E N T S

2022 No. 767 (W. 167)

**BUILDING AND BUILDINGS,
WALES**

**The Building Safety Act 2022
(Consequential Amendments)
(Approved Inspectors) (Wales)
Regulations 2022**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Building (Approved Inspectors etc.) Regulations 2010 (“the Approved Inspectors Regulations”). The amendments made by these Regulations are consequential on section 48 of the Building Safety Act 2022. That section makes repeal to the Building Act 1984 in respect of insurance requirements for approved inspectors.

Regulation 2(2) omits regulation 5A (approved inspector’s insurance) from the Approved Inspectors Regulations, removing the requirement for a declaration of insurance to be in the possession of the person who approved the inspector. Regulations 2(3) and (4) make consequential amendments to regulations 7 and 9 respectively. Regulation 2(5) amends the forms in Schedule 1 to the Approved Inspectors Regulations so the forms no longer refer to the declaration of insurance. Regulation 2(6) to (8) amends Schedules 2, 3 and 4 to the Approved Inspectors Regulations to remove from each of the Schedules the ground of rejection relating to the declaration of insurance.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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**The Building Safety Act 2022
(Consequential Amendments)
(Approved Inspectors) (Wales)
Regulations 2022**

Made at 4.04 p.m. on 5 July 2022

Laid before Senedd Cymru 7 July 2022

Coming into force 28 July 2022

The Welsh Ministers, in exercise of the powers conferred on them by section 167(1) and (2) of the Building Safety Act 2022⁽¹⁾, make the following Regulations.

Title, application and commencement

1.—(1) The title of these Regulations is the Building Safety Act 2022 (Consequential Amendments) (Approved Inspectors) (Wales) Regulations 2022.

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force on 28 July 2022.

Amendment of the Building (Approved Inspectors etc.) Regulations 2010

2.—(1) The Building (Approved Inspectors etc.) Regulations 2010⁽²⁾ are amended as follows.

(2) Omit regulation 5A (approved inspector's insurance)⁽³⁾.

(1) 2022 c. 30.

(2) S.I. 2010/2215, relevant amending instruments are S.I. 2012/3119, 2013/747 (W. 89), 2014/58 (W. 5), 2015/767 and 2018/558 (W. 97).

(3) Regulation 5A was inserted by S.I. 2012/3119 in relation to excepted energy buildings in Wales and by S.I. 2014/58 in relation to Wales other than in relation to excepted energy

(3) In regulation 7 (lists of approvals and designations)⁽¹⁾—

(a) for paragraph (1)(c) substitute—

“(c) in relation to Wales, in respect of each approved inspector listed, keep a copy of the approval certificate.”;

(b) for paragraph (3)(b) substitute—

“(b) in relation to Wales, in respect of each approved inspector listed, keep a copy of the approval certificate.”.

(4) In regulation 9 (independence of approved inspectors) for paragraph (4)(c) substitute—

“(c) in relation to Wales, potential liability to pay any sum if a claim is made under any insurance cover.”.

(5) In Schedule 1⁽²⁾ (forms)—

(a) In Form 1 (initial notice) for paragraph 13 substitute—

“**13** A copy of the notice of approval as an approved inspector under regulation 5 of the 2010 Regulations in relation to the work described in this initial notice is on the register kept by the body designated under regulation 3 of the 2010 Regulations.”;

(b) In Form 2 (amendment notice) for paragraph 13 substitute—

“**13** A copy of the notice of approval as an approved inspector under regulation 5 of the 2010 Regulations in relation to the work described in the initial notice (as varied by this amendment notice) is on the register kept by the body designated under regulation 3 of the 2010 Regulations.”;

(c) In Form 3 (plans certificate) for paragraph 3 substitute—

“**3** A copy of the notice of approval as an approved inspector under regulation 5 of the 2010 Regulations in relation to the work described in this plans certificate is on the register kept by the body designated under regulation 3 of the 2010 Regulations.”;

(1) buildings. S.I. 2018/558 made amendments to regulation 5A so far as it applies to excepted energy buildings in Wales. Regulation 7 was amended in relation to excepted energy buildings in Wales by S.I. 2012/3119 and 2018/558 and in relation to Wales other than in relation to excepted energy building by S.I. 2014/58.

(2) Relevant amend instruments are S.I. 2014/58 and, in relation to excepted energy buildings in Wales regulation 22 of S.I. 2018/558, which substituted forms 1 to 12 as they apply to buildings in Wales other than to excepted energy buildings so that those forms also apply to excepted energy buildings in Wales.

- (d) In Form 4 (combined initial notice and plans certificate) for paragraph 17 substitute—

“**17** A copy of the notice of approval as an approved inspector under regulation 5 of the 2010 Regulations in relation to the work described in this initial notice is on the register kept by the body designated under regulation 3 of the 2010 Regulations.”;

- (e) In Form 5 (final certificate) for paragraph 6 substitute—

“**6** A copy of the notice of approval as an approved inspector under regulation 5 of the 2010 Regulations in relation to the work described in this final certificate is on the register kept by the body designated under regulation 3 of the 2010 Regulations.”

(6) In Schedule 2 (grounds for rejecting an initial notice, an amendment notice, or a plans certificate combined with an initial notice) omit paragraph 6**(1)**.

(7) In Schedule 3 (grounds for rejecting a plans certificate etc.) omit paragraph 6.

(8) In Schedule 4 (grounds for rejecting a final certificate) omit paragraph 5.

Julie James

The Minister for Climate Change, one of the Welsh Ministers

At 4.04 p.m. on 5 July 2022

(1) Paragraphs 6 of Schedules 2 and 3 and paragraph 5 of Schedule 4 were amended in relation to excepted energy building in Wales by S.I. 2012/3199 and 2018/558 and in relation to Wales other than to excepted energy buildings by S.I. 2014/58.