OFFERYNNAU STATUDOL CYMRU

2015 Rhif 1486 (Cy. 165)

ADEILADU AC ADEILADAU, CYMRU

Rheoliadau Adeiladu (Diwygio) (Cymru) 2015

Gwnaed - - - - 7 Gorffennaf 2015
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru - - 9 Gorffennaf 2015
Yn dod i rym yn unol â rheoliad 1(3)

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir i'r Ysgrifennydd Gwladol gan adrannau 1 a 34 o Ddeddf Adeiladu 1984(**1**) a pharagraffau 1, 2, 4, 4A, 7, 8 a 10 o Atodlen 1 i'r Ddeddf honno, sydd bellach yn arferadwy ganddynt hwy(**2**), ac wedi ymgynghori, yn unol ag adran 14(7) o'r Ddeddf honno, â Phwyllgor Cynghori Cymru ar Reoliadau Adeiladu a'r cyrff hynny yr ymddengys iddynt hwy eu bod yn cynrychioli'r buddiannau dan sylw, yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Adeiladu (Diwygio) (Cymru) 2015.

(2) Mae'r Rheoliadau'n gymwys o ran Cymru ond nid ydynt yn gymwys o ran adeiladau ynni a eithrir yng Nghymru.

(3) Mae'r Rheoliadau hyn yn dod i rym ar y dyddiadau canlynol—

(a) y rheoliad hwn, rheoliadau 2, 3, 4(a) a'r Atodlen ar 31 Gorffennaf 2015; a

(b) rheoliad 4(b) ar 31 Rhagfyr 2015.

(4) Yn y rheoliad hwn, mae i "adeilad ynni a eithrir" yr ystyr a roddir i "excepted energy building" gan yr Atodlen i Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) (Rhif 2) 2009(**3**).

(**1**) 1984 p. 55; diwygiwyd adran 1 gan adran 1 o Ddeddf Adeiladau Cynaliadwy a Diogel 2004 (p. 22); 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) a diwygiwyd paragraff 8 o Atodlen 1 gan adran 3 o Ddeddf Adeiladau Cynaliadwy a Diogel 2004 ac adran 40 o Ddeddf Rheoli Llifogydd a Dŵr 2010 (p. 29).

(**2**) Trosglwyddwyd y swyddogaethau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 1 a 34 o Ddeddf Adeiladu 1984 a pharagraffau 1, 2, 4, 4A, 7, 8 a 10 o Atodlen 1 i'r Ddeddf honno, i'r graddau y maent yn arferadwy o ran Cymru, i Weinidogion Cymru gan Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) (Rhif 2) 2009 (O.S. 2009/3019).

(**3**) O.S. 2009/3019. Trosglwyddodd Gorchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) (Rhif 2) 2009 swyddogaethau penodol a roddwyd i'r Ysgrifennydd Gwladol gan neu o dan Ddeddf Adeiladu 1984, i'r graddau y maent yn arferadwy o ran Cymru, i Weinidogion Cymru. Darparodd erthygl 3(a) o'r Gorchymyn na throsglwyddwyd swyddogaethau i'r graddau yr oeddynt yn arferadwy mewn perthynas ag adeilad ynni a eithrir fel y diffinnir "excepted energy building" gan yr Atodlen i'r Gorchymyn.

Diwygio Rheoliadau Adeiladu 2010

2. Mae Rheoliadau Adeiladu 2010(**4**) wedi eu diwygio fel a ganlyn.

3. Yn lle'r Tabl yn Atodlen 3 (cynlluniau hunanardystio ac esemptiadau o'r gofyniad i roi hysbysiad adeiladu neu i adneuo cynlluniau llawn) rhodder y Tabl fel y'i nodir yn yr Atodlen i'r Rheoliadau hyn.

4. Yn rheoliad 43(4) (profi pwysedd)—

(a) ar ôl "the British Institute of Non-Destructive Testing" mewnosoder ", the Independent Airtightness Testing Scheme Limited(**5**)"; a

(b) hepgorer "the British Institute of Non-Destructive Testing,".

Carl Sargeant
Y Gweinidog Cyfoeth Naturiol, un o Weinidogion Cymru

7 Gorffennaf 2015

(**4**) O.S. 2010/2214; yr offerynnau diwygio perthnasol yw O.S. 2011/1515, O.S. 2012/718, 2012/3119, O.S. 2013/747 (Cy. 89), O.S. 2013/1105, O.S. 2013/2621 (Cy. 258), O.S. 2014/2362 ac O.S. 2015/767. Nid yw diwygiadau eraill yn berthnasol i'r Rheoliadau hyn.

(**5**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 09309058.

YR ATODLEN

Rheoliad 3

"Column 1 *Type of Work*	*Column 2* *Person carrying out work*
1. Installation of a heat-producing gas appliance. This paragraph does not apply to the provision of a masonry chimney.	A person, or an employee of a person, who is a member of a class of persons approved in accordance with regulation 3 of the Gas Safety (Installation and Use) Regulations 1998(**6**).
2. Installation of— (a) an oil-fired combustion appliance; or (b) oil storage tanks and the pipes connecting them to combustion appliances. This paragraph does not apply to the provision of a masonry chimney.	A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited(**7**), Blue Flame Certification Limited(**8**), Building Engineering Services Competence Assessment Limited(**9**), Certsure LLP(**10**), NAPIT Registration Limited(**11**), Oil Firing Technical Association Limited(**12**) or Stroma Certification Limited(**13**).
3. Installation of a solid fuel-burning combustion appliance other than a biomass appliance. This paragraph does not apply to the provision of a masonry chimney.	A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, HETAS Limited(**14**), NAPIT Registration Limited, Oil Firing Technical Association Limited or Stroma Certification Limited.
4. Installation of a heating or hot water system, or its associated controls.	A person, or an employee of a person, who is a member of a class of persons approved in accordance with regulation 3 of the Gas Safety (Installation and Use) Regulations 1998, or a person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited(**15**), Blue Flame Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, HETAS Limited, NAPIT Registration Limited, Oil Firing Technical Association Limited or Stroma Certification Limited.

(**6**) O.S. 1998/2451.
(**7**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau (fel y diffinnir "the Companies Acts" yn adran 2 o Ddeddf Cwmnïau 2006, p. 46) â'r rhif cofrestru 02876277.
(**8**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 05182566.
(**9**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 03712932.
(**10**) Partneriaeth atebolrwydd cyfyngedig a ffurfiwyd ac a gofrestrwyd o dan Ddeddf Partneriaethau Atebolrwydd Cyfyngedig 2000 (p. 12) â'r rhif cofrestru OC379918.
(**11**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 05190452.
(**12**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 02739706.
(**13**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 06429016.
(**14**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 02117828.
(**15**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 07144771.

"Column 1 *Type of Work*	*Column 2* *Person carrying out work*
5. Installation of a mechanical ventilation or air conditioning system or associated controls, in a building other than a dwelling, that does not involve work on a system shared with parts of the building occupied separately.	A person registered in respect of that type of work by Blue Flame Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, NAPIT Registration Limited or Stroma Certification Limited.
6. Installation of an air conditioning or ventilation system in a dwelling, that does not involve work on a system shared with other dwellings.	A person registered in respect of that type of work by Blue Flame Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, NAPIT Registration Limited or Stroma Certification Limited.
7. Installation of an energy efficient lighting system or electric heating system, or associated electrical controls, in buildings other than dwellings.	A person registered in respect of that type of work by Blue Flame Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, NAPIT Registration Limited or Stroma Certification Limited.
8. Installation of fixed low or extra-low voltage electrical installations in dwellings.	A person registered in respect of that type of work by BSI Assurance UK Limited(**16**), Benchmark Certification Limited, Blue Flame Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, NAPIT Registration Limited, Oil Firing Technical Association Limited or Stroma Certification Limited.
9. Installation of fixed low or extra-low voltage electrical installations in dwellings, as a necessary adjunct to or arising out of other work being carried out by the registered person.	A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Blue Flame Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, NAPIT Registration Limited or Stroma Certification Limited.
10. Installation, as a replacement, of a window, rooflight, roof window or door in an existing dwelling	A person registered in respect of that type of work by BM Trada Certification Limited(**17**), BSI Assurance UK Limited, Blue Flame Certification Limited, CERTASS Limited(**18**), Certsure LLP, by Fensa Limited(**19**) under the Fenestration Self-Assessment Scheme, by

(**16**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 07805321.
(**17**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 02110046.
(**18**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 04350234.
(**19**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 03058561.

"Column 1 *Type of Work*	*Column 2* *Person carrying out work*
	NAPIT Registration Limited, Network VEKA Limited(**20**) or Stroma Certification Limited.
11. Installation, as a replacement, of a window, rooflight, roof window or door in an existing building other than a dwelling. This paragraph does not apply to glass which is load bearing or structural or which forms part of glazed curtain walling or a revolving door.	A person registered in respect of that type of work by BM Trada Certification Limited, Blue Flame Certification Limited, CERTASS Limited, Certsure LLP, by Fensa Limited under the Fenestration Self-Assessment Scheme, by NAPIT Registration Limited, Network VEKA Limited or Stroma Certification Limited.
12. Installation of a sanitary convenience, sink, washbasin, bidet, fixed bath, shower or bathroom in a dwelling, that does not involve work on shared or underground drainage.	A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, HETAS Limited, NAPIT Registration Limited or Stroma Certification Limited.
13. Installation of a wholesome cold water supply or a softened wholesome cold water supply.	A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, HETAS Limited, NAPIT Registration Limited or Stroma Certification Limited.
14. Installation of a supply of non-wholesome water to a sanitary convenience fitted with a flushing device, that does not involve work on shared or underground drainage.	A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, HETAS Limited, NAPIT Registration Limited or Stroma Certification Limited.
15. Installation in a building of a system to produce electricity, heat or cooling— (a) by microgeneration; or (b) from renewable sources (as defined in Directive 2009/28/EC of the European Parliament and of the Council on the promotion of the use of energy from renewable sources)(**21**).	A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, HETAS Limited, NAPIT Registration Limited, Oil Firing Technical Association Limited or Stroma Certification Limited.
16. Installation, as a replacement, of the covering of a pitched or flat roof and work carried out by	A person registered in respect of that type of work by NAPIT Registration Limited or

(**20**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 04029350.
(**21**) OJ Rhif L 140, 5.6.2009, t. 16, Erthygl 2.

"Column 1 *Type of Work*	*Column 2* *Person carrying out work*
the registered person as a necessary adjunct to that installation. This paragraph does not apply to the installation of solar panels.	the National Federation of Roofing Contractors Limited(**22**).
17. Insertion of insulating material into the cavity walls of an existing building.	A person registered in respect of that type of work by Blue Flame Certification Limited, CERTASS Limited, The Cavity Insulation Guarantee Agency(**23**) under the Cavity Wall Insulation Self-Certification Scheme, by Certsure LLP, NAPIT Registration Limited or Stroma Certification Limited.
18. Installation of insulating material to the internal walls of a building, not including the installation of flexible thermal linings	A person registered in respect of that type of work by Blue Flame Certification Limited, British Board of Agrément(**24**), CERTASS Limited, Certsure LLP, NAPIT Registration Limited or Stroma Certification Limited.
19. Installation of insulating material to the external walls of a building, not including insulation of demountable-clad buildings.	A person registered in respect of that type of work by Blue Flame Certification Limited, British Board of Agrément, CERTASS Limited, Certsure LLP, NAPIT Registration Limited or Stroma Certification Limited.
20. Installation of insulating material to the external and internal walls of a building ("hybrid insulation"), not including insulation of demountable-clad buildings, and not including the installation of flexible thermal linings.	A person registered in respect of that type of work by Blue Flame Certification Limited, British Board of Agrément, CERTASS Limited, Certsure LLP, NAPIT Registration Limited or Stroma Certification Limited."

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Adeiladu 2010 ("Rheoliadau 2010") o ran Cymru.

Mae rheoliad 3 yn rhoi'r Tabl wedi ei adolygu a'i ddiweddaru yn yr Atodlen i'r Rheoliadau hyn yn lle'r Tabl yn Atodlen 3 i Reoliadau 2010.

Mae'r Tabl yn Atodlen 3 (cynlluniau hunanardystio ac esemptiadau o'r gofyniad i roi hysbysiad adeiladu neu i adneuo cynlluniau llawn) i Reoliadau 2010 yn rhestru'r holl gyrff a awdurdodwyd

(**22**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 02591364.
(**23**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 03044131.
(**24**) Cwmni a ffurfiwyd ac a gofrestrwyd o dan y Deddfau Cwmnïau â'r rhif cofrestru 00878293.

i weithredu cynlluniau hunanardystio personau cymwys ar gyfer gwahanol fathau o waith. Mae gosodwyr sydd wedi eu cofrestru â'r cynlluniau hyn wedi eu hawdurdodi i ardystio bod eu gwaith eu hunain yn cydymffurfio â Rheoliadau 2010 heb iddo gael ei wirio gan gorff rheoli adeiladu.

Mae rheoliad 4 yn diwygio rheoliad 43(4) (profi pwysedd) o Reoliadau 2010 mewn perthynas â'r cyrff y caniateir iddynt ardystio cydymffurfedd â'r rheoliad hwnnw.

Paratowyd asesiad effaith rheoleiddiol mewn perthynas â'r Rheoliadau hyn. Mae copïau ar gael oddi wrth Lywodraeth Cymru ym Mharc Cathays, Caerdydd, CF10 3NQ ac ar wefan Llywodraeth Cymru yn www.wales.gov.uk.