



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2022 Rhif 1287 (Cy. 261) (C. 104)

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

**ADEILADU AC ADEILADAU,
CYMRU**

**BUILDING AND BUILDINGS,
WALES**

Rheoliadau Deddf Diogelwch
Adeiladau 2022 (Cychwyn Rhif 2)
(Cymru) 2022

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

NODYN ESBONIADOL

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

Gwneir y Rheoliadau Cychwyn hyn gan Weinidogion Cymru o dan Ddeddf Diogelwch Adeiladau 2022 (p. 30) (“y Ddeddf”).

Mae rheoliad 2 yn dod â nifer o ddarpariaethau o ran adeiladau risg uwch yng Nghymru i rym ar 9 Rhagfyr 2022. Sef, adran 31 o'r Ddeddf sy'n mewnosod adran 120I newydd yn Neddf Adeiladu 1984 (“Deddf 1984”), sy'n caniatáu Gweinidogion Cymru i ddiffinio “higher-risk building” at ddibenion Deddf 1984; adran 55 o'r Ddeddf; a'r paragraffau a ganlyn o Atodlen 5 i'r Ddeddf;

- paragraff 1;
- paragraff 77 i'r graddau y mae'n ymwneud ag—
 - adran 120A newydd o Ddeddf 1984 (gydag is-adrannau (1), (2), (3), (4), (6), (9) a (10) yn cael effaith o ran Cymru) sy'n gwneud darpariaeth ar gyfer gwneud rheoliadau mewn perthynas ag adrannau penodol o Ddeddf 1984, gan gynnwys adran 120I(2), ac
 - adran 120C newydd o Ddeddf 1984 sy'n cynnwys gofynion ymgynghori ar gyfer rheoliadau a wneir o dan adran 120I;

EXPLANATORY NOTE

(This note is not part of the Regulations)

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

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

- paragraph 1;
- paragraph 77 so far as relating to—
 - new section 120A of the 1984 Act (with subsections (1), (2), (3), (4), (6), (9) and (10) having effect in relation to Wales) which makes provision for the making of regulations in relation to certain sections of the 1984 Act, including section 120I(2), and
 - new section 120C of the 1984 Act which contains consultation requirements for regulations made under section 120I;

- paragraff 78 sy'n gwneud diwygiadau canlyniadol i adran 121 o Ddeddf 1984, yn rhannol o ganlyniad i gychwyn adran 120I newydd;
- paragraff 81(1) sy'n diwygio adran 126 o Ddeddf 1984 i fewnosod diffiniadau penodol newydd a pharagraff 81(2) i'r graddau y mae'n ymwneud â'r diffiniadau o "appropriate national authority" a "higher-risk building".
- paragraph 78 which makes consequential amendments to section 121 of the 1984 Act, in part as a result of the commencement of new section 120I;
- paragraph 81(1) which amends section 126 of the 1984 Act to insert certain new definitions and paragraph 81(2) so far as relating to the definitions of "appropriate national authority" and "higher-risk building".

NODIADAU AM Y RHEOLIADAU CYCHWYN CYNHARACH

Mae'r darpariaethau a ganlyn o'r Ddeddf wedi eu dwyn i rym o ran Cymru drwy Reoliadau Cychwyn a wnaed cyn dyddiad y Rheoliadau hyn.

NOTES AS TO EARLIER COMMENCEMENT REGULATIONS

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

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>
Adran 132 (at ddibenion gwneud rheoliadau)	28 Mai 2022	2022/561
Adran 2(2) ac Atodlen 1	28 Mehefin 2022	2022/561
Adrannau 130 a 131	28 Mehefin 2022	2022/561
Adran 132 (at yr holl ddibenion sy'n weddill)	28 Mehefin 2022	2022/561
Adran 48	28 Gorffennaf 2022	2022/774 (Cy. 169)

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

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Rheoliadau Deddf Diogelwch
Adeiladau 2022 (Cychwyn Rhif 2)
(Cymru) 2022

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

Gwnaed

6 Rhagfyr 2022

Made

6 December 2022

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir iddynt gan adran 170(4)(a)(i), (4)(a)(v) a (4)(b)(viii) o Ddeddf Diogelwch Adeiladau 2022(1).

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

Enwi a dehongli

Title and Interpretation

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Diogelwch Adeiladau 2022 (Cychwyn Rhif 2) (Cymru) 2022.

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

(2) Yn y Rheoliadau hyn ystyr “Deddf 1984” yw Deddf Adeiladu 1984(2).

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

Y darpariaethau sy'n dod i rym ar 9 Rhagfyr 2022

Provisions coming into force on 9 December 2022

2. Daw'r darpariaethau a ganlyn o Ddeddf Diogelwch Adeiladau 2022 i rym ar 9 Rhagfyr 2022—

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

- (a) adran 31 (adeiladau risg uwch etc), i'r graddau y mae'n ymwneud ag adran 120I o Ddeddf 1984;
- (b) adran 55 (mân ddiwygiadau a diwygiadau canlyniadol);
- (c) yn Atodlen 5—
 - (i) paragraff 1;
 - (ii) paragraff 77 i'r graddau y mae'n ymwneud ag—
 - (aa) adran 120A o Ddeddf 1984 o ran Cymru, a

- (a) section 31 (higher-risk buildings etc), so far as relating to section 120I of the 1984 Act;
- (b) section 55 (minor and consequential amendments);
- (c) in Schedule 5—
 - (i) paragraph 1;
 - (ii) paragraph 77 so far as relating to—
 - (aa) section 120A of the 1984 Act in relation to Wales, and

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

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

- (bb) adran 120C o Ddeddf 1984;
- (iii) paragraff 78 o ran Cymru;
- (iv) paragraff 81(1) a'r diffiniadau o "appropriate national authority" a "higher-risk building" ym mharagraff 81(2), i gyd o ran Cymru.

- (bb) section 120C of the 1984 Act;
- (iii) paragraph 78 in relation to Wales;
- (iv) paragraph 81(1) and the definitions of "appropriate national authority" and "higher-risk building" in paragraph 81(2), all in relation to Wales.

Julie James

Y Gweinidog Newid Hinsawdd, un o Weinidogion
Cymru
6 Rhagfyr 2022

Minister for Climate Change, one of the Welsh
Ministers
6 December 2022

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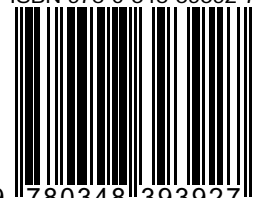
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