



Llywodraeth Cymru  
Welsh Government

GUIDANCE, DOCUMENT

# Registered building control approvers regulations for Wales (WGC 012/2024)

Circular letter that notifies the implementation of the Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024.

**First published:** 3 December 2024

**Last updated:** 3 December 2024

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html> for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).

# Contents

**Building regulations circular** (<https://www.gov.wales#160155>)

**Introduction** (<https://www.gov.wales#160157>)

**Scope of this circular letter** (<https://www.gov.wales#160159>)

**New secondary legislation** (<https://www.gov.wales#160161>)

**Enquiries** (<https://www.gov.wales#160163>)

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html> for the latest version.

Get **information on copyright** (<https://www.gov.wales/copyright-statement>).

# Building regulations circular

**Circular number:** WGC 012/2024

**Date issued:** 03/12/2024

**Status:** For information

**Title:** Registered Building Control Approvers Regulations for Wales

**Issued by:** Kevin Davies, Building Control Competence & Standards Manager

**Addressed to:**

Local Authority Chief Executives  
Welsh Local Government Association  
Local Authority Building Control  
Association of Building Control Approvers

**Please forward to:**

Local Authority Building Control Officers  
Members of the Senedd

**Summary:**

This is a circular letter that notifies the implementation of the Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024.

**For further information contact:**

Building Regulations Team

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html> for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).

2nd Floor  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ

Direct line: 0300 060 4400

E-mail: [enquiries.brconstruction@gov.wales](mailto:enquiries.brconstruction@gov.wales)

(<https://www.gov.walesmailto:enquiries.brconstruction@gov.wales>)

Website: [building and planning](https://www.gov.wales/building-planning) (<https://www.gov.wales/building-planning>)

## Introduction

1. I am directed by the Welsh Ministers to draw your attention to the changes introduced by the following Regulations which come into force on 01 January 2025:
  - The Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024
2. The purpose of this Circular is to draw attention to the new secondary legislation and explain the changes it introduces.

## Scope of this circular letter

3. This Circular letter applies to the building control profession in Wales.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html> for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).

## New secondary legislation

4. As part of the ongoing suite of changes in response to the Building Safety Act 2022, the Building (Approved Inspectors etc.) Regulations 2010 (“the 2010 regulations”) has been mostly revoked and replaced by the Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024 (“the 2024 regulations”).
5. These regulations lay out the responsibilities and requirements of Registered Building Control Approvers (RBCAs) and any public bodies authorised by the Welsh Ministers to act as building control bodies. The regulations also set out the processes for submitting certain forms required under the Building Act 1984 and Building Regulations 2010 as well as reasons for accepting or rejecting such forms.
6. While the Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024 are broadly similar to the Building (Approved Inspectors etc.) Regulations 2010 which they replace, there are some significant differences.
7. There are a number of provisions in the 2010 regulations which were not included in the 2024 regulations. These are listed below:
  - 3: Designation of bodies to approve inspectors
  - 4: Approval of inspectors
  - 5: Manner of approval or designation
  - 5A: Approved inspector’s insurance
  - 6: Termination of approval or designation
  - 7: Lists of approvals and designations
  - 29: Certificates given under section 16(9) of the Act
  - 32: Electronic service of documents

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html> for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).

- 33: Transitional provisions: interpretation
  - 34: Transitional provisions: work already started before 1st October 2010
  - 35: Transitional provisions: work for which notification is not required
  - 36: Transitional provisions: notice given or plans deposited before 1st October 2010
  - 37: Transitional and saving provisions: earlier Building Regulations
  - 38: Revocations and consequential amendments
8. Regulations 3 to 7 dealt with the oversight body for Approved Inspectors, and the function of Approved Inspectors. Provisions similar to these in respect to Registered Building Control Approvers have been enacted in other legislation already.
9. Regulation 29 permitted Approved Inspectors and Registered Building Control Approvers to submit plans certificates under section 16(9) of the Building Act 1984 so long as they also submitted appropriate prescribed insurance information. The requirement for prescribed insurance was removed in 2022 (see WGC 004/2022) therefore this provision is no longer required.
10. Regulation 32 permitted documents to be sent digitally under section 94A of the Building Act 1984. This section has been omitted as digital transfer of documents is now considered commonplace and no longer necessary to legislate for, as such, there was no need to include a similar provision in the 2024 regulations.
11. Regulations 34 to 38 were transitional provisions, saving provisions and revocations or consequential amendments necessary for the 2010 regulations to take effect. The provisions are no longer required so were not carried forward to the 2024 regulations.
12. For regulations which have been carried forward, this table outlines which

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html> for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).

provisions in the 2024 regulations broadly correspond to provisions from the old regime:

| Regulation                                    | Title in Building (Registered Building Control Approvers etc.)<br><br>(Wales) 2024 Regulations | Equivalent regulation from 2010 Regulations |
|---|--|---|
| Part 1: General                               |  |   |
| 1   | Title, coming into force and application   | 1   |
| 2   | Interpretation   | 2   |
| Part 2: Registered building control approvers |  |   |
| 3   | Independence of approvers  | 9   |
| 4   | Functions of approvers   | 8   |
| 5   | Modification of the 2010 Regulations etc.  | 20  |
| Part 3: Notices on certificates etc.          |  |   |
| 6   | Form, grounds and period for rejecting initial notice  | 10  |
| 7   | Form, grounds and period for rejecting amendment notice  | 11  |
| 8   | Consultation with the fire and rescue authority  | 12  |

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html> for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).

---

|  |  |     |
|--|--|-----|
| 9  | Consultation with the sewerage undertaker  | 13  |
| 10   | Form, grounds and period for rejecting plans certificate                                     | 14  |
| 11   | Effect of plans certificate  | 15  |
| 12   | Form, grounds and period for rejecting final certificate                                     | 16  |
| 13   | Form of notice under section 51C of the 1984 Act   | 16A |
| 14   | Events causing initial notice to cease to be in force  | 17  |
| 15   | Cancellation of initial notice: forms etc.   | 18  |
| 16   | Cancellation of initial notice: notice of contravention of building regulations              | 18A |
| <hr/>  |  |     |
| Part 4: Transfer of projects back to local authority |  |     |
| <hr/>  |  |     |
| 17   | Local authority powers in relation to partly completed work                                  | 19  |
| 18   | Periods within which information on work to which an initial notice relates must be provided | 19A |
| <hr/>  |  |     |
| Part 5: Transfer of projects back to local authority |  |     |
| <hr/>  |  |     |
| 19   | Section 53(7): prescribed provision  | 19B |
| 20   | Information to be included in transfer certificates  | 19C |
| <hr/>  |  |     |

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html> for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).



|                       |   |     |
|-----------------------|---|-----|
| 21                    | Period for consideration of transfer certificate and report by local authority                              | 19D |
| 22                    | Grounds for rejection of a transfer certificate and transfer report   | 19E |
| 23                    | Cases where a further initial notice may be given after cancellation of an initial notice under section 53D | 19F |
| Part 6: Public bodies |   |     |
| 24                    | Approval of public bodies   | 21  |
| 25                    | Form, grounds and period for rejecting public body's notice   | 22  |
| 26                    | Public body's consultation with the fire and rescue authority   | 23  |
| 27                    | Public body's consultation with the sewerage undertaker   | 24  |
| 28                    | Form, grounds and period for rejecting public body's plans certificate                                      | 25  |
| 29                    | Effect of public body's plans certificate   | 26  |
| 30                    | Form, grounds and period for rejecting public body's final certificate                                      | 27  |
| 31                    | Events causing public body's notice to cease to be in   | 28  |

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html> for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).

---

force

---

Part 7: Registers of notices etc.

---

32 Register of notices and certificates 30

---

33 Registration periods

---

34 Contravention of professional conduct rules

---

35 Interim suspension for suspected serious  
contravention

---

36 Appealing a decision made by the Welsh Ministers

---

Part 8: Miscellaneous

---

37 Contravention of certain regulations not to be an  
offence 31

---

38 to 41 Consequential amendment provisions

---

42 Revocations, transitional and savings provisions

---

Schedules

---

Sch. 1 Forms Sch. 1

---

Sch. 2 Grounds for Rejecting an Initial Notice, an Amendment  
Notice, or a Plans Certificate Combined with an Initial Sch. 2

---

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html>  
for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).

| Notice |   |         |
|--------|---|---------|
| Sch. 3 | Grounds for rejecting a plans certificate or plans certificate combined with an initial notice                    | Sch. 3  |
| Sch. 4 | Grounds for rejecting a final certificate   | Sch. 4  |
| Sch. 5 | Grounds for rejecting a transfer certificate and transfer report  | Sch. 3A |
| Sch. 6 | Grounds for Rejecting a Public Body's Notice, or a Combined Public Body's Notice and Plans Certificate            | Sch. 5  |
| Sch. 7 | Grounds for Rejecting a Public Body's Plans Certificate, or a Combined Public Body's Notice and Plans Certificate | Sch. 6  |
| Sch. 8 | Grounds for Rejecting a Public Body's Final Certificate   | Sch. 7  |

13. The majority of updates made to the 2024 regulations are minor changes to wording for the sake of clarity and consistency. Substantive changes are detailed below.
14. In regulation 3 (Independence of Approvers) there is no longer an exclusion for minor work.
15. In regulation 5 (Modification of 2010 Regulations etc.), regulation 5(8) causes regulation 38 of the Building Regulations 2010 to be read in a manner which updates the requirements and timeframes of giving information relating to initial notices.

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html> for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).

16. In regulation 18 (Periods within which information on work to which an initial notice relates must be provided), the regulation has been updated to cover more situations under Section 54(4A) to 54(4C) from the Building Act 1984.
17. Regulation 33 is a new provision not included in the 2010 regulations. It combines regulations 2 and 3 from the Building (Building Control Profession) (Registration, Sanctions and Appeals) (Wales) Regulations 2023 (“the building control profession regulations”) by setting the duration of registration as four years for registered building inspectors and five years for RBCAs beginning with the day on which registration has effect.
18. Similarly, regulation 34 is a new provision that moves regulation 4 from the building control profession regulations into the 2024 regulations. This regulation requires disciplinary orders issued to RBCAs to be circulated to local authorities if the order varied, suspended, or cancelled the RBCA’s registration.
19. Regulation 35 moves regulation 5 from the building control profession regulations into the 2024 regulations. This determines that if an RBCA is sanctioned and the outcome is that their registration is varied, suspended or cancelled, all local authorities in Wales will be given a copy of an interim suspension order for suspected serious contravention of the Professional Conduct Rules, where the suspected contravention is so serious that a person’s registration will likely be cancelled if it is determined the contravention has occurred.
20. Regulation 36 moves regulation 6 from the building control profession regulations into the 2024 regulations. The regulation provides that an applicant can make an appeal to the Magistrate’s Court, and gives the grounds for appeal. It also sets out that appeals must be made within 21 days from the day after the Welsh Ministers notify the applicant of the decision. However, this period can be extended at any time if agreed upon in

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html> for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).

writing between the applicant and the Welsh Ministers.

21. The inclusion of provisions forming regulations 33 to 36 within the 2024 regulations has allowed for the revocation of the building control profession regulations. The purpose of this inclusion, and revocation is to set all regulations relating to RBCAs in a single set of regulations.
22. Regulations 38 to 41 are consequential amendments:
  - Regulation 38 removes the term “approved inspector” from the Regulatory Reform (Fire Safety) Order 2005.
  - Regulation 39 updates the references to the 2010 regulations in the Building (Local Authority Charges) Regulations 2010 to provisions in the 2024 regulations.
  - Regulation 40 does the same for the Building Regulations 2010.
  - Regulation 41 updates the Building (Restricted Activities and Functions) (Wales) Regulations 2024 with references to the 2024 regulations.

These changes all ensure that supporting legislation correctly references the 2024 regulations instead of the 2010 regulations.

23. Regulation 42 revokes part or all of the following regulations where those provisions are outdated, supported the 2010 regulations, or have been incorporated into the 2024 regulations:
  - Most of The Building (Approved Inspectors etc.) Regulations 2010
  - The Building Regulations &c. (Amendment) (Wales) Regulations 2013
  - The Building Regulations &c. (Amendment) Regulations (Wales) 2014
  - The Building (Amendment) (Wales) Regulations 2014
  - The Building (Approved Inspectors etc.) (Amendment) (Wales) Regulations 2014
  - The Building Regulations &c. (Amendment) (Wales) Regulations 2016
  - The Building Regulations &c. (Amendment) (Excepted Energy Buildings)

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html> for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).

(Wales) Regulations 2018.

- The Building (Amendment) (Wales) Regulations 2022
- The Building Safety Act 2022 (Consequential Amendments) (Approved Inspectors) (Wales) Regulations 2022
- The Building (Building Control Profession) (Registration, Sanctions and Appeals) (Wales) Regulations 2023
- The Building (Approved Inspectors etc.) (Amendment) (Wales) Regulations 2024

Some parts of the Building (Approved Inspectors etc.) Regulations 2010 were not revoked if they related to submission of certificates under section 16(9) of the Building Act 1984 in order to allow that process to remain in effect.

24. Regulation 42 also includes transitional and savings provisions: the combination of 42(3) and 42(4) permits amendment notices which might contain higher-risk building work to be submitted in situations where an RBCA is already working on a project that involves higher-risk building work.
25. Regulations 42(5) and 42(6) ensure that forms submitted under the 2010 regulations can still be processed when the 2024 regulations come into force.
26. Regulation 42(7) supports the continuance of regulation 29 from the 2010 regulations, permitting plans to be submitted under section 16(9) of the Building Act 1984.
27. Schedule 1 of the 2024 regulations is equivalent to schedule 1 of the 2010 regulations and detail the prescribed forms to be used by building control for a variety of situations. Under regulation 2(2) it is still permissible to use a form “substantially to the like effect” instead of the forms as detailed. This will allow RBCAs and local authorities to customise forms to meet their needs. Forms 1(W) to 5(W) have been updated to reflect the requirements of the new regime. Form 6(W) is deliberately omitted to maintain continuity of

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html> for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).

numbering across different regions where RBCAs may operate. Forms 7(W) to 17(W) are unchanged from the 2010 regulations. Forms PB1(W) to PB4(W) are materially unchanged from the 2010 regulations.

28. Schedule 2 is the equivalent of schedule 2 of the 2010 regulations and details grounds for rejecting initial notices, amendment notices, and plans certificates combined with an initial notice. The requirements around approvers being able to sign notices has been updated to reflect the need for their registration to be in date and in scope for the work, and in the case of an amendment notice to require that the approver is the approver who gave the initial notice. Similar provisions have been added as a reason to reject notices if the RBI who gave advice was not an RBI on the date the notice was submitted, or their registration does not cover all work in a notice.
29. Schedule 3 is the equivalent of schedule 3 from the 2010 regulations and gives grounds for rejecting a plans certificate or plans certificate combined with an initial notice. If the area where work is to be carried out is not in the area of the local authority to whom the certificate has been given then this is now grounds for rejection. Like in schedule 2, the requirements for a RBCA to be registered and for the scope of their registration to cover the work has been updated, and not being capable has been added as a reason why certificates may be refused. Similarly, the reasons have been updated to allow for refusal if the person giving advice was not a RBI or was not registered to give that advice at the time a form was submitted.
30. Schedule 4 is the equivalent of schedule 4 from the 2010 regulations and gives grounds for rejecting a final certificate. As with the previous two schedules, location out of area, capacity of approver, and requirements for RBIs have been added as reasons for rejection.

# Enquiries

## Enquiries

Any enquiries on this Circular Letter should be addressed to:

Building Regulations, 2<sup>nd</sup> Floor, Welsh Government, Cathays Park, Cardiff,  
CF10 3NQ

E mail: [enquiries.brconstruction@gov.wales](mailto:enquiries.brconstruction@gov.wales)

(<https://www.gov.walesmailto:enquiries.brconstruction@gov.wales>)

Yours faithfully,

**Mark Tambini**

**Head of Building Regulations Policy**

**This document may not be fully accessible.**

For more information refer to our [accessibility statement](https://www.gov.wales/accessibility-statement-govwales) (<https://www.gov.wales/accessibility-statement-govwales>).

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/registered-building-control-approvers-regulations-wales-wgc-0122024-html>  
for the latest version.

Get [information on copyright](https://www.gov.wales/copyright-statement) (<https://www.gov.wales/copyright-statement>).