
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Building Regulations 2010 (“the Building Regulations”) and the Building (Approved Inspectors etc.) Regulations 2010 (“the Approved Inspectors Regulations”) as they apply in relation to Wales. The amendments made by these Regulations apply the new metric for the measurement of energy efficiency in the form of a target primary energy rate to new dwellings. Previously, primary energy consumption rates applied to buildings other than dwellings.

The amendments also introduce new energy efficiency ratings to new buildings and introduce a new regulation for on-site electricity generation and in relation to overheating (in particular by virtue of the insertion of paragraph L2 into Part L of Schedule 1 to the Building Regulations and a new Part O). These Regulations also amend the application of Part F relating to mechanical ventilation air flow testing. Amendments are made to the Approved Inspectors Regulations in consequence of these changes.

These Regulations also make transitional provision for building work on a particular building where the building work has been started in accordance with a relevant notification provision, provided that the building work on that building has already commenced, or is started within 12 months of these Regulations coming into force.

Schedule 3 to the Building Regulations is amended to reflect changes to bodies participating in self-certification schemes.

The Building Act 1984 gives the Secretary of State the power to approve and issue documents containing practical guidance with respect to the requirements contained in the Building Regulations. That power is exercisable by the Welsh Ministers insofar as it applies to Wales.

Approved Document L Volume 1, 2022 edition, Approved Document F Volume 1, 2022 edition and Approved Document O, 2022 edition contains practical guidance on meeting the new requirements inserted into the Building Regulations by this instrument. The Approved Documents are published by the Welsh Ministers and may be accessed at www.gov.wales.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.wales.

Changes to legislation:

There are currently no known outstanding effects for the The Building (Amendment) (Wales) Regulations 2022.