

Government Response: *The Building Safety Act 2022 (Consequential Amendments) (Wales) Regulations 2026*

Technical Scrutiny point 1:

The Welsh Government acknowledges that section 167(5) of the Building Safety Act 2022 should have been cited in the headnote rather than section 167(1) to (3). The Welsh Government notes the headnote is not an operative provision.

Technical Scrutiny point 2:

The Welsh Government accepts there is a typographical error in regulation 4(3)(f)(ii)(aa) where the text being substituted is identified. The Welsh Government does not consider that the inclusion of “has been deposited” rather than “had been deposited” would create any possibility that the user of the legislation would be unable to identify the text being substituted.

Technical Scrutiny point 3:

The Welsh Government notes the difference in text between the English and Welsh. The English text is correct, but we do not consider the Welsh text would cause any confusion in practice regarding where the definition should be inserted.

Technical Scrutiny point 4:

Section 121A of the Building Act 1984 is not express in its territorial application and therefore, whilst subsections (1)(b) and (2) are the relevant provisions for Wales, it is necessary to consider the entire section in order to determine this. Subsection (1)(b) cannot be read in isolation as this is drafted as an exception to subsection (1)(a). The Welsh Government therefore considers the reference to section 121A is correct.