

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/0025/26

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

23 February 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

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 3 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 February 2026** – please see [Notice of Amendments - 20 February 2026.pdf](#).

Adt.	Explanation
8	This amendment is consequential to stage 2 amendments and ensures section 1(9) reflects relevant amendments.
9	This amendment is consequential to stage 2 amendments and ensures section 1(11) reflects relevant amendments.
10	This amendment clarifies the circumstances in which a part of a structure is a “non-residential” part.
11	This amendment is in response to recommendation 5 of the LJC Committee. “Storey” is not defined in section 6 so will have its everyday meaning. This amendment defines when a mezzanine floor is to be regarded as a “storey” in respect of regulated buildings. This amendment relates to amendments 12 and 13.
12	This amendment is related to amendment 11 and removes the power to make regulations to define “storey” from section 6.
13	This amendment is related to amendment 11 and extends the power in section 17 to amend the meaning of “storey” in section 6. Any regulations made under this power would be subject to the enhanced Senedd approval procedure.
14	This amendment is consequential to the amendment made to section 113 at stage 2, which changed the meaning of ‘building safety authority’. It ensures that before making regulations the Welsh Ministers will be required to consult all county and county borough councils, not only the ones that are building safety authorities.
15	See amendment 14.
16	See amendment 14.
17	This amendment removes the Welsh Ministers’ power to make regulations in section 32(4), which may enable the principal accountable person to recover relevant costs from another person who is an accountable person for the regulated building. This is because costs in relation to fire risk assessments are now captured in the regulation-making power in section 68, as inserted at stage 2.

18	See amendment 14.
19	See amendment 14.
20	See amendment 14.
21	The amendment provides that it is an implied term (for all relevant leases under s30IA of the Landlord & Tenant Act 1985) for all tenants to comply with any repairs access order, access order, contravention order or compliance notice made in respect of the tenant made under the Act. The effect of this amendment is to provide that where a tenant has complied with any such order or notice, the tenant will not have breached the implied term.
22	This amendment is consequential to amendment 21.
23	This amendment is consequential to amendment 21.
24	This amendment provides a regulation making power for the Welsh Ministers to provide for fundamental terms relating to compliance with the Bill to be incorporated into occupation contracts (under the Renting Homes (Wales) Act 2016). Regulations can also be made to remove occupation contracts from the implied terms under section 30IA of the Landlord and Tenant Act 1985.
25	This amendment is consequential to amendment 24 and provides that any regulations are subject to an enhanced approval procedure.
26	This amendment is consequential to amendment 24 and provides that any regulations are subject to an enhanced approval procedure.
27	This amendment is consequential to the amendment made to section 113 at stage 2, which changed the meaning of 'building safety authority'.
28	This amendment is consequential to the amendment made to section 113 at stage 2, which changed the meaning of 'building safety authority'.
29	This amendment is consequential to the amendment made to section 113 at stage 2, which changed the meaning of 'building safety authority'.
30	This amendment places a new duty on the Welsh Ministers to prepare, publish and lay before the Senedd, an annual remediation progress report.
31	This amendment is consequential to the amendment made to section 113 at stage 2, which changed the meaning of 'building safety authority'.

32	This amendment relates to the amendment made to section 113 at stage 2, which changed the meaning of 'building safety authority'.
33	See amendment 14.
34	This is a technical amendment which ensures that the meaning of 'fire and rescue authority' is more accurately defined by reference to the relevant Part of the Fire and Rescue Services Act 2004.
35	This amendment is related to the amendment made to section 113 at stage 2, which changed the meaning of 'building safety authority'.
36	This amendment is related to the amendment made to section 113 at stage 2, which changed the meaning of 'building safety authority'.
37	This amendment is consequential to amendment 17. As the regulation making power in section 32(4) is being removed by amendment 17, a reference to section 32(4) is no longer required in section 126.
38	This amendment is related to amendment 24. It ensures that regulations under the section inserted by that amendment are subject to the Senedd approval procedure.
39	This amendment relates to the amendment made to section 113 at stage 2, which changed the meaning of 'building safety authority'.
40	This amendment replaces the provision inserted by paragraph 1 of Schedule 3, to clarify the continued disapplication of the Health and Safety at Work Act 1974 (HSWA 1974), and regulations made under it, in respect of general fire safety. It provides that those provisions continue not to apply to regulated buildings or relevant HMOs if those provisions were or could have been made by or under the FSO.
41	This amendment is consequential to the amendment made to section 113 at stage 2, which changed the meaning of 'building safety authority'. The purpose of the amendment is to future-proof the operation of section 113 against changes made to the areas of Fire and Rescue Authorities by orders made under the Fire and Rescue Services Act 2004.
42	This amendment is consequential to amendment 45.
43	This amendment adds article 31 of the FSO to the articles disapplied by article 7A(1).
44	This amendment is consequential to amendment 45.
45	This amendment replaces what was article 7A(3)-(5) of the FSO. It makes provision for scenarios in which the FSO continues to apply i.e. in respect

of premises that are workplaces, premises where work is being carried out and premises within a regulated building for which there is no accountable person.

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This amendment is consequential to amendment 40.
