



Llywodraeth Cymru  
Welsh Government

[www.cymru.gov.uk](http://www.cymru.gov.uk)

# Building Regulations Wales

# Circular

Circular number:		Date issued:	DD /	MM /	YYYY
Status:					
Title:					
Issued by:					
Addressed to:	Please forward to:				
Summary:					
For further information contact:					
	Direct Line: E-mail: Website:				

## **BUILDING ACT 1984**

### **THE BUILDING (APPROVED INSPECTORS ETC.) REGULATIONS 2010 S.I. 2010/2215**

#### **INTRODUCTION**

1. I am directed by Welsh Ministers to draw your attention to the Building (Approved Inspectors etc.) (Amendment) (Wales) Regulations 2014 S.I. No 58 (W.5) (“the Amendment Regulations”), which were made on 14 January 2014 and will come into force on 10 February 2014.
2. The amendments were made by the Welsh Ministers in exercise of powers contained in the Building Act 1984.
3. These amendments apply to the Building (Approved Inspectors etc.) Regulations 2010 (S.I. 2010/2215) (“the AI Regulations”).
5. The purpose of this Circular is to draw attention to these amendments and explain the changes they make to the Building (Approved Inspectors etc.) Regulations 2010 for Wales.

#### **APPLICATION OF THE REGULATIONS**

6. The changes made by the Amendment Regulations do not apply in England or to excepted energy buildings in Wales.

#### **AMENDMENTS TO APPROVED INSPECTOR BUILDING CONTROL ARRANGEMENTS**

7. These Regulations remove the requirements for Approved Inspectors to send copies of their notices of approval and declarations of insurance with each notice or certificate given to the local authority. Instead Welsh Ministers or the designated approval body will maintain a central register of notices of approval and declarations of insurance for all approved inspectors which will be available for inspection.
8. Approved inspectors will need to declare on the relevant notices and certificates given to local authorities that they are approved and hold the relevant insurance. If a local authority consults the central register and finds that an approved inspector is not currently approved or does not hold the relevant insurance, the local authority will be able to reject the notice or certificate sent to it.
- 9.. Annex A of this Circular sets out in tabular form all the changes to the Building (Approved Inspectors etc) Regulations 2010 made by SI 2014/58 (W.5).
10. Annex B gives copies of the affected initial notice, amendment notice, plans certificate, combined initial notice and plans certificate and final

certificate forms for use by Approved Inspectors from 10 February 2014 when the amendments come into effect. The previous versions of the forms should no longer be used.

## **TRANSITIONAL PROVISIONS**

11. There are no transitional provisions in respect of the amendment regulations and in such cases the provision of the regulations will apply on the date the regulation comes into force.

## **ENQUIRIES**

12. Any enquiries on this Circular Letter should be addressed to:

Colin Blick, Building Regulations, Welsh Government, Rhydycar, Merthyr Tydfil, CF48 1UZ.

Telephone: 03000 628144.

E mail [Colin.Blick@wales.gsi.gov.uk](mailto:Colin.Blick@wales.gsi.gov.uk).

Yours faithfully

A handwritten signature in black ink, appearing to read 'Francois Samuel'. The signature is written in a cursive style with a large initial 'F' and 'S'.

**Francois Samuel**  
**Head of Building Regulations**

## Annex A

### The Building (Approved Inspector etc.) (Amendment) (Wales) Regulations 2014 (S.I. 2014/58 (W.5))

The following table lists all the changes made by S.I. 58 (W.5) 2014 to the Building (Approved Inspectors etc.) Regulations 2010:

S.I. 2010/2215 Regulation Number	S.I 2014/58 Regulation Number	Action
-	-	Amendments to the (Approved Inspector etc.) Regulations 2010. Introduces new requirements to the regulations.
5A	3	Approved inspector's insurance. Inserts requirement for Approved Inspectors who give a notice or certificate to a local authority to ensure the approval body has a relevant declaration of insurance.
7	4	Lists of approvals and designations. Inserts requirement for the approval body to keep a copy of the approval certificate and declaration of insurance for each approved inspector.
30 (2) (c)	5	Register of notices and certificates. Deletes the requirement for insurers' names and addresses to be held on the register.
--	--	Schedule 1 to the Approved Inspectors Regulations 2010. Introduces the amendments to Schedule 1.
Schedule 1	6	Schedule 1 of the Approved Inspectors Regulations 2010 (prescribed forms of notice and certificate – Forms 1 to 5). Deletes the requirement for Approved Inspectors to send a copy of their approval as inspectors and a copy of their insurance declaration with each notice or certificate. Inserts requirement for Approved Inspectors to declare their status as Approved Inspectors and declare that they have appropriate insurance, with copies of both the notice and declaration being on the register kept by the Construction Industry Council.

Schedule 2	7	Schedule 2 of the Approved Inspectors Regulations 2010 (grounds for rejecting initial or amendment notice). Removes the ground of rejection for failing to send notice of approval, and amends the ground of rejection in respect of insurance.
Schedule 3	8	Schedule 3 of the Approved Inspectors Regulations 2010 (grounds for rejecting certificates). Amends the ground of rejection in respect of insurance.
Schedule 4	9	Schedule 4 of the Approved Inspectors Regulations 2010 (grounds for rejecting final notice). Amends the ground of rejection in respect of insurance.

## Annex B

### SCHEDULE 1

#### Forms

#### Form 1

**Section 47 of the Building Act 1984 (“The Act”)  
The Building (Approved Inspectors etc.) Regulations 2010 (“the 2010  
Regulations”)**

#### INITIAL NOTICE

To: **(1)**

1. This notice relates to the following works: **(2)**
2. The approved inspector in relation to the work is: **(3)**
3. The person intending to carry out the work is: **(3)**
4. With this notice are the following documents, which are those relevant to the work described in this notice— **(4)**
  - [(c) in the case of the erection or extension of a building, a plan to scale of not less than 1:1250 showing the boundaries and location of the site and (where the work includes the construction of a new drain or private sewer) a statement—
    - (i) as to the approximate location of any proposed connection to be made to a sewer, or
    - (ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer including the location of any septic tank and associated secondary treatment system, or any wastewater treatment system or any cesspool;]
  - [(d) a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]
5. The work [is]/[is not] **(5)** minor work. **(6)**
6. I **(7)** declare that I do not, and will not while this notice is in force, have any financial or professional interest **(8)** in the works described.] **(9)**
7. The approved inspector [will]/[will not] **(10)** be obliged to consult the fire and rescue authority by regulation 12 of the 2010 Regulations.
8. I **(7)** undertake to consult the fire and rescue authority before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(9)**
9. The approved inspector [will]/[will not] **(11)** be obliged to consult the sewerage undertaker by regulation 13 of the 2010 Regulations.

10. I (7) undertake to consult the sewerage undertaker before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] (9)
11. I (7) am aware of the obligations laid upon me by Part 2 of the Act and by regulation 8 of the 2010 Regulations.
12. I (7) am an approved inspector for the purposes of Part 2 of the Act in respect of the work described in this notice.
13. Copies of the notice of approval and of a declaration of insurance relevant to the work described in this notice are on the register kept by the body designated under regulation 3 of the 2010 Regulations.

Signed

Signed

Approved Inspector

Person intending to carry out the work

Date

Date

## NOTES

- (1) Name and address of local authority.
- (2) Location and description of the work, including the use of any building to which the work relates.
- (3) Name and address.
- (4) The local authority may reject this notice only on grounds prescribed by Welsh Ministers. These are set out in Schedule 2 to the 2010 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 4 of the notice relevant to the work described above should therefore be sent with this notice. Any sub-paragraph which does not apply should be deleted.
- (5) Delete whichever does not apply.
- (6) "Minor work" has the meaning given in regulation 9(5) of the 2010 Regulations. If the work is not minor work, the declaration in paragraph 6 must be made.
- (7) Name of the approved inspector.
- (8) "Professional or financial interest" has the meaning given in regulation 9 of the 2010 Regulations.
- (9) Delete this statement if it does not apply.
- (10) Delete whichever does not apply. If the inspector is obliged to consult the fire and rescue authority, the declaration in paragraph 8 must be made.
- (11) Delete whichever does not apply. If the inspector is obliged to consult the sewerage undertaker, the declaration in paragraph 10 must be made.

## Form 2

### Section 51A of the Building Act 1984 (“the Act”) The Building (Approved Inspectors etc.) Regulations 2010 (“the 2010 Regulations”)

#### AMENDMENT NOTICE

To: **(1)**

1. This notice amends the initial notice a copy of which accompanies this notice.
2. This notice amends the work in the initial notice in the following manner: **(2)**
3. With this notice are the following documents, which are those relevant to the work described in this notice— **(3)**
  - (a) a copy of the original notice;
  - (c) either—
    - (i) a statement to the effect that all plans submitted with the original notice remain unchanged, or
    - (ii) all amended plans, and a statement to the effect that any plans not included remain unchanged; **(4)**
  - [(e) in the case of the erection or extension of a building, a plan to a scale of not less than 1:1250 showing the boundaries and location of the site and (where the work includes the construction of a new drain or private sewer) a statement—
    - (i) as to the approximate location of any proposed connection to be made to a sewer, or
    - (ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer, including the location of any septic tank and associated secondary treatment system, or any wastewater treatment system or any cesspool;]
  - [(f) a statement of any local enactment relevant to the work, and of the steps taken to comply with it.]
4. The work [is]/[is not] **(4)** minor work. **(5)**
5. I **(6)** declare that I do not, and will not while this notice is in force, have any financial or professional interest **(7)** in the work described.] **(8)**
6. I **(6)** am satisfied that plans relating to the work described above have been submitted to me, and that they neither are defective nor show work which, if carried out in accordance with them, would contravene any provision of building regulations.] **(8)**
7. The approved inspector [will]/[will not] **(9)** be obliged to consult the fire and rescue authority by regulation 12 of the 2010 Regulations.



8. I **(6)** undertake to consult the fire and rescue authority before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(8)**
9. The approved inspector [will]/[will not] **(10)** be obliged to consult the sewerage undertaker by regulation 13 of the 2010 Regulations.
10. I **(6)** undertake to consult the sewerage undertaker before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(8)**
11. I **(6)** am aware of the obligations laid upon me by Part 2 of the Act and by regulation 8 of the 2010 Regulations.
12. I **(6)** am approved inspector for the purposes of Part 2 of the Act and the above work is [the whole]/[part] of the work described in an initial notice given by me and dated: **(11)**
13. Copies of the notice of approval and of a declaration of insurance relevant to the work described in this notice are on the register kept by the body designated under regulation 3 of the 2010 Regulations.

Signed

Signed

Approved Inspector

Person intending to carry out the work

Date

Date

## NOTES

- (1)** Name and address of local authority.
- (2)** Location and/or description of the new work in the amendment notice and how it amends the work mentioned in the initial notice including the use of any building to which the new work relates.
- (3)** The local authority may reject this notice only on grounds prescribed by Welsh Ministers. These are set out in paragraphs 1 to 11 of Schedule 2 to the 2010 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 3 of the notice relevant to the work described above should therefore be sent with this notice. Any sub-paragraph which does not apply should be deleted.
- (4)** Delete whichever does not apply.
- (5)** "Minor work" has the meaning given in regulation 9(5) of the 2010 Regulations. If the work is not minor work, the declaration in paragraph 5 must be made.
- (6)** Name of the approved inspector.
- (7)** "Professional or financial interest" has the meaning given in regulation 9 of the 2010 Regulations.
- (8)** Delete this statement if it does not apply.

- (9)** Delete whichever does not apply. If the inspector is obliged to consult the fire and rescue authority, the declaration in paragraph 8 must be made.
- (10)** Delete whichever does not apply. If the inspector is obliged to consult the sewerage undertaker, the declaration in paragraph 10 must be made.
- (11)** Insert date.

## Form 3

### **Section 50 of the Building Act 1984 (“the Act”) The Building (Approved Inspectors etc.) Regulations 2010 (“the 2010 Regulations”)**

#### **PLANS CERTIFICATE**

1. This certificate relates to the following work: **(1)**
2. I am an approved inspector for the purposes of Part 2 of the Act and the above work is [the whole]/[part] **(2)** of the work described in an initial notice given by me and dated. **(3)**
3. Copies of the notice of approval and of a declaration of insurance relevant to the work described in this certificate are on the register kept by the body designated under regulation 3 of the 2010 Regulations.
4. Plans of the work specified above have been submitted to me and I am satisfied that the plans neither are defective nor show that work carried out in accordance with them would contravene any provision of building regulations.
5. The work [is]/[is not] **(2)** minor work. **(4)**
6. I declare that I have had no financial or professional interest **(5)** in the work described since giving the initial notice described in paragraph 2.] **(6)**
7. I have consulted the fire and rescue authority in accordance with regulation 12 of the 2010 Regulations.] **(6)**
8. I have consulted the sewerage undertaker in accordance with regulation 13 of the 2010 Regulations.] **(6)**
9. The plans to which this certificate relates bear the following date and reference number: **(7)**

Signed

Approved Inspector

Date

#### **NOTES**

- (1)** Location and description of the work, including the use of any building to which the work relates.
- (2)** Delete whichever does not apply.
- (3)** Insert date.
- (4)** "Minor work" has the meaning given in regulation 9(5) of the 2010 Regulations. If the work is not minor work, the declaration in paragraph 6 must be made.

- (5)** "Professional or financial interest" has the meaning given in regulation 9 of the 2010 Regulations.
- (6)** Delete this statement if it does not apply.
- (7)** Insert the date and reference number.

## Form 4

### Sections 47 and 50 of the Building Act 1984 (“the Act”) The Building (Approved Inspectors etc.) Regulations 2010 (“the 2010 Regulations”)

#### COMBINED INITIAL NOTICE AND PLANS CERTIFICATE

To: **(1)**

1. This notice relates to the following work: **(2)**
2. The approved inspector in relation to the work is: **(3)**
3. The person intending to carry out the work is: **(3)**
4. With this notice are the following documents, which are those relevant to the work described in this notice— **(4)**

[(c) in the case of the erection or extension of a building, a plan to a scale of not less than 1:1250 showing the boundaries and location of the site and (where the work includes the construction of a new drain or private sewer) a statement—

- (i) as to the approximate location of any proposed connection to be made to a sewer, or
- (ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer, including the location of any septic tank and associated secondary treatment system, or any wastewater treatment system or any cesspool;]

[(d) a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]

5. The work [is]/[is not] **(5)** minor work. **(6)**
6. I **(7)** declare that I do not, and will not while this notice is in force, have any financial or professional interest **(8)** in the work described.] **(9)**
7. I **(7)** am satisfied that plans relating to the work described above have been submitted to me, and that they neither are defective nor show work which, if carried out in accordance with them, would contravene any provision of building regulations.
8. The approved inspector [is]/[is not] **(10)** obliged to consult the fire and rescue authority by regulation 12 of the 2010 Regulations.
9. I **(7)** have consulted the fire and rescue authority in accordance with regulation 12.] **(9)**
10. I **(7)** undertake to consult the fire and rescue authority before giving a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(9)**

11. The approved inspector [is]/[is not] **(11)** obliged to consult the sewerage undertaker by regulation 13 of the 2010 Regulations.
12. I **(7)** have consulted the sewerage undertaker in accordance with regulation 13.] **(9)**
13. I **(7)** undertake to consult the sewerage undertaker before giving a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(9)**
14. The plans to which this certificate relates bear the following date and reference number. **(12)**
15. I **(7)** am aware of the obligations laid upon me by Part 2 of the Act and by regulation 8 of the 2010 Regulations.
16. I **(7)** am an approved inspector for the purposes of Part 2 of the Act in respect of the work described in this notice.
17. Copies of the notice of approval and of a declaration of insurance relevant to the work described in this notice are on the register kept by the body designated under regulation 3 of the 2010 Regulations.

Signed

Signed

Approved Inspector

Person intending to carry out the work

Date

Date

## NOTES

- (1)** Name and address of local authority.
- (2)** Location and description of the work, including the use of any building to which the work relates.
- (3)** Name and address.
- (4)** The local authority may reject this notice only on grounds prescribed by Welsh Ministers. These are set out in Schedules 2 and 3 to the 2010 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 4 of the notice relevant to the work described above should therefore be sent with this notice. Any subsequent paragraph which does not apply should be deleted.
- (5)** Delete whichever does not apply.
- (6)** "Minor work" has the meaning given in regulation 9(5) of the 2010 Regulations. If the work is not minor work, the declaration in paragraph 6 must be made.
- (7)** Name of the approved inspector.
- (8)** "Professional or financial interest" has the meaning given in regulation 9 of the 2010 Regulations.
- (9)** Delete this statement if it does not apply.

- (10)** Delete whichever does not apply. If the inspector is obliged to consult the fire and rescue authority, the declarations in paragraph 9 and 10 must be made.
- (11)** Delete whichever does not apply. If the inspector is obliged to consult the sewerage undertaker, the declarations in paragraphs 12 and 13 must be made.
- (12)** Insert the date and reference number.

## Form 5

### **Section 51 of the Building Act 1984 The Building (Approved Inspectors etc.) Regulations 2010 (“the 2010 Regulations”)**

#### **FINAL CERTIFICATE**

1. This certificate relates to the following work: **(1)**
2. I am an approved inspector and the work described above was [the whole]/[part] **(2)** of the work described in an initial notice given by me and dated. **(3)**
3. Subject to what is said in paragraph 4 below, the work described above has been completed and I have performed the functions assigned to me by regulation 8 of the 2010 Regulations.
4. The work described above involves the insertion of insulating material into a cavity wall and this [has]/[has not] **(2)** been carried out.] **(4)**
5. Final certificates have now been issued in respect of all the work described in the initial notice referred to in paragraph 2 above.] **(4)**
6. Copies of the notice of approval and of a declaration of insurance relevant to the work described in this certificate are on the register kept by the body designated under regulation 3 of the 2010 Regulations.
7. The work [is]/[is not] **(2)** minor work. **(5)**
8. I have had no professional or financial interest in the work described above since giving the initial notice described in paragraph 2 above.] **(4)**
9. This certificate is evidence (but not conclusive evidence) that the requirements specified in the certificate have been complied with.

Signed

Approved Inspector

Date

#### **NOTES**

- (1)** Location and description of the work, including the use of any building to which the work relates.
- (2)** Delete whichever does not apply.
- (3)** Insert date.
- (4)** Delete this statement if it does not apply.
- (5)** “Minor work” has the meaning given in regulation 9(5) of the 2010 Regulations. If the work is not minor work, the declaration in paragraph 8 must be made.