



Mae'r Offeryn Statudol hwn yn cywiro gwallau yn O.S. 2022/564 (Cy. 130) ac fe'i dyroddir yn rhad ac am ddim i bawb y gwyddys iddynt gael yr Offeryn Statudol hwnnw.

This Statutory Instrument corrects errors in S.I. 2022/564 (W. 130) and is being issued free of charge to all known recipients of that Statutory Instrument.

OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2022 Rhif 993 (Cy. 210)

2022 No. 993 (W. 210)

**ADEILADU AC ADEILADAU,
CYMRU**

**BUILDING AND BUILDINGS,
WALES**

**Rheoliadau Adeiladu (Diwygio)
(Cymru) (Rhif 2) 2022**

**The Building (Amendment) (Wales)
(No. 2) Regulations 2022**

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Adeiladu 2010 ("y Rheoliadau Adeiladu") fel y maent yn gymwys o ran Cymru a Rheoliadau Adeiladu (Diwygio) (Cymru) 2022 ("Rheoliadau Diwygio 2022").

Mae Atodlen 1 i'r Rheoliadau Adeiladu yn nodi'r hyn sy'n ofynnol wrth gyflawni gwaith adeiladu. Mae rheoliad 2 yn estyn paragraff L2 o Atodlen 1 (cynhyrchu trydan ar y safle) i adeiladau annomestig.

Mae rheoliad 3 yn gwneud diwygiadau i'r darpariaethau trosiannol yn rheoliad 21 o Reoliadau Diwygio 2022. Mae'r diwygiadau yn rheoliad 3 yn cywiro mân wallau ac yn eithrio Rhannau 2 a 3 o Reoliadau Diwygio 2022 rhag bod yn gymwys i safleoedd sy'n dod o dan ddarpariaethau trosiannol blaenorol. Gwna hyn drwy bennu'r dyddiadau perthnasol erbyn pryd y dylid bod wedi cydymffurfio â darpariaeth hysbysu (31 Gorffennaf 2014) ac erbyn pryd y dylai'r gwaith adeiladu fod wedi cychwyn (31 Gorffennaf 2015).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Building Regulations 2010 ("the Building Regulations") as they apply in relation to Wales and the Building (Amendment) (Wales) Regulations 2022 ("the 2022 Amendment Regulations").

Schedule 1 of the Building Regulations contains requirements for carrying out building work. Regulation 2 extends paragraph L2 of Schedule 1 (on-site generation of electricity) to non-domestic buildings.

Regulation 3 makes amendments to the transitional provisions in regulation 21 of the 2022 Amendment Regulations. The amendments in Regulation 3 correct minor errors and exclude Parts 2 and 3 of the 2022 Amendment regulations from applying to sites falling under previous transitional provisions. It does this by specifying the relevant dates for when a notification provision should have been complied with (31 July 2014) and building work started (31 July 2015).

Mae rheoliad 4 yn gwneud darpariaethau trosiannol fel nad yw'r diwygiad a wneir gan reoliad 2 yn gymwys pan fo gwaith adeiladu ar adeilad unigol wedi cychwyn yn unol â darpariaeth hysbysu berthnasol, ar yr amod bod y gwaith adeiladu ar yr adeilad hwnnw eisoes wedi cychwyn neu y cydymffurfiwyd â darpariaeth hysbysu berthnasol eisoes ac y cychwynnir y gwaith adeiladu ar yr adeilad hwnnw o fewn 12 mis i'r adeg y daw'r Rheoliadau hyn i rym. Mae rheoliad 4 hefyd yn eithrio'r diwygiad i Ran L (rheoliad 2) rhag bod yn gymwys i safleoedd fel y'u nodir yn rheoliad 3.

Mae Deddf Adeiladu 1984 yn rhoi'r pŵer i'r Ysgrifennydd Gwladol gymeradwyo a chyhoeddi dogfennau sy'n cynnwys canllawiau ymarferol yn ymwneud â'r gofynion a geir yn y Rheoliadau Adeiladu. Mae'r pŵer hwnnw yn arferadwy gan Weinidogion Cymru i'r graddau y mae'n gymwys o ran Cymru.

Mae Dogfen Gymeradwy L Cyfrol 2, rhifyn 2022, yn cynnwys canllawiau ymarferol ar fodloni gofynion y Rheoliadau Adeiladu sydd wedi cael eu diwygio gan yr offeryn hwn. Mae'r Dogfennau Cymeradwy wedi eu cyhoeddi gan Weinidogion Cymru a gellir cael gafael arnynt ar www.llyw.cymru.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac mae wedi ei gyhoeddi ar www.llyw.cymru.

Regulation 4 makes transitional provisions so that the amendment made by Regulation 2 does not apply where building work on an individual building has started in accordance with a relevant notification provision, provided that the building work on that building has already commenced or a relevant notification provision has already been complied with and building work on that building is started within 12 months of these Regulations coming into force. Regulation 4 also excludes the amendment to Part L (Regulation 2) from applying to sites as set out in Regulation 3.

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 2, 2022 edition, contains practical guidance on meeting the requirements of the Building Regulations which have been amended 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.

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**Rheoliadau Adeiladu (Diwygio)
(Cymru) (Rhif 2) 2022**

**The Building (Amendment) (Wales)
(No. 2) Regulations 2022**

Gwnaed 26 Medi 2022

Made 26 September 2022

*Gosodwyd gerbron Senedd
Cymru* 28 Medi 2022

Laid before Senedd Cymru 28 September 2022

Yn dod i rym yn unol â rheoliad 1(3)

*Coming into force in accordance with
regulation 1(3)*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 1 a 34 o Ddeddf Adeiladu 1984(1), a pharagraffau 2, 7, 8 a 10 o Atodlen 1 iddi, sydd bellach yn arferadwy ganddynt hwy(2).

The Welsh Ministers make the following Regulations in exercise of the powers conferred on the Secretary of State by sections 1 and 34 of, and paragraphs 2, 7, 8 and 10 of Schedule 1 to, the Building Act 1984(1), now exercisable by them(2).

Wrth wneud y Rheoliadau hyn mae Gweinidogion Cymru yn rhoi sylw i'r materion yn adran 1A(3) o'r Ddeddf honno a chyn gwneud y Rheoliadau hyn gwnaethant ymgynghori â Phwyllgor Cynghori Cymru ar Reoliadau Adeiladu a'r cyrff eraill hynny yr ymddengys iddynt eu bod yn cynrychioli'r buddiannau

In making these Regulations the Welsh Ministers have regard to the matters in section 1A(3) of that Act and before making these Regulations the Welsh Ministers consulted the Building Regulations Advisory Committee for Wales and such other bodies as appear to them to be representative of the interests concerned

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- (1) 1984 p. 55; diwygiwyd adran 1(1) gan adran 1(1) a (2) o Ddeddf Adeiladu Cynaliadwy a Diogel 2004 (p. 22) ("Deddf 2004"). Mewnosodwyd adran (1A) gan adran 1(3) o Ddeddf 2004. Diwygiwyd paragraff 7 o Atodlen 1 gan adran 3 o Ddeddf 2004 ac 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 2004 ac adran 40 o Ddeddf Rheoli Llifogydd a Dŵr 2010 (p. 29).
- (2) Cafodd y swyddogaethau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 1 a 34 o Ddeddf Adeiladu 1984, a pharagraffau 2, 7, 8 a 10 o Atodlen 1 iddi, i'r graddau yr oeddent yn arferadwy o ran Cymru, eu trosglwyddo i Weinidogion Cymru gan erthygl 2 o Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) (Rhif 2) 2009 (O.S. 2009/3019) ("Gorchymyn 2009") ac adran 54 o Ddeddf Cymru 2017 (p. 4).
- (3) Mewnosodwyd adran 1A gan adran 2 o Ddeddf 2004.

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- (1) 1984 c. 55; section 1(1) was amended by section 1(1) and (2) of the Sustainable and Secure Buildings Act 2004 (c. 22) ("the 2004 Act"). Section (1A) was inserted by section 1(3) of the 2004 Act. Paragraph 7 of Schedule 1 was amended by section 3 of the 2004 Act and by section 11 of the Climate Change and Sustainable Energy Act 2006 (c. 19); and paragraph 8 of Schedule 1 was amended by section 3 of the 2004 Act and section 40 of the Flood and Water Management Act 2010 (c. 29).
- (2) The functions conferred on the Secretary of State by sections 1 and 34 of, and paragraphs 2, 7, 8 and 10 of Schedule 1 to, the Building Act 1984 were, insofar as exercisable in relation to Wales, transferred to the Welsh Ministers by article 2 of the Welsh Ministers (Transfer of Functions) (No. 2) Order 2009 (S.I. 2009/3019) ("the 2009 Order") and section 54 of the Wales Act 2017 (c. 4).
- (3) Section 1A was inserted by section 2 of the 2004 Act.

o dan sylw yn unol ag adran 14(7) o Ddeddf Adeiladu 1984(1).

Enwi, cymhwyso a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Adeiladu (Diwygio) (Cymru) (Rhif 2) 2022.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(3) Daw'r Rheoliadau hyn i rym ar y dyddiadau a ganlyn—

- (a) daw'r rheoliad hwn a rheoliad 3 i rym ar 22 Tachwedd 2022; a
- (b) daw rheoliadau 2 a 4 i rym ar 29 Mawrth 2023.

Diwygio Rheoliadau Adeiladu 2010

2.—(1) Mae Rheoliadau Adeiladu 2010(2) wedi eu diwygio fel a ganlyn.

(2) Yn Atodlen 1 (gofynion), yn Rhan L (arbed tanwydd a phŵer), yn ail golofn cofnod L2 (cynhyrchu trydan ar y safle) hepgorer “Requirement L2 applies only to dwellings.”

Diwygio Rheoliadau Adeiladu (Diwygio) (Cymru) 2022

3.—(1) Mae Rheoliadau Adeiladu (Diwygio) (Cymru) 2022(3) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 21(1) (darpariaeth drosiannol)—

- (a) ar ôl “Rheoliadau hyn” yn y lle cyntaf y mae'n ymddangos mewn nosoder “(heblaw am reoliadau 14 a 17)”;
- (b) yn is-baragraff (b), ar ôl “adeilad unigol” mewn nosoder “cyn y diwrnod y daw'r Rheoliadau hyn i rym”;
- (c) ar ôl is-baragraff (b), mewn nosoder—

“, neu

- (c) pan gydymffurfiwyd â darpariaeth hysbysu berthnasol cyn 31 Gorffennaf 2014 a bod y gwaith adeiladu wedi cychwyn cyn 31 Gorffennaf 2015 yn unol â'r ddarpariaeth hysbysu berthnasol.”

in accordance with section 14(7) of the Building Act 1984(1).

Title, application and commencement

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

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force on the following dates—

- (a) this regulation and regulation 3 on 22 November 2022; and
- (b) regulations 2 and 4 on 29 March 2023.

Amendment of the Building Regulations 2010

2.—(1) The Building Regulations 2010(2) are amended as follows.

(2) In Schedule 1 (requirements), in Part L (conservation of fuel and power), in the second column of entry L2 (on-site generation of electricity) omit “Requirement L2 applies only to dwellings.”

Amendment of the Building (Amendment) (Wales) Regulations 2022

3.—(1) The Building (Amendment) (Wales) Regulations 2022(3) are amended as follows.

(2) In regulation 21(1) (transitional provision)—

- (a) after “Regulations” in the first place it occurs insert “(other than regulations 14 and 17)”;
- (b) in sub-paragraph (b), after “individual building” insert “prior to the day these Regulations come into force”;
- (c) after sub-paragraph (b) insert—

“, or

- (c) a relevant notification provision has been complied with before 31 July 2014 and building work has commenced before 31 July 2015 in accordance with the relevant notification provision.”

(1) Mewn nosodwyd adran 14(7) gan erthygl 8 o Orchymyn 2009.

(2) O.S. 2010/2214, a ddiwygiwyd gan O.S. 2013/747 (Cy. 89) a 2022/564 (Cy. 130); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol.

(3) O.S. 2022/564 (Cy. 130).

(1) Section 14(7) was inserted by article 8 of the 2009 Order.

(2) S.I. 2010/2214, amended by S.I. 2013/747 (W. 89) and 2022/564 (W. 130); there are other amending instruments, but none are relevant.

(3) S.I. 2022/564 (W. 130).

Darpariaeth Drosiannol

4.—(1) Nid yw'r diwygiad a wneir gan reoliad 2 yn gymwys—

- (a) pan fo'r gwaith adeiladu ar adeilad penodol wedi cychwyn cyn 29 Mawrth 2023 yn unol ag unrhyw ddarpariaeth hysbysu berthnasol,
- (b) pan gydymffurfiwyd â darpariaeth hysbysu berthnasol mewn perthynas â gwaith adeiladu arfaethedig ar adeilad unigol cyn 29 Mawrth 2023 a bod y gwaith adeiladu wedi cychwyn o fewn 12 mis gan ddechrau â 29 Mawrth 2023, neu
- (c) pan gydymffurfiwyd â darpariaeth hysbysu berthnasol cyn 31 Gorffennaf 2014 a bod y gwaith adeiladu wedi cychwyn cyn 31 Gorffennaf 2015 yn unol â'r ddarpariaeth hysbysu berthnasol.

(2) Yn y rheoliad hwn, ystyr “darpariaeth hysbysu berthnasol” yw rheoliad 12(2) o Reoliadau Adeiladu 2010 ac adrannau 47(1), 50, 51A(2) a 54 o Ddeddf Adeiladu 1984.

Transitional Provision

4.—(1) The amendment made by regulation 2 does not apply where—

- (a) building work on a particular building has been commenced prior to 29 March 2023 in accordance with any relevant notification provision,
- (b) a relevant notification provision has been complied with in relation to proposed building work on an individual building prior to 29 March 2023 and the building work has commenced within 12 months beginning with 29 March 2023, or
- (c) a relevant notification provision has been complied with before 31 July 2014 and building work has commenced before 31 July 2015 in accordance with the relevant notification provision.

(2) In this regulation, “relevant notification provision” means regulation 12(2) of the Building Regulations 2010 and sections 47(1), 50, 51A(2) and 54 of the Building Act 1984.

Julie James

Y Gweinidog Newid Hinsawdd, un o Weinidogion
Cymru
26 Medi 2022

Minister for Climate Change, one of the Welsh
Ministers
26 September 2022

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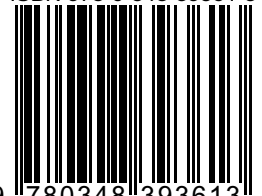
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