
WELSH STATUTORY INSTRUMENTS

2022 No. 1287 (W. 261) (C. 104)

BUILDING AND BUILDINGS, WALES

**The Building Safety Act 2022 (Commencement
No. 2) (Wales) Regulations 2022**

Made - - - - 6 December 2022

The Welsh Ministers make these Regulations in exercise of the powers conferred on them by section 170(4)(a)(i), (4)(a)(v) and (4)(b)(viii) of the Building Safety Act 2022⁽¹⁾.

Title and Interpretation

1.—(1) The title of these Regulations is the Building Safety Act 2022 (Commencement No. 2) (Wales) Regulations 2022.

(2) In these Regulations “the 1984 Act” means the Building Act 1984⁽²⁾.

Provisions coming into force on 9 December 2022

2. The following provisions of the Building Safety Act 2022 come into force on 9 December 2022—

- (a) section 31 (higher-risk buildings etc), so far as relating to section 120I of the 1984 Act;
- (b) section 55 (minor and consequential amendments);
- (c) in Schedule 5—
 - (i) paragraph 1;
 - (ii) paragraph 77 so far as relating to—
 - (aa) section 120A of the 1984 Act in relation to Wales, and
 - (bb) section 120C of the 1984 Act;
 - (iii) paragraph 78 in relation to Wales;
 - (iv) paragraph 81(1) and the definitions of “appropriate national authority” and “higher-risk building” in paragraph 81(2), all in relation to Wales.

(1) 2022 c. 30.
(2) 1984 c. 55.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

6 December 2022

Julie James
Minister for Climate Change, one of the Welsh
Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Commencement Regulations are made by the Welsh Ministers under the Building Safety Act 2022 (c. 30) (“the Act”).

Regulation 2 brings a number of provisions regarding higher-risk buildings in Wales into force on 9 December 2022. Namely, section 31 of the Act which inserts new section 120I into the Building Act 1984 (“the 1984 Act”), which allows the Welsh Ministers to define “higher-risk building” for the purposes of the 1984 Act; section 55 of the Act; and the following paragraphs of Schedule 5 to the Act:

- paragraph 1;
- paragraph 77 so far as relating to—
 - new section 120A of the 1984 Act (with subsections (1), (2), (3), (4), (6), (9) and (10) having effect in relation to Wales) which makes provision for the making of regulations in relation to certain sections of the 1984 Act, including section 120I(2), and
 - new section 120C of the 1984 Act which contains consultation requirements for regulations made under section 120I;
- paragraph 78 which makes consequential amendments to section 121 of the 1984 Act, in part as a result of the commencement of new section 120I;
- paragraph 81(1) which amends section 126 of the 1984 Act to insert certain new definitions and paragraph 81(2) so far as relating to the definitions of “appropriate national authority” and “higher-risk building”.

NOTES AS TO EARLIER COMMENCEMENT REGULATIONS

The following provisions of the Act have been brought into force in relation to Wales by Commencement Regulations made before the date of these Regulations.

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--|-----------------------------|-----------------------------------|
| Section 132 (for the purposes of making regulations) | 28 May 2022 | 2022/561 |
| Section 2(2) and Schedule 1 | 28 June 2022 | 2022/561 |
| Sections 130 and 131 | 28 June 2022 | 2022/561 |
| Section 132 (for all remaining purposes) | 28 June 2022 | 2022/561 |
| Section 48 | 28 July 2022 | 2022/774 (W. 169) |