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OFFERYNNAU STATUDOL CYMRU

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**2013 Rhif 747 (Cy.89)**

**ADEILADU AC ADEILADAU, CYMRU**

**Rheoliadau Rheoliadau Adeiladu etc. (Diwygio) (Cymru) 2013**

*Gwnaed* - - - - 26 Mawrth 2013  
*Gosodwyd gerbron Cynulliad*  
*Cenedlaethol Cymru* - - 28 Mawrth 2013  
*Yn dod i rym yn unol â rheoliad 1(4)*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 1, 2A, 8(6), 16(9), 17(1) a (6), 34, 47(1), 49(5) ac 51(1) o Ddeddf Adeiladu 1984(1) a pharagraffau 1, 2, 4, 4A, 6, 7, 8 a 10 o Atodlen 1 iddi, sydd bellach yn arferadwy ganddynt hwy(2), ar ôl ymgynghori, yn unol ag adran 14(7) o'r Ddeddf honno, â Phwyllgor Cynghori Cymru ar Reoliadau Adeiladu a chyrrff eraill sydd, yn eu tyb hwy, yn cynrychioli'r buddiannau o dan sylw, yn gwneud y Rheoliadau a ganlyn:

**Enwi, cymhwyso a chychwyn**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Rheoliadau Adeiladu etc. (Diwygio) (Cymru) 2013.

(2) Yn ddarostyngedig i baragraff (3), mae'r Rheoliadau hyn yn gymwys o ran Cymru ond nid ydynt yn gymwys o ran adeiladau ynni a eithrir yng Nghymru.

(3) Nid yw'r Rheoliadau hyn yn gymwys o ran—

- (a) adeiladau addysgol ac adeiladau ymgymerwyr statudol yng Nghymru;
- (b) adeiladau'r Goron yng Nghymru; ac
- (c) gwaith adeiladu a gyflawnir gan awdurdodau'r Goron yng Nghymru neu y bwriedir iddo gael ei gyflawni gan awdurdodau'r Goron yng Nghymru.

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(1) 1984 p.55; diwygiwyd adran 1 gan adran 1 o Ddeddf Adeiladau Cynaliadwy a Diogel 2004 (p.22) a mewnosodwyd adran 2A gan adran 4 o'r Ddeddf honno; diwygiwyd adran 47(1) gan adran 8 o'r Ddeddf honno ac O.S. 1996/1905; amnewidiwyd adran 51(1) gan O.S. 1996/1905; mewnosodwyd paragraff 4A o Atodlen 1 gan adran 8 o'r Ddeddf honno; diwygiwyd paragraff 7 o Atodlen 1 gan adran 3 o'r Ddeddf honno a chan adran 11 o Ddeddf Newid yn yr Hinsawdd ac Ynni Cynaliadwy 2006 (p.19); diwygiwyd paragraff 8 o Atodlen 1 gan adran 3 o Ddeddf Adeiladau Cynaliadwy a Diogel 2004 a chan adran 40 o Ddeddf Rheoli Llifogydd a Dŵr 2010 (p.29).

(2) Trosglwyddwyd y swyddogaethau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 1, 2A, 8(6), 16(9), 17(1) a (6), 34, 47(1), 49(5) ac 51(1) o Ddeddf Adeiladu 1984 a pharagraffau 1, 2, 4, 4A, 6, 7, 8 a 10 o Atodlen 1 iddi, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Weinidogion Cymru gan Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) (Rhif 2) 2009 O.S. 2009/3019).

(4) Daw pob un o ddarpariaethau'r Rheoliadau hyn a nodir yn ail golofn y Tabl yn yr Atodlen i'r Rheoliadau hyn i rym ar y dyddiad a nodir yng ngholofn gyntaf y Tabl hwnnw, at y diben a nodir yn y drydedd golofn.

(5) Yn y rheoliad hwn—

ystyr “adeiladau addysgol ac adeiladau ymgwymerwyr statudol” (“*educational buildings and buildings of statutory undertakers*”) yw adeiladau sy'n dod o fewn adran 4(1)(a), (b) neu (c) o Ddeddf Adeiladu 1984.

ystyr “adeilad y Goron” (“*Crown building*”) yw adeilad y mae gan y Goron neu'r Ddugiaeth fuddiant ynddo;

mae i “adeilad ynni a eithrir” yr ystyr a roddir i “excepted energy building” yn yr Atodlen i Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) (Rhif 2) 2009(3);

ystyr “awdurdod y Goron” (“*Crown authority*”) yw Comisiynwyr Ystad y Goron, un o Weinidogion y Goron, un o adrannau'r llywodraeth, unrhyw berson neu gorff arall y cyflawnir ei swyddogaethau ar ran y Goron (heb fod yn berson neu'n gorff y cyflawnir ei swyddogaethau ar ran Ei Mawrhydi fel unigolyn preifat), neu berson sy'n gweithredu yn hawl Dugiaeth Caerhirfryn neu Ddugiaeth Cernyw;

ystyr “buddiant y Ddugiaeth” (“*Duchy interest*”) yw buddiant sydd gan Ei Mawrhydi yn hawl Dugiaeth Caerhirfryn, neu fuddiant sydd gan Ddugiaeth Cernyw; ac

ystyr “buddiant y Goron” (“*Crown interest*”) yw buddiant sydd gan Ei Mawrhydi yn hawl y Goron, neu sydd gan un o adrannau'r llywodraeth, neu sy'n cael ei ddal mewn ymddiriedolaeth ar gyfer Ei Mawrhydi at ddibenion un o adrannau'r llywodraeth;

## RHAN 1

### Rheoliadau Adeiladu 2010

#### Diwygio Rheoliadau Adeiladu 2010

2. Mae Rheoliadau Adeiladu 2010(4) (“y Rheoliadau Adeiladu”) wedi eu diwygio fel a nodir yn rheoliadau 3 i 28.

#### Dehongli

3. Yn rheoliad 2(1)(5)—

(a) yn y diffiniad o “energy efficiency requirements”, ar ôl “23”, mewnosoder “25A, 25B”;

(b) ar ôl y diffiniad o “energy efficiency requirements” mewnosoder—

““energy performance certificate” means a certificate which complies with the requirements of regulation 29 of these Regulations;” ac

(c) yn lle'r diffiniad o “fixed building services” rhodder—

““fixed building services” means any part of, or any controls associated with—

(a) fixed internal or external lighting systems (but not including emergency escape lighting or specialist process lighting);

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(3) O.S. 2009/3019. Trosglwyddodd Gorchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) (Rhif 2) 2009 swyddogaethau penodol a roddwyd i'r Ysgrifennydd Gwladol gan Ddeddf Adeiladu 1984, i Weinidogion Cymru, i'r graddau yr oeddent yn arferadwy o ran Cymru. Darparodd erthygl 3(a) o'r Gorchymyn nad oedd swyddogaethau wedi eu trosglwyddo i'r graddau yr oeddent yn arferadwy mewn perthynas ag adeilad ynni a eithrir fel y'i diffinnir yn yr Atodlen i'r Gorchymyn.

(4) O.S. 2010/2214 fel y'i diwygiwyd gan O.S. 2011/1515, O.S. 2012/718, O.S. 2012/809 ac O.S. 2013/10.

(5) Diwygiwyd gan O.S. 2011/1515, O.S. 2012/718 ac O.S. 2013/10.

- (b) fixed systems for heating, hot water, air conditioning or mechanical ventilation; or
- (c) any combination of systems of the kinds referred to in paragraph (a) or (b);”.

#### **Pŵer i hepgor neu lacio gofynion**

##### **4. Yn lle rheoliad 11(3) rhodder—**

“(3) Sub-sections (1) to (5) of section 8 of the Act (relaxation of building regulations) do not apply to regulations 23(1)(a), 25A, 25B, 26, 29 (with the exception of paragraphs 4(e), 9A, 10, 11 and 12) and 29A.”.

#### **Y Planiau Llawn**

##### **5. Yn rheoliad 14, hepgorer paragraff (5).**

#### **Ymgynghori ag ymgymerydd carthffosiaeth**

##### **6. Yn rheoliad 15(2)(b), yn lle “pursuant to a request under regulation 14(5)” rhodder “or 17A”.**

#### **Hysbysiad cychwyn a chwblhau camau penodol o'r gwaith**

7. Yn rheoliad 16(5), ar ôl y geiriau “where a building is being erected”, ychwaneger “to which the Regulatory Reform (Fire Safety) Order 2005(6) applies, or will apply after the completion of the work”.

#### **Tystysgrifau cwblhau**

##### **8. Mae rheoliad 17 wedi ei ddiwygio fel a ganlyn—**

###### **(a) yn lle paragraffau (1) i (3) rhodder—**

“(1) A local authority shall within the specified period give a completion certificate in all cases (including a case where a certificate has already been given under regulation 17A) where they are satisfied, after taking all reasonable steps, that, following completion of building work carried out on it, a building complies with the relevant provisions.

(2) The specified period referred to in paragraph (1) is eight weeks starting from the date on which the person carrying out the building work notifies the local authority that the work has been completed.

(2A) The relevant provisions referred to in paragraph (1) are any applicable requirements of the following provisions—

- (a) regulation 25A (high-efficiency alternative systems for new buildings);
- (b) regulation 26 (target CO<sup>2</sup> emission rates for new buildings);
- (c) regulation 29 (energy performance certificates);
- (d) regulation 36 (water efficiency of new dwellings);
- (e) regulation 38 (fire safety information); and
- (f) Schedule 1.”; a

###### **(b) ar ôl paragraff (4), mewnosoder—**

“(5) The certificate must include a statement describing its evidentiary effect, in terms substantially the same as paragraph (4).”

9. Ar ddiwedd rheoliad 17, mewnosoder—

**“Certificate for building occupied before work is completed**

**17A.**—(1) A local authority shall within the specified period give a completion certificate in respect of part or all of a building where building work is being carried out and where all of the following circumstances apply—

- (a) part or all of the building is to be occupied before the work is completed;
- (b) the building is subject to the Regulatory Reform (Fire Safety) Order 2005; and
- (c) the authority is satisfied, after taking all reasonable steps, that, regardless of completion of the current building work, those parts of the building which are to be occupied before completion of the work currently comply with regulation 38 and Part B of Schedule 1.

(2) The specified period referred to in paragraph (1) is four weeks starting from the date that notice is received by the local authority in accordance with regulation 16(5).

(3) A certificate given in accordance with this regulation shall be evidence (but not conclusive evidence) that the requirements specified in the certificate have been complied with, and the certificate shall contain this wording.

(4) The certificate must include a statement describing its evidentiary effect, in terms substantially the same as paragraph (3).”

**Goruchwylio gwaith adeiladu ac eithrio gan awdurdodau lleol**

10. Yn rheoliad 19(1), ar ôl “17 (completion certificates),” mewnosoder “17A (certificate for building occupied before work is completed).”

**Darpariaethau sy'n gymwys i gynlluniau hunanardystio**

11. Mae rheoliad 20 wedi ei ddiwygio fel a ganlyn—

(a) ar ddiwedd paragraff (3)(b)(ii) mewnosoder—

“(3A) A local authority shall store in a retrievable form copies of the notices and certificates given to it in accordance with paragraph (3)(b).

(3B) If the whole or part of the work was paid for using a green deal plan, the person carrying out the work must include—

- (a) in the certificate referred to in paragraph (2); and
- (b) in the notice given to the local authority referred to in paragraph (3)(b)(i),

a statement to that effect.

(3C) Such a statement that relates to a part of the work must specify which part was paid for using the green deal plan.

(3D) In this regulation, “green deal plan” has the meaning given in section 1 of the Energy Act 2011(7).”

(b) ar ddiwedd paragraff (4) mewnosoder—

“(5) A certificate given in accordance with this regulation shall be evidence (but not conclusive evidence) that the requirements specified in the certificate have been complied with, and the certificate shall contain this wording.

(6) The certificate must include a statement describing its evidentiary effect, in terms substantially the same as paragraph (5).”.

### **Cymhwyso gofynion effeithlonrwydd ynni**

12. Yn rheoliad 21(5) yn lle “European Parliament and Council Directive [2002/91/EC](#) of 16 December 2002 on the energy performance of buildings” rhodder “European Parliament and Council Directive 2010/31/EU of 19 May 2010 on the energy performance of buildings (recast)”.

### **Gofynion sy'n ymwneud ag elfennau thermol**

13. Yn lle rheoliad 23 (a'r pennawd o'i flaen) rhodder—

#### **“Requirements for the renovation or replacement of thermal elements**

23.—(1) Where the renovation of an individual thermal element—

- (a) constitutes a major renovation; or
- (b) amounts to the renovation of more than 50% of the element's surface area;

the renovation must be carried out so as to ensure that the whole of the element complies with paragraph L1(a)(i) of Schedule 1, in so far as that is technically, functionally and economically feasible.

(2) Where the whole or any part of an individual thermal element is proposed to be replaced and the replacement—

- (a) constitutes a major renovation; or
- (b) (in the case of part replacement) amounts to the replacement of more than 50% of the element's surface area;

the whole of the element must be replaced so as to ensure that it complies with paragraph L1(a)(i) of Schedule 1, in so far as that is technically, functionally and economically feasible.”.

### **Y gofynion perfformiad ynni sylfaenol ar gyfer adeiladau newydd**

14. Yn rheoliad 25 yn lle “based upon” rhodder “set in accordance with”.

### **Ystyried systemau amgen tra effeithlon ar gyfer adeiladau newydd (rheoliad newydd 25A) a gofynion bron di-ynni ar gyfer adeiladau newydd (rheoliad newydd 25B)**

15. Ar ôl rheoliad 25 (y gofynion perfformiad ynni sylfaenol ar gyfer adeiladau newydd), mewnosoder—

#### **“Consideration of high-efficiency alternative systems for new buildings**

25A.—(1) Before construction of a new building starts, the person who is to carry out the work must analyse and take into account the technical, environmental and economic feasibility of using high-efficiency alternative systems (such as the following systems) in the construction, if available—

- (a) decentralised energy supply systems based on energy from renewable sources;

- (b) cogeneration;
  - (c) district or block heating or cooling, particularly where it is based entirely or partially on energy from renewable sources; and
  - (d) heat pumps.
- (2) The person carrying out the work must—
- (a) not later than the beginning of the day before the day on which the work starts, give the local authority a notice which states that the analysis referred to in paragraph (1)—
    - (i) has been undertaken;
    - (ii) is documented; and
    - (iii) the documentation is available to the authority for verification purposes; and
  - (b) ensure that a copy of the analysis is available for inspection at all reasonable times upon request by an officer of the local authority.
- (3) An authorised officer of the local authority may require production of the documentation in order to verify that this regulation has been complied with.
- (4) The analysis referred to in paragraph (1)—
- (a) may be carried out for individual buildings or for groups of similar buildings or for common typologies of buildings in the same area; and
  - (b) in so far as it relates to collective heating and cooling systems, may be carried out for all buildings connected to the system in the same area.
- (5) In this regulation—
- (a) “cogeneration” means simultaneous generation in one process of thermal energy and one or both of the following—
    - (i) electrical energy;
    - (ii) mechanical energy;
  - (b) “district or block heating or cooling” means the distribution of thermal energy in the form of steam, hot water or chilled liquids, from a central source of production through a network of multiple buildings or sites, for the use of space or process heating or cooling;
  - (c) “energy from renewable sources” means energy from renewable non-fossil sources, namely wind, solar, aerothermal, geothermal, hydrothermal and ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas and biogases; and
  - (d) “heat pump” means a machine, a device or installation that transfers heat from natural surroundings such as air, water or ground to buildings or industrial applications by reversing the natural flow of heat such that it flows from a lower to a higher temperature. (For reversible heat pumps, it may also move heat from the building to the natural surroundings.)

### **Nearly zero-energy requirements for new buildings**

**25B.** Where a building is erected, it must be a nearly zero-energy building.”.

## Tystysgrifau perfformiad ynni

### 16. Yn rheoliad 29(8)—

- (a) ym mharagraff 4(c), yn lle “that category of building”, rhodder “the category of building to which the certificate relates”;
- (b) ar ddiwedd paragraff (4)(c)—
  - (i) hepgorer “and”; a
  - (ii) mewnosoder—
    - “(cc) include a recommendation report(9) unless there is no reasonable potential for energy performance improvements (in terms of the applicable energy efficiency requirements);
    - (cd) be valid in accordance with paragraph (9); and”;
- (c) yn lle paragraff (4)(d)(i), rhodder—
  - “the reference number under which the set of data from which the certificate may be produced has been entered onto the register in accordance with regulation 30(4);”;
- (d) hepgorer paragraff (5); ac
- (e) ar ôl paragraff (7) mewnosoder—
  - “(8) Certification for a building which consists of a single dwelling may be based on the assessment of another representative building of similar design and size with a similar actual energy performance quality, provided such correspondence is guaranteed by the energy assessor issuing the energy performance certificate.
  - (9) An energy performance certificate is only valid if—
    - (a) it was entered on the register no more than 10 years before the date on which it is made available; and
    - (b) no other energy performance certificate for the building has since been entered on the register.
  - (10) An energy performance certificate must not contain any information or data (except for the address of the building) from which a living individual (other than the energy assessor or his employer) can be identified.”.

## Adroddiadau argymhellion (rheoliad newydd 29A)

### 17. Ar ôl rheoliad 29 (tystysgrifau perfformiad ynni) mewnosoder —

#### “Recommendation reports

**29A.—(1)** In these Regulations a “recommendation report” means recommendations made by an energy assessor for the cost-effective improvement of the energy performance of a building.

- (2) A recommendation report must include—
  - (a) recommended cost-effective measures that could be carried out in connection with a major renovation of the building envelope or fixed building services;
  - (b) recommended cost-effective measures for individual building elements that could be carried out without the necessity for a major renovation of the building envelope or fixed building services;

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(8) Diwygiwyd gan O.S. 2012/809 ac O.S. 2013/10.

(9) Mae “recommendation report” wedi ei ddiffinio yn rheoliad 29A.

- (c) an indication as to how the owner or tenant can obtain more detailed information about improving the energy efficiency of the building, including more detailed information about the cost-effectiveness of the recommendations; and
  - (d) information on the steps to be taken to implement the recommendations.
- (3) Any cost-effective measure which the energy assessor recommends must be technically feasible for the building to which the recommendation report relates.
- (4) In this regulation “building element” means a controlled service or fitting or a thermal element of the building envelope.”.

### Aseswyr ynni

#### 18. Yn rheoliad 30(10)—

- (a) yn lle paragraff (3)(g), rhodder—
  - “for requiring the sets of data from which may be produced energy performance certificates and recommendation reports prepared by members of the scheme to be entered onto the relevant register referred to in paragraph (4);” a
- (b) ym mharagraff (4) yn lle “regulation 31 of the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007(11)” rhodder “regulation 27 of the Energy Performance of Buildings (England and Wales) Regulations 2012(12)”.

### Hawl i gopïo dogfennau

19. Yn rheoliad 33 yn lle “the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007” rhodder “the Energy Performance of Buildings (England and Wales) Regulations 2012”.

### Dehongli Rhan 6

#### 20. Yn rheoliad 35(1)—

- (a) ar ôl y diffiniad o “building” mewnosoder—
  - ““building envelope” in relation to a building means the walls, floor, roof, windows, doors, roof windows and roof-lights;”
- (b) ar ôl y diffiniad o “energy assessor”
  - (i) hepgorer “and”; a
  - (ii) mewnosoder—
    - ““major renovation” means the renovation of a building where more than 25% of the surface area of the building envelope undergoes renovation; and
    - “nearly zero-energy building” means a building that has a very high energy performance, as determined in accordance with a methodology approved under regulation 24, where the nearly zero or very low amount of energy required should be covered to a very significant extent by energy from renewable sources, including energy from renewable sources produced on-site or nearby.”; ac

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(10) Diwygiwyd gan O.S. 2012/809.

(11) O.S. 2007/991. Diwygiwyd y Rheoliadau hynny gan O.S. 2007/1669, O.S. 2007/3302, O.S. 2008/647, O.S. 2008/2363, O.S. 2009/1900, O.S. 2010/2214 ac O.S. 2011/2452 a'u cydgrynhoi gan Reoliadau Perfformiad Ynni Adeiladau (Cymru a Lloegr) 2012 (O.S. 2012/3118).

(12) O.S. 2012/3118.



- (c) hepgorer y diffiniad o “recommendation report”.

### **Prawf pwysedd**

**21.** Yn rheoliad 43(4), ar ôl “British Institute of Non-destructive Testing” mewnosoder “or the Air Tightness Testing and Measurement Association”(13).

### **Torri rheoliadau penodol yn peidio â bod yn drosedd**

**22.** Yn rheoliad 47 ar ôl “17,” mewnosoder “17A, 25A,”.

### **Cyflwyno dogfennau'n electronig**

**23.** Yn rheoliad 48(1)—

- (a) yn is-baragraff (d) ar ôl “regulation 17” mewnosoder “or regulation 17A”; a  
(b) ar ôl is-baragraff (g) mewnosoder—  
“(ga) a notice under regulation 25A;”.

### **Atodlen 3 i'r Rheoliadau Adeiladu — Cynlluniau hunanardystio ac esemptiad o ofyniad i roi Hysbysiad Adeiladu neu Adneuo Planiau Llawn**

**24.—**(1) Yng ngholofn 1 o Atodlen 3, ym mharagraffau 1, 3 a 4, ychwaneger “(This paragraph does not apply to the provision of a masonry chimney.)”.

(2) Yng ngholofn 2 o Atodlen 3—

- (a) yn lle “Ascertiva Group Limited” neu “ECA Certification Limited” (pa un bynnag sy'n codi), rhodder “Certsure LLP(14)”, ar yr amod, pan fo'r amnewid yn arwain at gyfeiriad dyblyg yn yr un paragraff yn y tabl, fod yr ail gyfeiriad i gael ei hepgor;
- (b) ar ôl “Certsure LLP” hepgorer “(in respect of work carried out in England and excepted energy buildings in Wales)”;
- (c) yn lle “Building Engineering Services Competence Accreditation Limited”, rhodder “Building Engineering Services Competence Assessment Limited”;
- (d) ar ôl “Building Engineering Services Competence Assessment Limited”, hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
- (e) hepgorer “Benchmark Certification Limited(15) (other than in respect of work carried out in England or in relation to excepted energy buildings in Wales),” ym mharagraffau 4, 6, 8 a 9;
- (f) ym mharagraff 3—
- (i) yn lle “or” cyn “Oil Firing Technical Association Limited” rhodder “,”;
- (ii) ar ôl “Oil Firing Technical Association Limited” mewnosoder “or Stroma Certification Limited(16)”; a
- (iii) ar ôl “Stroma Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;

(13) Cwmni wedi ei ffurfio a'i gofrestru o dan y Deddfau Cwmnïau (a ddiffinnir yn adran 2 o Ddeddf Cwmnïau 2006, p.46) â'r rhif cofrestru 7885199.

(14) Partneriaeth atebolrwydd cyfyngedig wedi ei ffurfio a'i chofrestru o dan Ddeddf Partneriaethau Atebolrwydd Cyfyngedig 2000 (p.12) â'r rhif cofrestru OC379918.

(15) Cwmni wedi ei ffurfio a'i gofrestru o dan y Deddfau Cwmnïau â'r rhif cofrestru 07144771.

(16) Cwmni wedi ei ffurfio a'i gofrestru o dan y Deddfau Cwmnïau â'r rhif cofrestru 06429016.

- (g) ym mharagraff 8—
- (i) yn lle “or” cyn “Building Engineering Services” rhodder “,”;
  - (ii) cyn “in respect of that type of work” mewnosoder “, ECA Certification Limited(17), NAPIT Registration Limited)(18) or Stroma Certification Limited”;
  - (iii) ar ôl “NAPIT Registration Limited” hepgorer “(in respect of work carried out in England and excepted energy buildings in Wales)”;
  - (iv) ar ôl “Stroma Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
- (h) ym mharagraff 9—
- (i) yn lle “or” cyn “NAPIT Registration Limited” rhodder “, ECA Certification Limited,”;
  - (ii) ar ôl “ECA Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
  - (iii) ar ôl “NAPIT Registration Limited” mewnosoder “or Stroma Certification Limited”;
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  - (iv) ar ôl “Stroma Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
- (i) ym mharagraff 10—
- (i) cyn “Building Engineering Services” mewnosoder “Benchmark Certification Limited,”;
  - a
  - (ii) ar ôl “Benchmark Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
- (j) ym mharagraff 13—
- (i) ar ôl “BM Trada Certification Limited,” mewnosoder “Benchmark Certification Limited,”;
  - (ii) ar ôl “Benchmark Certification Limited,” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
  - (iii) ar ôl “CERTASS Limited” mewnosoder “, NAPIT Registration Limited”;
  - (iv) ar ôl “NAPIT Registration Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
  - (v) yn lle “or” cyn “Network VEKA Limited” rhodder “,”;
  - (vi) ar ôl “Network VEKA Limited” mewnosoder “or Stroma Certification Limited”;
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  - (vii) ar ôl “Stroma Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
- (k) ym mharagraff 14—
- (i) cyn “or NAPIT Registration Limited” mewnosoder “, ECA Certification Limited, HETAS Limited(19)”;
  - (ii) ar ôl “ECA Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
  - (iii) ar ôl “HETAS Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;

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(17) Cwmni wedi ei ffurfio a'i gofrestru o dan y Deddfau Cwmnïau â'r rhif cofrestru 06418028.

(18) Cwmni wedi ei ffurfio a'i gofrestru o dan y Deddfau Cwmnïau â'r rhif cofrestru 05190452.

(19) Cwmni wedi ei ffurfio a'i gofrestru o dan y Deddfau Cwmnïau â'r rhif cofrestru 02117828.

- (iv) yn lle “or” cyn “NAPIT Registration Limited” rhodder “,”;
- (v) ar ôl “NAPIT Registration Limited” mewnosoder “or Stroma Certification Limited”;  
a
- (vi) ar ôl “Stroma Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
- (l) ym mharagraff 15—
  - (i) cyn “or NAPIT Registration Limited” mewnosoder “, ECA Certification Limited, HETAS Limited”;
  - (ii) ar ôl “ECA Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
  - (iii) ar ôl “HETAS Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
- (m) ym mharagraff 16—
  - (i) cyn “or NAPIT Registration Limited” mewnosoder “, ECA Certification Limited, HETAS Limited”;
  - (ii) ar ôl “ECA Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
  - (iii) ar ôl “HETAS Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
  - (iv) yn lle “or” cyn “NAPIT Registration Limited” rhodder “,”;
  - (v) ar ôl “NAPIT Registration Limited” mewnosoder “or Stroma Certification Limited”;  
a
  - (vi) ar ôl “Stroma Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
- (n) ym mharagraff 18—
  - (i) ar ôl “Cavity Insulation Guarantee Agency Limited” mewnosoder “, Ascertiva Group Limited(20), Benchmark Certification Limited, NAPIT Registration Limited or Stroma Certification Limited”;
  - (ii) ar ôl “Ascertiva Group Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
  - (iii) ar ôl “Benchmark Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
  - (iv) ar ôl “NAPIT Registration Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
  - (v) ar ôl “Stroma Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
- (o) ym mharagraff 19—
  - (i) ar ôl “registered by” mewnosoder “NAPIT Registration Limited or”; a
  - (ii) ar ôl “NAPIT Registration Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
- (p) ym mharagraff 21—

- (i) ar ôl “BM Trada Certification Limited” mewnosoder “, CERTASS Limited(21), Stroma Certification Limited”;
- (ii) ar ôl “CERTASS Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”;
- (iii) ar ôl “Stroma Certification Limited” hepgorer “(in respect of work carried out in England or in relation to excepted energy buildings in Wales)”.

25. Hepgorer paragraff 20 o Atodlen 3.

26. Ar ôl paragraff 21 o Atodlen 3, ychwnaeger y paragraffau a ganlyn—

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<p>22. Installation of insulating material to the internal walls of a building.</p>	<p>A person registered by Ascertiva Group Limited, Benchmark Certification Limited, CERTASS Limited, NAPIT Registration Limited or Stroma Certification Limited in respect of that type of work.</p>
<p>23. Installation of insulating material to the external walls of a building, not including insulation of demountable-clad buildings.</p>	<p>A person registered by Ascertiva Group Limited, Benchmark Certification Limited, CERTASS Limited, NAPIT Registration Limited or Stroma Certification Limited in respect of that type of work.</p>
<p>24. Installation of insulation material to both external and internal walls of a building (“hybrid insulation”), not including insulation of demountable-clad buildings.</p>	<p>A person registered by Ascertiva Group Limited, Benchmark Certification Limited or NAPIT Registration Limited in respect of that type of work..”.</p>

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27. Ym mharagraffau 22, 23 a 24 hepgorer y geiriau “In respect of work carried out in England or in relation to excepted energy buildings in Wales”.

#### **Atodlen 4 i'r Rheoliadau Adeiladu — Disgrifiadau o'r gwaith pan na fo'n ofynnol rhoi hysbysiad adeiladu nac adneuo planiau llawn**

28. Yn Atodlen 4, ar ôl paragraff 3 mewnosoder—

- “(3A) Installation of thermal insulation to suspended timber floors where the work—
- (a) consists of the installation of such insulation only; and
  - (b) the work is not carried out in order to comply with any requirements of these Regulations.”.

## **RHAN 2**

### **Rheoliadau Adeiladu (Arolygwyr Cymeradwy etc.) 2010**

#### **Diwygio'r Rheoliadau Adeiladu (Arolygwyr Cymeradwy etc.) 2010**

29. Mae Rheoliadau Adeiladu (Arolygwyr Cymeradwy etc.) 2010(22) wedi eu diwygio fel a nodir yn rheoliadau 30 i 33.

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(21) Cwmni wedi ei ffurfio a'i gofrestru o dan y Deddfau Cwmnïau a'r rhif cofrestru 04350234.

(22) O.S. 2010/2215.

### Swyddogaethau arolygwyr cymeradwy

30. Yn rheoliad 8(1)—

- (a) yn is-baragraff (a), ar ôl “23 (requirements relating to thermal elements),” mewnosoder “25A (consideration of high-efficiency alternative systems for new buildings),”; a
- (b) yn is-baragraff (b), ar ôl “regulations 20,” mewnosoder “25A,”.

### Ffurf y dystysgrif derfynol, y seiliau dros ei gwrthod a'r cyfnod ar gyfer ei gwrthod

31. Yn rheoliad 16, ar ddiwedd paragraff (2) mewnosoder—

“(3) A final certificate given by an approved inspector to a local authority in accordance with these Regulations shall be evidence (but not conclusive evidence) that the requirements specified in the certificate have been complied with.”.

### Cymhwyso rheoliadau 20, 27, 29, 37, 41, 42, 43 a 44 o'r Rheoliadau Adeiladu

32. Yn lle rheoliad 20(1) a'r pennawd o'i flaen, rhodder—

#### **“Application of regulations 20, 25A, 27, 29, 37, 41, 42, 43 and 44 of the Principal Regulations**

20.—(1) Regulations 20 (provisions applicable to self-certification schemes), 25A (consideration of high-efficiency alternative systems for new buildings), 27 (CO<sup>2</sup> emission rate calculations), 29 (energy performance certificates), 37 (wholesome water consumption calculation), 41 (sound insulation testing), 42 (mechanical ventilation air flow rate testing), 43 (pressure testing) and 44 (commissioning) of the Principal Regulations apply in relation to building work which is the subject of an initial notice as if references to the local authority were references to the approved inspector.”.

### Atodlen 1 i Reoliadau Arolygwyr Cymeradwy — Ffurflenni

33.—(1) Mae'r ffurflenni â rhif a bennir yn Atodlen 1 wedi eu diwygio fel a bennir ym mharagraffau 2 a 3.

(2) Yn Ffurflen 5 (y dystysgrif derfynol) ar ôl paragraff 8 mewnosoder—

“9. This certificate is evidence (but not conclusive evidence) that the requirements specified in the certificate have been complied with.”; a

(3) Yn Ffurflen 12 (tystysgrif derfynol corff cyhoeddus), ar ôl paragraff 6 mewnosoder—

“7. This certificate is evidence (but not conclusive evidence) that the requirements specified in the certificate have been complied with.”.

## **RHAN 3**

### Darpariaethau Trosiannol

#### **Darpariaethau trosiannol: dehongli**

34. Yn rheoliadau 35 a 36—

ystyr “darpariaeth hysbysu berthnasol” (“*relevant notification provision*”) yw rheoliad 12(2) o Reoliadau Adeiladu 2010 ac adrannau 47(1), 50, 51A(2) a 54 o Ddeddf Adeiladu 1984; ac

ystyr “rheoliadau perthnasol” (“*relevant regulations*”) yw rheoliadau 7, 13 neu 15 o'r Rheoliadau hyn.

**Gwaith sydd eisoes wedi ei ddechrau cyn i reoliadau penodol gymryd effaith**

**35.** Nid yw diwygiad sydd wedi ei wneud gan reoliad perthnasol yn gymwys mewn unrhyw achos pan fo'r gwaith adeiladu wedi ei ddechrau yn unol ag unrhyw ddarpariaeth hysbysu berthnasol sy'n gymwys mewn perthynas â'r gwaith ar yr adeg pan fo'r diwygiad yn cymryd effaith.

**Rhoi hysbysiad neu adneuo planiau cyn i'r rheoliadau hynny gymryd effaith**

**36.** Nid yw diwygiad sydd wedi ei wneud gan reoliad perthnasol yn gymwys mewn unrhyw achos—

- (a) pan gydymffurfiwyd â darpariaeth hysbysu berthnasol mewn perthynas â gwaith adeiladau arfaethedig ar yr adeg pan fo'r diwygiad yn cymryd effaith; a
- (b) pan fo'r gwaith adeiladu wedi ei ddechrau o fewn cyfnod o 12 mis gan ddechrau ar y diwrnod y mae'r rheoliad perthnasol yn cymryd effaith.

26 Mawrth 2013

*Carl Sargeant*  
Y Gweinidog Tai ac Adfywio, un o Weinidogion  
Cymru

## ATODLEN

Rheoliad 1

<i>Colofn 1</i> <i>y dyddiad y daw i rym</i>	<i>Colofn 2</i> <i>Darpariaeth</i>	<i>Colofn 3</i> <i>Y diben dros ddod â'r</i> <i>ddarpariaeth i rym</i>
19 Ebrill 2013	Rheoliadau 1-10, 11(a) (i'r graddau y mae'n mewnosod paragraffau (3B), (3C) a (3D) yn rheoliad 20) a (b), 12, 14, 16-23, 24(1), 24(2)(c)-(p), 25-29, 31-36 a'r Atodlen	At bob diben
19 Ebrill 2013	Rheoliad 13	Mewn cysylltiad ag adeiladau sydd wedi eu meddiannu gan awdurdodau cyhoeddus
19 Ebrill 2013	Rheoliadau 15 (at ddiben rheoliad newydd 25A) a 30	Mewn cysylltiad ag adeiladau newydd sydd wedi eu meddiannu gan awdurdodau cyhoeddus
20 Ebrill 2013	Rheoliad 24(2)(a)-(b)	At bob diben
9 Gorffennaf 2013	Rheoliad 13	Mewn cysylltiad â phob adeilad arall
9 Gorffennaf 2013	Rheoliadau 15 (at ddiben rheoliad newydd 25A) a 30	Mewn cysylltiad â phob adeilad newydd arall
1 Hydref 2013	Rheoliad 11(a) (i'r graddau nad yw wedi ei gychwyn fel arall)	At bob diben
1 Ionawr 2019	Rheoliad 15 (at ddiben rheoliad newydd 25B)	Mewn cysylltiad ag adeiladau newydd sy'n eiddo i ac sydd wedi eu meddiannu gan, awdurdodau cyhoeddus
31 Rhagfyr 2020	Rheoliad 15 (at ddiben rheoliad newydd 25B)	Mewn cysylltiad â phob adeilad newydd arall

**EXPLANATORY NOTE***(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Adeiladu 2010 (“y Rheoliadau Adeiladu”) a Rheoliadau Adeiladu (Arolygwyr Cymeradwy etc.) 2010 (“y Rheoliadau Arolygwyr Cymeradwy”).

Mae'r diwygiadau i'r Rheoliadau Adeiladu wedi eu nodi yn Rhan 1.

Mae rheoliad 8 yn cynnwys darpariaethau newydd sy'n ymwneud â'r awdurdod lleol yn dyroddi tystysgrifau cwblhau ac mae rheoliad 9 yn ychwanegu rheoliad newydd, sef rheoliad 17A, sy'n

*Statws* This is the original version (as it was originally made). Dim ond ar ei ffurf wreiddiol y mae'r eitem hon o ddeddfwriaeth ar gael ar hyn o bryd.

disodli ac yn bennaf yn ailddeddfu, â mân ddiwygiadau, hanfod rheoliad 17 o ran adeiladau sydd wedi eu meddiannu cyn i'r gwaith gael ei gwblhau. Mae'r diwygiadau i reoliad 14 yn rheoliad 5, i reoliad 15 yn rheoliad 6, i reoliad 19 yn rheoliad 10, i reoliad 47 yn rheoliad 22 ac i reoliad 48 yn rheoliad 23 yn ganlyniadol i'r diwygiad hwn.

Mae rheoliadau 8(b) a 11(b) yn ychwanegu gofyniad ychwanegol at reoliad 17 a rheoliad 20 yn y drefn honno, gan ei gwneud yn ofynnol i dystysgrifau penodedig gynnwys geiriad ynghylch gwerth tystiolaethol y dystysgrifau hynny.

Mae rheoliad 11 yn diwygio rheoliad 20 i ddarparu bod tystysgrif a ddyroddir yn unol â rheoliad 20 o'r Rheoliadau Adeiladu, o dan gynllun hunanardystio, yn nodi bod rhwymedigaethau talu yn y dyfodol yn gymwys i'r eiddo o dan sylw o dan gynllun bargaen werdd i ad-dalu costau gwaith i wella effeithlonrwydd ynni ar yr eiddo. Mae'r diwygiad hefyd yn ei gwneud yn ofynnol i'r awdurdod lleol storio'r hysbysadau a'r tystysgrifau perthnasol ar ffurf adferadwy.

Mae rheoliadau 4, 12 i 20, 22 a 23 yn trosi Erthyglau 2, 6, 7, 9 ac 11 o Gyfarwyddeb Senedd Ewrop a'r Cyngor 2010/31/EU sy'n ddyddiedig 19 Mai 2010 ar berfformiad ynni adeiladau (ail-lunio) ("y Gyfarwyddeb ail-lunio"). Mae rheoliad 13 yn diwygio rheoliad 23 o'r Rheoliadau Adeiladu sy'n ymwneud ag adnewyddu neu ailosod elfennau thermol i weithredu gofynion y gyfarwyddeb ail-lunio yn llawn. Mae rheoliad 15 yn gweithredu'n rhannol y gofynion yn y Gyfarwyddeb ail-lunio ar gyfer systemau amgen tra effeithlon ac adeiladau sydd bron yn ddi-garbon mewn cysylltiad ag adeiladau newydd. Mae rheoliadau 16 i 19 yn nodi gofynion ar gyfer tystysgrifau perfformiad ynni mewn perthynas ag adeiladu adeilad; maent yn trosi'r Gyfarwyddeb ail-lunio ac maent hefyd yn cynnwys darpariaethau a nodir ynghynt yn Rheoliadau Perfformiad Ynni Adeiladau (Tystysgrifau ac Arolygiadau) (Cymru a Lloegr) 2007 (O.S. 2007/991).

Mae rheoliad 21 yn diwygio rheoliad 43 o'r Rheoliadau Adeiladu i ychwanegu corff pellach a gaiff gofrestru person i ddyroddi tystysgrif yn nodi cydymffurfedd â gofynion ynghylch profion pwysedd.

Mae rheoliad 24(2) yn diwygio'r rhestr o'r cyrff sydd wedi eu hawdurdodi o dan y cynllun hunanardystio y darperir ar ei gyfer gan reoliadau 12 ac 20 o Atodlen 3 i'r Rheoliadau Adeiladu.

Mae Rhan 2 yn cynnwys diwygiadau i'r Rheoliadau Arolygwyr Cymeradwy. Mae rheoliadau 30 ac 32 yn diwygio rheoliadau 8 ac 20 o'r Rheoliadau Arolygwyr Cymeradwy i sicrhau bod y newidiadau sy'n ofynnol o dan y Gyfarwyddeb ail-lunio hefyd yn gymwys pan fydd arolygydd cymeradwy yn ymgymryd â swyddogaeth reoli adeiladu.

Mae rheoliad 31 yn ychwanegu darpariaeth at reoliad 16 gan ei gwneud yn glir bod tystysgrif derfynol a roddir gan arolygydd cymeradwy yn dystiolaeth o'r materion a nodir ynddi, ond nid yw'n dystiolaeth ddigamsyniol o'r materion hynny.

Mae rheoliad 33 yn gwneud diwygiadau canlyniadol i'r ffurflenni hysbysiad perthnasol a bennir yn Atodlen 1 ac yn ychwanegu, pan fo'n briodol, y datganiad bod yr hysbysiad neu'r dystysgrif yn dystiolaeth o gydymffurfedd â'r gofynion a bennir ynddo ond nid yw'n dystiolaeth ddigamsyniol o'r gydymffurfedd honno.

Mae Rhan 3 yn nodi'r darpariaethau trosiannol.

Mae'r Atodlen i'r Rheoliadau hyn yn nodi'r tabl cychwyn.