

Government Response: The Building etc. (Amendment) (Wales) Regulations 2025

Technical Scrutiny point 1: The Welsh Government consider that the 2-year period referred to in regulation 44ZAA(2)(c)(ii) would only be considered if paragraph RA1(1)(c)(i) or (ii) was being relied upon and in those circumstances, the reader would first need to consider the requirements of paragraph RA1(1)(c)(i) and (ii). Having done so, we consider that the reader would understand that the “notice” being referred to in regulation 44ZAA(2)(c)(ii) is either a building notice, initial notice or public body notice, as described in the definition of “the relevant 2-year period” in paragraph RA1(3). For these reasons, no legal consequences have been identified, and we therefore consider that an amendment is not necessary.

Technical Scrutiny point 2: The Welsh Government consider that the term “public electronic communications service” is self-explanatory. We also consider that the definition of “public electronic communications network” which has been inserted into the regulations (by reg 4(3)(e)) directs the reader to the wording of that definition in section 151(1) of the Communications Act 2003. That definition includes reference to “electronic communications services” which would then direct the reader to look at the definition of “public electronic communications service” within section 151(1). For these reasons, no legal consequences have been identified, and we therefore consider that an amendment is not necessary.