

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/2975/25 / JB/PO/26/26

All Members of the Senedd
Senedd Cymru
Cardiff Bay
Cardiff
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21 January 2026

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

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Cabinet Secretary for Housing and Local Government

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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 **20 January 2026** – please see [Notice of Amendments 20 January 2026 PDF 231KB.pdf](#).

Adt.	Explanation
82	This amendment is to the Welsh text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
83	This amendment relates to recommendation 4 of the LJC Committee. It places a duty on the Welsh Ministers to consult each building safety authority, each fire safety authority and such other persons as they consider appropriate before making regulations about the meaning of “residential unit”.
84	This is a technical amendment to clarify the definition of “dwelling”.
85	This amendment makes provision for scenarios where more than one person meets the definition of “accountable person”, either because they jointly hold a legal estate in possession of, or have a joint repairing obligation in respect of, the same common part. The amendment ensures that in such case, for the purpose of certain provisions, they are treated as one accountable person. The purpose being to ensure that all are liable for complying with the relevant duties under the Bill, rather than one only of the persons being identified as the “principal accountable person” (under section 9) or the “accountable person” for a particular part under section 11(1)(c).
86	This is a technical amendment to clarify the definition of “long lease”.
87	This amendment relates to recommendation 6 of the LJC Committee. It amends section 14(1) so that the Welsh Ministers can only make further provision under that section for the purposes of sections 8 and 9, and no longer for the purposes of sections 10-13.
88	This amendment relates to recommendation 7 of the LJC Committee. It amends section 16 to narrow the regulation making power in that section. The amendment specifies a reduced number of provisions that can be amended by the power in section 16(1) and for some provisions (section 2, Schedule 1, section 3 and section 6) limits to particular matters the amendments that can be made.
89	This amendment is to the Welsh text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.

90	This amendment relates to recommendation 10 of the LJC Committee. It places a duty on Welsh Ministers to make the regulations specified in section 19(3), replacing the existing power for Welsh Minister to make those regulations at their discretion.
91	This amendment is linked to amendment 90. It allows the Welsh Ministers continued discretion in determining whether to make regulations about the documents (if any) that must be included with an application to register a building.
92	This amendment is related to recommendation 10 of the LJC Committee and has been tabled for consistency purposes. It places a duty on the Welsh Ministers to make the regulations specified in section 23(3), replacing the existing power for the Welsh Minister to make those regulations at their discretion.
93	This is a technical amendment to the Welsh and English texts for the purposes of consistency.
94	This amendment is to the English text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
95	This amendment places a duty on persons who have a certain relationship to a regulated building ("relevant persons") to provide information or documents to an accountable person for the building. The information or document must be necessary for the accountable person to be able to meet their duties under the Bill. It must also be reasonable for the relevant person to provide the information.
96	This is a technical amendment to the Welsh and English texts to make the provision easier to read.
97	This is a technical amendment to the Welsh and English texts for the purposes of clarity.
98	This is a technical amendment to the Welsh and English texts for the purposes of clarity.
99	This is a technical amendment to the Welsh and English texts for the purposes of clarity.
100	This amendment relates to recommendation 10 of the LJC Committee and has been tabled for consistency purposes. It places a duty on the Welsh Ministers to make the regulations specified in section 57(2), replacing the existing power for the Welsh Minister to make those regulations at their discretion.

101	This amendment is linked to amendment 100. It allows the Welsh Ministers continued discretion in determining whether to make regulations about the documents (if any) that must be included with a notice and the extension of the deadline for giving notice.
102	This amendment to section 57(7) provides that all affected persons (as defined in section 56(3)) must be given notice of the outcome of the review requested under section 57(1), not just the affected person who requested the review. The effect of the amendment is that any affected person, who may, under section 58, appeal against the outcome of a review, will receive notice of the outcome of that review.
103	This amendment is consequential to amendment 102.
104	This amendment is consequential to amendment 102.
105	This amendment is consequential to amendment 102.
106	This amendment is consequential to amendment 102.
107	This amendment is consequential to amendment 102.
108	This purpose of this amendment is to ensure that accountable persons are able, where necessary, to access non-residential parts of a regulated building, or non-residential parts lying wholly or partly below or above a regulated building, where the access is required for purposes specified in subsection (2). The amendment enables the residential property tribunal to make a "non-residential premises access order" where the correct procedure has been followed by the AP and the tribunal is satisfied that it is necessary to make the order for the purpose set out in the preceding notice.
109	This amendment is to the Welsh and English texts to ensure equivalence between the Welsh and English texts of the Bill.
110	This amendment amends the meaning of "building safety measure" so that it includes giving information and documents to an accountable person under the new section to be inserted by amendment 95.
111	This amendment amends the meaning of "building safety measure" so that it includes making a request to enter non-residential premises or applying to a residential property tribunal for a non-residential access order, under the new section to be inserted by amendment 108. It also amends the meaning of "building safety measure" so that it includes giving information or documents to a duty holder for a relevant HMO under the new section to be inserted by amendment 113.
112	This amendment relates to recommendation 8 of the LJC Committee. This amendment provides that before making regulations under either section

	16 or section 27(2) an “enhanced” procedure must be followed. This procedure includes that the draft regulations must be laid before the Senedd for 60 days and that certain information must be provided to the Senedd along with the draft regulations. Once the “enhanced” procedure has been complied with the Senedd approval procedure will then apply to the draft regulations. The enhanced procedure does not apply to certain amending regulations under section 27(2) (but the Senedd approval procedure does).
113	This amendment makes provision for duty holders for relevant HMOs that is equivalent to that made for accountable persons by amendment 95.
114	This amendment is to the Welsh text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
115	This is a technical amendment for the purpose of clarity.
116	This is a technical amendment for the purpose of clarity.
117	This amendment makes equivalent provision for relevant HMOs and HMO duty-holders as amendment 108 above does for regulated buildings.
118	This amendment is to the Welsh text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
119	This amendment provides that the duty under amendment 95 to give information and documents to an accountable person is enforceable by a fire safety authority.
120	This amendment provides that breaches of new articles 22C (co-operation with accountable persons and duty holders), 22D (giving information to accountable persons) and 22E (giving information to HMO duty holders) of the Regulatory Reform (Fire Safety) Order 2005 are enforceable under the Bill by a fire safety authority for a regulated building. It replaces withdrawn amendment 47 by updating references to article 22C of the FSO to include articles 22D and 22E (that are newly inserted by amendment 135).
121	This amendment provides that the duty under amendment 95 to give information and documents to an accountable person is enforceable by a building safety authority.
122	This amendment provides that breaches of new articles 22C (co-operation with accountable persons and duty holders), 22D (giving information to accountable persons) and 22E (giving information to HMO duty holders) of the Regulatory Reform (Fire Safety) Order 2005 are enforceable under the Bill by a building safety authority for a regulated building. It replaces withdrawn amendment 48 by updating references to article 22C of the

	FSO to include articles 22D and 22E (that are newly inserted by amendment 135).
123	This amendment provides that the duty under amendment 113 to provide information and documents to a duty holder for a relevant HMO is enforceable by a fire safety authority for a relevant HMO.
124	This amendment provides that breaches of new articles 22C (co-operation with accountable persons and duty holders), 22D (giving information to accountable persons) and 22E (giving information to HMO duty holders) of the Regulatory Reform (Fire Safety) Order 2005 are enforceable under the Bill by a fire safety authority for a relevant HMO.
125	This amendment is to the English text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
126	This is a technical amendment to the Welsh and English texts for the purposes of clarity.
127	This amendment is to the Welsh text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
128	This amendment is to the Welsh text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
129	This amendment is to the Welsh text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
130	This amendment relates to recommendations 12 and 13 of the LJC Committee. It amends section 98(1) to place a duty on the Welsh Ministers to issue or approve guidance to assist any persons in complying with duties imposed on them by this Act or regulations made under it.
131	This amendment is consequential to amendment 130.
132	This amendment is consequential to amendment 130, to maintain the original intention that if guidance required by section 98 is withdrawn, there is a duty to replace it with new guidance.
133	This amendment is consequential to amendment 130 and has the same purpose as amendment 132.
134	This is a consequential amendment to amendment 135, so that the interpretation paragraph in article 22C of the Regulatory Reform (Fire Safety) Order 2005 (inserted by section 99 of the Bill) will also apply for the purposes of new articles 22D and 22E which are inserted by amendment 135.

135	This amendment inserts article 22D into the Regulatory Reform (Fire Safety) Order 2005. Subject to requirements set out in the article, article 22D requires a person who is a responsible person under the Fire Safety Order in respect of premises that form part of a regulated building, to provide information or a document to an accountable person for the building. This amendment also inserts article 22E into the Fire Safety Order. Subject to requirements set out in the article, article 22E requires a person who is a responsible person under the Fire Safety Order in respect of premises that form part of a building that contains a relevant HMO, to provide information or a document to a duty holder for the HMO.
136	This amendment is consequential to amendment 135, so that amendments made to the Regulatory Reform (Fire Safety) Order 2005 by section 99(4) of the Bill will encompass the insertions of articles 22D and 22E made by amendment 135.
137	This amendment provides that enforcement provisions under the Regulatory Reform (Fire Safety) Order 2005 do not apply to breaches of the new articles 22C, 22D and 22E duty, as those articles will be enforced under the Bill. It replaces withdrawn amendment 54 by updating references to article 22C of the FSO to include articles 22D and 22E (that are newly inserted by amendment 135).
138	This is a consequential amendment to 112. In section 110 of the Bill, which deals with regulations, it will draw the attention of the reader to the enhanced procedure that will apply to regulations under section 16.
139	This is a consequential amendment to 112. In section 110 of the Bill, which deals with regulations, it will draw the attention of the reader to the enhanced procedure that will apply to regulations under section 27(2).
140	This amendment is to the Welsh text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
141	This amendment is to the Welsh text only. It is required to ensure equivalence between the Welsh and English texts of the Bill.
