
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Building (Approved Inspectors etc.) Regulations 2010 (“the 2010 Regulations”). The 2010 Regulations required inspectors approved by a body designated by the Welsh Ministers to submit a copy of the approval notice with certain notices and certificates specified in Schedule 1 to the 2010 Regulations. The inspectors were also required to include with certain notices and certificates a declaration signed by the insurer that a named scheme of insurance approved by the Welsh Ministers applied to the work to which a notice or certificate relates. These Regulations remove those requirements and replace them with a requirement that the relevant notices and certificates state that copies of the approval notice and insurance declaration are on the register kept by the designated body.

The body designated under regulation 3 of the 2010 Regulations is currently the Construction Industry Council.

Regulation 3 adds a new regulation 5A to the 2010 Regulations, requiring an approved inspector who gives certain notices and certificates to a local authority to ensure that the designated body (or the Welsh Ministers if approval was by the Welsh Ministers) has a copy of the insurance declaration in respect of the work to which the notice or certificate relates.

The designated body (or the Welsh Ministers) is required by regulation 7 of the 2010 Regulations to maintain a list of inspectors approved by that body. Regulation 4 of these Regulations adds a requirement that the designated body (or the Welsh Ministers) must keep the approval certificate and the insurance declaration referred to in new regulation 5A.

Regulation 5 removes from regulation 30 of the 2010 Regulations the requirement for a local authority to keep on its register of notices and certificates the name and address of the insurer who signed the insurance declaration in respect of the work to which a notice or certificate relates.

Regulation 6 makes consequential amendments to the relevant forms specified in Schedule 1 to the 2010 Regulations. These are Form 1 (initial notice), Form 2 (amendment notice), Form 3 (plans certificate), Form 4 (combined initial notice and plans certificate) and Form 5 (final certificate).

Regulations 7 to 9 make corresponding amendments to the grounds for rejection of a notice or certificate by the local authority in Schedules 2, 3 and 4 of the 2010 Regulations.

A regulatory impact assessment has been prepared in relation to these Regulations. Copies are available from the Welsh Government at Cathays Park, Cardiff, CF10 3NQ and on the Welsh Government’s website at www.wales.gov.uk.