

Jayne Bryant AS/MS
Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
Cabinet Secretary for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Our ref – MA/JB/2749/25

All Members of the Senedd
Senedd Cymru
Cardiff Bay
Cardiff
CF99 1SN

15 December 2025

Dear Member of the Senedd,

Building Safety (Wales) Bill – Government Amendments

I am enclosing detail of Government amendments tabled to the Building Safety (Wales) Bill, together with an explanation of their purpose and effect.

Yours sincerely

A handwritten signature in black ink that reads "Jayne Bryant". The signature is written in a cursive, flowing style.

Jayne Bryant AS/MS
Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
Cabinet Secretary for Housing and Local Government

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Jayne.Bryant@llyw.cymru
Correspondence.Jayne.Bryant@gov.Wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

BUILDING SAFETY (WALES) BILL – STAGE 2 GOVERNMENT AMENDMENTS

The information below is designed to explain the purpose and effect of the amendments tabled in the name of Jayne Bryant MS on 11 December 2025 – **please see [Notice of amendments - 11 December 2025.pdf](#)**.

Further amendments for consideration at Stage 2 will be tabled by the Cabinet Secretary for Housing and Local Government in due course.

Adt.	Explanation
1	This amendment is to the Welsh text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
2	This purpose of this amendment is to more closely align the definition of common parts with how fixtures are generally held under property law i.e. they form part of the structure in which they are installed. The effect being that they would come with section 12(2)(a), rather than under section 12(2)(b).
3	This amendment is to the Welsh text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
4	This amendment replaces “building safety authority” with “enforcing authority” in section 17(2)(f), to reflect the fact that both the building safety authority and the fire safety authority, as enforcing authorities, may give notices and other documents to the principal accountable person.
5	This amendment relates to recommendation 16 of the LGH Committee. It inserts a new subsection into section 39 to place a duty on the principal accountable person to consult relevant persons, and any other persons specified in regulations, about the proposed contents of the residents’ engagement strategy, and to take into account any representations made when preparing the residents’ engagement strategy. “Relevant persons” is defined in section 39(3) of the Bill.
6	This amendment is consequential to amendment 5. The amendment requires that the principal accountable person must consult relevant persons (and other persons specified in regulations), in the circumstances specified in regulations, about proposed revisions to the strategy, rather than the strategy itself. This is because a consultation on the proposed contents of the strategy is now required by amendment 5, rather than being set out in regulations.
7	This amendment is consequential to amendment 5. The amendment requires the principal accountable person to take any representations

	made in response to consultation into account prior to revising the strategy, rather than when next reviewing the strategy.
8	This amendment is consequential to amendment 5. The amendment clarifies that regulations may include provisions on consultations under section 39 and regulations made under this section.
9	This amendment places a duty on certain persons to repair damage to a residential unit's capacity to resist fire spreading from the unit. It includes damage arising accidentally and from wear and tear, so it supplements section 51(2)(b) (which prohibits acts which create a significant risk or significantly increase the risk of fire spreading from a residential unit).
10	This amendment is linked to 9. It enables the person subject to the duty inserted by 9 to apply, to the tribunal, for a "repairs access order".
11	This amendment is consequential to amendment 9. It provides that section 53 (entry to residential units etc. by accountable persons) applies. The effect is that an accountable person can apply for an access order under section 53 in respect of the duty inserted by 9.
12	This amendment is to the Welsh text only. It is required to ensure consistency within the Welsh text of the Bill.
13	This amendment is consequential to amendment 9 and 11. It specifies the premises for which an access order can be made where it is made in respect of the duty inserted by 9.
14	This amendment is consequential to amendment 17. Since amendment 17 gives an accountable person a power to give a warning notice in respect of the duty inserted by 9, this amendment distinguishes warning notices given under section 54 from those given under the new section inserted by 17.
15	This amendment has the same purpose as amendment 14 and is needed for the same reason.
16	This amendment has the same purpose as amendment 14 and is needed for the same reason.
17	This amendment is related to amendments 9 and 18. It enables an accountable person to issue a warning notice where the accountable person considers there has been a breach of the duty inserted by 9.
18	This amendment is related to amendments 9 and 17. It enables an accountable person to apply to the tribunal for a contravention order where the accountable person considers there has been a breach of the

	duty inserted by 9 and where the person under the duty has failed to comply with a warning notice.
19	This amendment is consequential to amendment 17. It is needed so that the current provision in section 55(3) only applies in cases where a warning notice has been given under section 54, and not those under the provision inserted by 17.
20	This amendment is to the Welsh text only. It is required to ensure consistency within the Welsh text of the Bill.
21	This amendment is to the Welsh text only. It is required to ensure consistency within the Welsh text of the Bill.
22	This amendment is consequential to amendments 17 and 18. This amendment to section 55 provides what a contravention order can require, where it is made in respect of the duty inserted by 9 and following a warning notice having been given under the provision inserted by 17.
23	This amendment is consequential to amendment 17 and 18. This amendment to section 55 enables the residential property tribunal to make a contravention order in respect of a person who has received a warning notice under amendment 17 in respect of the duty inserted by 9.
24	This amendment is consequential to amendment 17. It is needed so that the amended provision, section 55(6) only applies to warning notices under section 54, and not those under the new warning notice provision inserted by 17.
25	This amendment provides the Welsh Ministers with a regulation-making power to make further provision about warning notices under section 54 and the new warning notice provision inserted by 17.
26	This amendment makes a person who is treated as an accountable person by virtue of section 35, subject to the co-operation and co-ordination duties in section 60.
27	This amendment provides a power for the Welsh Ministers to make regulations to enable the principal accountable person for a regulated building to recover costs incurred in connection with certain functions under the Bill or regulations made under it, from any other person who is an accountable person for the building or who is treated as an accountable person for the building by virtue of section 35.
28	This amendment is consequential to amendment 29. The amendment removes reference to subsection (8) of section 30IA of the Landlord and Tenant Act 1985 (inserted by section 61 of the Bill), as the exception provided by subsection (8) will be replaced by amendment 29.

29	This is a technical amendment to ensure consistency with section 106 of the Data (Use and Access) Act 2025, which came into force on 20 August 2025. The amendment replaces subsection (8) to refer to new section 183A of the Data Protection Act 2018 (which was inserted by section 106 of the Data (Use and Access) Act 2025). The effect of the substantive provision remains the same.
30	This amendment is consequential to amendment 29. The amendment leaves out the meaning of "data protection legislation" as it is no longer required.
31	This amendment extends the meaning of "building safety measure" to include regulations under section 19, in relation to applying to register a category 1 building or a category 2 building.
32	This amendment extends the meaning of "building safety measure" to include regulations under section 20 in relation to notifying the building safety authority of a change.
33	This amendment extends the meaning of "building safety measure" to include regulations under section 23 in relation to giving a declaration of accuracy of information and documents to the building safety authority for registered buildings.
34	This amendment extends the meaning of "building safety measure" to include giving copies of fire risk assessments.
35	This amendment extends the meaning of "building safety measure" to include regulations under section 32 regarding taking reasonable steps in relation to the management of fire safety risks.
36	This amendment extends the meaning of "building safety measure" to include giving copies of structural safety risk assessments.
37	This amendment extends the meaning of "building safety measure" to include regulations under section 34 regarding taking reasonable steps in relation to the management of structural safety risks.
38	This amendment amends the meaning of "building safety measure" so that it includes the giving of warning notices in accordance with section 54 and amendment 17 and regulations about warning notices made under amendment 25. It also amends the meaning of "building safety measure" so that it includes applying to a residential property tribunal for a contravention order in accordance with section 55.
39	This amendment extends the meaning of "building safety measure", for a category 1 building, to include giving to the building safety authority a copy of a notice summarising revisions to a building safety case report.

40	This amendment extends the meaning of "building safety measure", for a category 1 building, to include giving information to the fire safety authority, as well as the building safety authority.
41	This amendment extends the meaning of "building safety measure", for a category 1 building, to include regulations under sections 37 and 38 in relation to occurrence recording and giving information to the building safety authority.
42	This amendment extends the meaning of "building safety measure", for a category 1 building, to include regulations in relation to the display of building certificates and other documents.
43	This amendment relates to recommendation 7 of the LGH Committee. The provision made by this amendment applies in relation to certain leases under which the tenant is liable to pay a variable service charge. It imposes a requirement on landlords who are accountable persons to take reasonable steps to ascertain whether any grant is payable in respect of building safety works (defined in new section 20DB of the Landlord and Tenant Act 1985, also inserted by this amendment) or whether monies may be obtained from a third party in connection with the undertaking of those works. If a grant or monies is available, the accountable person must take reasonable steps to obtain them. The amendment provides the Welsh Ministers with a power to prescribe steps in relation to any other prescribed kind of funding. Where any funding is obtained, the amount of that funding must be deducted from the building safety costs that may be charged via service charges.
44	This amendment is to the Welsh text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
45	This amendment is to the Welsh text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
46	This amendment is consequential to amendment 9. It provides that the duty in amendment 9 is enforceable by the fire safety authority.
47	This amendment provides that breaches of new article 22C (co-operation with accountable persons and duty holders) of the Regulatory Reform (Fire Safety) Order 2005 (inserted by section 99 of the Bill) are enforceable by the fire safety authority under the Bill, instead of being enforceable under the Order. This amendment is related to 53 and 54.
48	This amendment has the same effect at 47, but in relation to building safety authorities. This amendment is related to 53 and 54.
49	This amendment removes section 94(3)(b) which gives the Welsh Ministers a power to make regulations creating exceptions from the general effect

	of section 94. The general effect of section 94 is that if an accountable person for a regulated building or a duty holder for a relevant HMO contravenes a requirement of the Bill (or regulations made under it) and so places persons at significant risk of death or serious injury, they may commit an offence.
50	This provides the building safety authority for a category 1 or 2 building with a power to give fixed penalty notices to the principal accountable person for the building, where the authority considers that the person has committed certain offences. A fixed penalty notice is a notice offering the person the opportunity to discharge any liability to conviction for the offence by paying the building safety authority a specified amount.
51	This amendment relates to recommendation 3 of the LJC Committee. It places a duty on the Welsh Ministers to set out in a published strategy the matters on which they propose to engage with residents of regulated buildings and relevant HMOs, and how they propose to do so.
52	This amendment places a duty on persons who are responsible persons under the Regulatory Reform (Fire Safety) Order 2005 in respect of premises which are part of a regulated building. The amendment requires those persons to co-operate with anyone they are aware of who is treated as an accountable person for the building by virtue of section 35.
53	This amendment provides that breaches of the new article 22C duty under the Regulatory Reform (Fire Safety) Order 2005 are not an offence under the Order, as article 22C will be enforced under the Bill. The amendment is related to 47, 48 and 54.
54	This amendment provides that enforcement provisions under the Regulatory Reform (Fire Safety) Order 2005 do not apply to breaches of the new article 22C duty, as article 22C will be enforced under the Bill. This amendment is related to 47, 48 and 53.
55	This amendment provides that functions of a building safety authority are not to be functions of its executive. As such building safety authorities will, for example, be able to delegate functions to one another under section 101 of the Local Government Act 1972.
56	This amendment relates to recommendation 1 of the LJC Committee. It will enable the Welsh Ministers to direct multiple building safety authorities to arrange to delegate functions to one of their number rather than use multiple directions to achieve the same effect.
57	This amendment is consequential to amendment 56.
58	This amendment is consequential to amendment 56.

59	This amendment relates to recommendation 22 of the LGH Committee. It requires the Welsh Ministers to issue guidance to building safety authorities and fire safety authorities on discharging their functions under the Bill and regulations made under it. The Welsh Ministers must consult on this guidance and the authorities must have regard to it.
60	This amendment places a new duty on building safety authorities and fire safety authorities to cooperate in relation to the exercise of their functions under the Bill and regulations made under it. Guidance issued may include advice on compliance with this duty.
61	This amendment provides a new power for building safety authorities and fire safety authorities to share information with one another. The information that may be shared is information held in connection with a function under the Bill or regulations made under it.
62	This is a technical amendment to ensure consistency with section 106 of the Data (Use and Access) Act 2025, which came into force on 20 August 2025. The amendment leaves out subsections (2) and (3) of section 109 of the Bill and inserts a reference to new section 183A of the Data Protection Act 2018 (which was inserted by section 106 of the Data (Use and Access) Act 2025). The effect of the substantive provision remains the same.
63	This amendment is consequential to amendment 27. It has the effect that regulations made under amendment 27 are subject to the Senedd approval procedure.
