OFFERYNNAU STATUDOL CYMRU

2025 Rhif 1320 (Cy. 215)

ADEILADU AC ADEILADAU, CYMRU

Rheoliadau Adeiladu etc. (Diwygio) (Rhif 2) (Cymru) 2025

Gwnaed	*12 Rhagfyr 2025*
Gosodwyd gerbron Senedd Cymru	*18 Rhagfyr 2025*
Yn dod i rym	*1 Gorffennaf 2026*

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WELSH STATUTORY INSTRUMENTS

2025 No. 1320 (W. 215)

BUILDING AND BUILDINGS, WALES

The Building etc. (Amendment) (No. 2) (Wales) Regulations 2025

Made	*12 December 2025*
Laid before Senedd Cymru	*18 December 2025*
Coming into force	*1 July 2026*

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NODYN ESBONIADOL

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

Mae'r offeryn hwn yn rhan o set o Reoliadau sy'n gweithredu Rhan 3 o Ddeddf Diogelwch Adeiladau 2022.

Mae Rhan 2 o'r Rheoliadau hyn yn gwneud nifer o ddiwygiadau i Reoliadau Adeiladu 2010. Mae rheoliad 3 yn mewnosod nifer o ddiffiniadau newydd.

Mae rheoliad 4, drwy fewnosod dau reoliad newydd, yn darparu nad yw'r rhan fwyaf o'r gofynion gweithdrefnol yn Rheoliadau Adeiladu 2010 yn gymwys mewn perthynas ag adeiladau risg uwch. (Yn hytrach, mae'r gweithdrefnau a nodir yn Rheoliadau Adeiladu (Gweithdrefnau Adeiladau Risg Uwch) (Cymru) 2025 yn gymwys).

Mae rheoliad 5 yn mewnosod Rhan newydd 2B yn Rheoliadau Adeiladu 2010. Mae'r Rhan newydd hon yn nodi'r trefniadau y mae rhaid i gleient eu gwneud mewn perthynas â phrosiect, gan gynnwys yn y rhan fwyaf o achosion benodi prif gontractwr a phrif ddylunydd, a darpariaethau ynghylch dyletswyddau a chymhwysedd personau sy'n gweithio ar brosiect. Mae rheoliad 5 hefyd yn darparu bod rhaid i'r cleient hysbysu'r awdurdod rheolaeth adeiladu pan fo'r prif gontractwr neu'r prif ddylunydd mewn perthynas â'r gwaith yn newid, a bod rhaid i'r cleient, ar ôl i'r gwaith gael ei gwblhau, anfon hysbysiad i'r awdurdod sy'n cynnwys datganiadau cydymffurfedd ynghylch y gwaith.

EXPLANATORY NOTE

(This note is not part of the Regulations)

This instrument is part of a set of Regulations which implement Part 3 of the Building Safety Act 2022.

Part 2 of these Regulations makes a number of amendments to the Building Regulations 2010. Regulation 3 inserts a number of new definitions.

Regulation 4, through the insertion of two new regulations, provides that most of the procedural requirements in the Building Regulations 2010 do not apply in relation to higher-risk buildings. (Instead the procedures set out in the Building (Higher-Risk Buildings Procedures) (Wales) Regulations 2025 apply).

Regulation 5 inserts a new Part 2B into the Building Regulations 2010. This new Part sets out the arrangements a client must make in relation to a project, including the appointment in most cases of a principal contractor and a principal designer, and provisions as to the duties and competence of persons working on a project. Regulation 5 also provides that the client must notify the building control authority where the principal contractor or principal designer in relation to the work changes, and that, after completion of the work, the client must send a notice to the authority which includes compliance statements as to the work.

Mae rheoliad 6 yn newid nifer o gyfeiriadau at “deposits of plans” i “applications for building control approval” ac yn gwneud diwygiadau i adlewyrchu’r diffiniad o “building control authority” yn adran 121A o Ddeddf Adeiladu 1984.

Regulation 6 changes a number of references to “deposit of plans” to “applications for building control approval” and makes amendments to reflect the definition of “building control authority” in section 121A of the Building Act 1984.

Mae rheoliad 7 yn mewnosod darpariaethau newydd, sy’n cyfateb i’r rhai a oedd yn adran 16 o Ddeddf Adeiladu 1984, mewn perthynas â cheisiadau am gymeradwyaeth rheolaeth adeiladu, ac mae rheoliad 8 yn mewnosod darpariaeth newydd, sy’n cyfateb i erthygl 45 o Orchymyn Diwygio Rheoleiddio (Diogelwch Tân) 2005, mewn perthynas ag ymgynghori ar geisiadau.

Regulation 7 inserts new provisions, equivalent to those which were in section 16 of the Building Act 1984, in relation to applications for building control approval, and regulation 8 inserts new provision, equivalent to article 45 of the Regulatory Reform (Fire Safety) Order 2005, in relation to consultation on applications.

Mae rheoliad 9 yn diwygio’r hysbysiad o fwriad i gychwyn gwaith a geir ar hyn o bryd yn rheoliad 16 o Reoliadau Adeiladu 2010 i ddod yn hysbysiad o ddechrau gwaith, ac yn mewnosod gofyniad newydd i roi hysbysiad pan ystyrir bod gwaith wedi ei gychwyn. Mae hefyd yn nodi’r diffiniad o’r hyn sydd i’w ystyried yn gychwyn gwaith at ddibenion cymeradwyaeth rheolaeth adeiladu yn darfod.

Regulation 9 amends the existing notice of intention to commence works in regulation 16 of the Building Regulations 2010 to become a notice of starting work, and inserts a new requirement to give a notice where work is regarded as commenced. It also sets out the definition of what is to be regarded as commencement of work for the purposes of lapse of building control approval.

Mae rheoliad 10 yn diwygio rheoliad 38 o Reoliadau Adeiladu 2010 i ddarparu bod rhaid i’r person cyfrifol gydnabod ei fod wedi cael yr wybodaeth am ddiogelwch tân a ddarperir o dan reoliad 38, a bod rhaid i’r person sy’n cynnal y gwaith roi hysbysiad i’r awdurdod rheolaeth adeiladu yn cadarnhau bod y person cyfrifol wedi cael yr wybodaeth.

Regulation 10 amends regulation 38 of the Building Regulations 2010 to provide that the responsible person must acknowledge receipt of the fire safety information provided under regulation 38, and the person carrying out the work must give a notice to the building control authority confirming the information was received by the responsible person.

Mae rheoliad 11 yn gwneud darpariaeth mewn perthynas â’r weithdrefn ar gyfer apelau o dan Ddeddf Adeiladu 1984 – darparodd Rhan 3 o Ddeddf Diogelwch Adeiladau 2022 ar gyfer nifer o hawliau i apelio newydd, a symudodd y rhan fwyaf o apelau o Weinidogion Cymru i’r awdurdod rheolaeth adeiladu a’r llys ynadon.

Regulation 11 makes provision in relation to the procedure for appeals under the Building Act 1984 – Part 3 of the Building Safety Act 2022 provided for a number of new rights of appeal, and moved most appeals from the Welsh Ministers to the building control authority and the magistrates’ court.

Mae rheoliad 12 yn hepgor rheoliadau 45 a 46 o Reoliadau Adeiladu 2010, ac mae hyn yn gysylltiedig â chychwyn adran 33 o Ddeddf Adeiladu 1984.

Regulation 12 omits regulations 45 and 46 of the Building Regulations 2010, this is linked to the commencement of section 33 of the Building Act 1984.

Mae rheoliad 13 yn diwygio rheoliad 20 o Reoliadau Adeiladu 2010 i ddarparu bod y cleient ar gyfer y prosiect yn sicrhau bod y person sy’n cynnal gwaith mewn perthynas ag adeilad risg uwch yn ymwybodol bod yr adeilad yn adeilad risg uwch.

Regulation 13 amends regulation 20 of the Building Regulations 2010 to provide that the client for the project ensures the person carrying out work in relation to a higher-risk building is aware the building is a higher-risk building.

Mae rheoliad 14 yn diweddaru’r rhestr o ddarpariaethau na all eu torri arwain at erlyniad i gynnwys nifer o’r dyletswyddau newydd a fewnosodir gan yr offeryn hwn, a gwneir darpariaeth gyfatebol ar gyfer eithrio rhag hysbysiadau cydymffurfio. Gwneir darpariaeth hefyd ar gyfer hysbysiadau stop a chynnwys hysbysiadau cydymffurfio, a gweithdrefnau mewn perthynas â hwy.

Regulation 14 updates the list of provisions whose breach cannot result in prosecution to include a number of the new duties inserted by this instrument, and equivalent provision is made for exclusion from compliance notices. Provision is also made for stop notices and the content of compliance notices, and procedures in relation to them.

Mae rheoliad 15 yn gwneud diwygiadau amrywiol i Reoliadau Adeiladu 2010, gan gynnwys hepgor rheoliad 48 sy'n ganlyniadol ar ddiwygiad i adran 94 o Ddeddf Adeiladu 1984 gan Ddeddf Diogelwch Adeiladau 2022, a diwygiadau i reoliadau 44ZAA a 44C i ddarparu eglurder mewn perthynas â'r gofynion ar gyfer datblygwyr sy'n darparu rhwydweithiau cyfathrebiadau electronig cyhoeddus.

Mae rheoliadau 16 i 18 yn gwneud nifer o ddiwygiadau canlyniadol i is-ddeddfwriaeth er mwyn disodli, er enghraifft, gyfeiriadau at blaniau a adneuwyd. Y rheoliadau a ddiwygir yw: Rheoliadau Adeiladu (Taliadau Awdurdodau Lleol) 2010, Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladau etc.) (Cymru) 2024 a Rheoliadau Adeiladu (Gweithgareddau a Swyddogaethau Cyfyngedig) (Cymru) 2024.

Mae rheoliadau 19 i 22 yn gwneud darpariaethau trosiannol a darpariaethau arbed.

Mae'r Atodlen yn gwneud amnewidiadau ac ychwanegiadau i'r ffurflenni yn Atodlen 1 i Reoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024.

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 15 makes miscellaneous amendments to the Building Regulations 2010 including the omission of regulation 48 which is consequential on an amendment to section 94 of the Building Act 1984 by the Building Safety Act 2022, and amendments to regulations 44ZAA and 44C to provide clarity in relation to the requirements for developers providing public electronic communications networks.

Regulations 16 to 18 make a number of consequential amendments to secondary legislation to replace, for example, references to deposited plans. The regulations amended are: the Building (Local Authority Charges) Regulations 2010, the Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024, and the Building (Restricted Activities and Functions) (Wales) Regulations 2024.

Regulations 19 to 22 make transitional and saving provisions.

The Schedule makes substitutions and additions to the forms in Schedule 1 to the Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024.

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.

2025 Rhif 1320 (Cy. 215)

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Gosodwyd gerbron Senedd Cymru	*18 Rhagfyr 2025*
Yn dod i rym	*1 Gorffennaf 2026*

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2025 No. 1320 (W. 215)

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Coming into force	*1 July 2026*

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YR ATODLEN — Ffurflenni

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Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adrannau 1(1), 32(6), 34, 35(2) a (3), 35D(1), (2) a (3), 91ZD(1), (2) a (3) a 101A(3) a (4) o Ddeddf Adeiladu 1984(**1**) a pharagraffau 1A i 1D, 1F i 1I, 5A, 5B, 5C, 7, 8, a 10 o Atodlen 1 iddi, ac adran 167(1), (2) a (3) o Ddeddf Diogelwch Adeiladau 2022(**2**).

Mae Gweinidogion Cymru wedi ymgynghori â Phwyllgor Cynghori Cymru ar Reoliadau Adeiladu ac â'r personau eraill hynny y maent yn ystyried eu bod yn briodol o dan adran 14(7) o Ddeddf Adeiladu 1984(**3**).

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by sections 1(1), 32(6), 34, 35(2) and (3), 35D(1), (2), and (3), 91ZD(1), (2) and (3) and 101A(3) and (4) of, and paragraphs 1A to 1D, 1F to 1I, 5A, 5B, 5C, 7, 8, and 10 of Schedule 1 to, the Building Act 1984(**1**), and section 167(1), (2) and (3) of the Building Safety Act 2022(**2**).

The Welsh Ministers have consulted the Building Regulations Advisory Committee for Wales and such other persons they consider appropriate under section 14(7) of the Building Act 1984(**3**).

RHAN 1

Cyflwyniad

Enwi, cymhwyso a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Adeiladu etc. (Diwygio) (Rhif 2) (Cymru) 2025.

(2) Daw'r Rheoliadau hyn i rym ar 1 Gorffennaf 2026.

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

(4) Yn y Rheoliadau hyn ystyr "Rheoliadau 2010" yw Rheoliadau Adeiladu 2010(**4**).

PART 1

Introduction

Title, application and coming into force

1.—(1) The title of these Regulations is the Building etc. (Amendment) (No. 2) (Wales) Regulations 2025.

(2) These Regulations come into force on 1 July 2026.

(3) These Regulations apply in relation to Wales.

(4) In these Regulations "the 2010 Regulations" means the Building Regulations 2010(**4**).

(**1**) 1984 p. 55. Diwygiwyd adran 1 gan adran 1(1), (2) a (3) o Ddeddf Adeiladau Cynaliadwy a Diogel 2004 (p. 22) a pharagraffau 1, 2(1) a (2) o Atodlen 5(1) i Ddeddf Diogelwch Adeiladau 2022 (p. 30) ("Deddf 2022"). Gweler y diffiniadau o "appropriate national authority" a "prescribed" yn adran 126 o Ddeddf Adeiladu 1984 (p. 55) ("Deddf 1984"). Amnewidiwyd adran 32 gan adran 36 o Ddeddf 2022. Amnewidiwyd adran 35 gan adran 39 o Ddeddf 2022. Mewnosodwyd adrannau 35B a 35D gan adran 38 o Ddeddf 2022. Mewnosodwyd adran 91ZD gan adran 32 o Ddeddf 2022. Mewnosodwyd adran 101A gan adran 56 o Ddeddf 2022 a pharagraffau 1 a 30 o Atodlen 6 iddi. Mewnosodwyd paragraffau 1A i 1I o Atodlen 1 gan adran 33 o Ddeddf 2022. Mewnosodwyd paragraffau 5A a 5B o Atodlen 1 gan adran 34 o Ddeddf 2022. Mewnosodwyd paragraff 5C o Atodlen 1 gan adran 35 o Ddeddf 2022. Amnewidiwyd paragraff 10 o Atodlen 1 gan baragraff 83(8) o Atodlen 5 i Ddeddf 2022.

(**2**) 2022 p. 30.

(**3**) Diwygiwyd adran 14(7) gan baragraff 17 o Atodlen 5 i Ddeddf 2022.

(**4**) O.S. 2010/2214 fel y'i diwygiwyd gan O.S. 2013/747 (Cy. 89), 2014/110 (Cy. 10), 2015/1486 (Cy. 165), 2016/611 (Cy. 168), 2018/552 (Cy. 94), 2018/558 (Cy. 97) a 2022/564 (Cy. 214). Mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol i'r offeryn hwn.

(**1**) 1984 c. 55. Section 1 was amended by section 1(1), (2) and (3) of the Sustainable and Secure Buildings Act 2004 (c. 22) and paragraphs 1, 2(1) and (2) of Schedule 5(1) to the Building Safety Act 2022 (c. 30) ("the 2022 Act"). See the definitions of "appropriate national authority" and "prescribed" in section 126 of the Building Act 1984 (c. 55) ("the 1984 Act"). Section 32 was substituted by section 36 of the 2022 Act. Section 35 was substituted by section 39 of the 2022 Act. Section 35B and 35D were inserted by section 38 of the 2022 Act. Section 91ZD was inserted by section 32 of the 2022 Act. Section 101A was inserted by section 56 of, and paragraphs 1 and 30 of Schedule 6 to, the 2022 Act. Paragraphs 1A to 1I of Schedule 1 were inserted by section 33 of the 2022 Act. Paragraphs 5A and 5B of Schedule 1 were inserted by section 34 of the 2022 Act. Paragraph 5C of Schedule 1 was inserted by section 35 of the 2022 Act. Paragraph 10 of Schedule 1 was substituted by paragraph 83(8) of Schedule 5 to the 2022 Act.

(**2**) 2022 c. 30.

(**3**) Section 14(7) was amended by paragraph 17 of Schedule 5 to the 2022 Act.

(**4**) S.I. 2010/2214 as amended by S.I. 2013/747 (W. 89), 2014/110 (W. 10), 2015/1486 (W. 165), 2016/611 (W. 168), 2018/552 (W. 94), 2018/558 (W. 97) and 2022/564 (W. 214). There are other amending instruments but none is relevant to this instrument.

RHAN 2

Diwygio Rheoliadau Adeiladu 2010

Diwygio Rheoliadau 2010

2. Mae Rheoliadau 2010 wedi eu diwygio yn unol â rheoliadau 3 i 15.

Diwygio rheoliad 2

3.Yn rheoliad 2(1) (dehongli) o Reoliadau 2010—

(a) yn y lleoedd priodol mewnosoder—

""application for building control approval with full plans" means an application for building control approval(**1**) under regulations 12(2)(b) and 14;";

""building control approval" has the meaning given by paragraph 1B of Schedule 1 to the Act;";

""building control authority" has the meaning given in section 121A of the Act;";

""business" means a trade, business or other undertaking (whether for profit or not);";

""client" means any person for whom a project is carried out;";

""completion certificate application" has the meaning given in regulation 39(1) of the Building (Higher-Risk Buildings Procedures) (Wales) Regulations 2025(**2**);";

""construction phase" means the period beginning when any building work on a project starts and ending when that project is completed;";

""contractor" means any person (including a client, but not a domestic client) who, in the course of a business, carries out, manages or controls any building work;";

""design work" means the design of any building work;";

""designer" means any person (including a client, contractor or other person referred to in Part 2B of these Regulations) who in the course of a business—

(a) carries out any design work, or

(b) arranges for, or instructs, any person under their control to do so;";

(**1**) Paragraff 1B o Atodlen 1 i Ddeddf Adeiladu 1984 (p. 55).
(**2**) O.S. 2025/1321 (Cy. 216).

PART 2

Amendment of the Building Regulations 2010

Amendment of the 2010 Regulations

2. The 2010 Regulations are amended in accordance with regulations 3 to 15.

Amendments to regulation 2

3. In regulation 2(1) (interpretation) of the 2010 Regulations—

(a) in the appropriate places insert—

""application for building control approval with full plans" means an application for building control approval(**1**) under regulations 12(2)(b) and 14;";

""building control approval" has the meaning given by paragraph 1B of Schedule 1 to the Act;";

""building control authority" has the meaning given in section 121A of the Act;";

""business" means a trade, business or other undertaking (whether for profit or not);";

""client" means any person for whom a project is carried out;";

""completion certificate application" has the meaning given in regulation 39(1) of the Building (Higher-Risk Buildings Procedures) (Wales) Regulations 2025(**2**);";

""construction phase" means the period beginning when any building work on a project starts and ending when that project is completed;";

""contractor" means any person (including a client, but not a domestic client) who, in the course of a business, carries out, manages or controls any building work;";

""design work" means the design of any building work;";

""designer" means any person (including a client, contractor or other person referred to in Part 2B of these Regulations) who in the course of a business—

(a) carries out any design work, or

(b) arranges for, or instructs, any person under their control to do so;";

(**1**) Paragraph 1B of Schedule 1 to the Building Act 1984 (c. 55).
(**2**) S.I. 2025/1321 (W. 216).

““domestic client” means a client for whom a project is being carried out which is not in the course or furtherance of a business of that client;”;

““higher-risk building” has the meaning given in regulation 3 of the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023(**1**);”;

““higher-risk building work” means any work relating to higher-risk building or a proposed higher-risk building, including—

(a) any work relating to a building that is not a higher-risk building that causes it to become such a building, and

(b) any work relating to a higher-risk building that causes it to cease to be such a building.”;

““principal contractor” means—

(a) the contractor appointed under regulation 11U (principal designer and principal contractor) to perform the duties of a principal contractor under these Regulations, or

(b) a person assigned under regulation 11T(1) (domestic clients), including where a domestic client assigns themselves to perform the duties of a principal contractor under these Regulations;”;

““principal designer” means—

(a) the designer appointed under regulation 11U (principal designer and principal contractor) to perform the duties of a principal designer under these Regulations, or

(b) a person assigned under regulation 11T(1) (domestic clients), including where a domestic client assigns themselves to perform the duties of a principal contractor under these Regulations;”;

““project” means a project which includes or is intended to include any building work and includes all planning work, design work, management or other work involved in a project until the end of the construction phase;”;

(**1**) O.S. 2023/1210 (Cy. 213).

““domestic client” means a client for whom a project is being carried out which is not in the course or furtherance of a business of that client;”;

““higher-risk building” has the meaning given in regulation 3 of the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023(**1**);”;

““higher-risk building work” means any work relating to higher-risk building or a proposed higher-risk building, including—

(a) any work relating to a building that is not a higher-risk building that causes it to become such a building, and

(b) any work relating to a higher-risk building that causes it to cease to be such a building.”;

““principal contractor” means—

(a) the contractor appointed under regulation 11U (principal designer and principal contractor) to perform the duties of a principal contractor under these Regulations, or

(b) a person assigned under regulation 11T(1) (domestic clients), including where a domestic client assigns themselves to perform the duties of a principal contractor under these Regulations;”;

““principal designer” means—

(a) the designer appointed under regulation 11U (principal designer and principal contractor) to perform the duties of a principal designer under these Regulations, or

(b) a person assigned under regulation 11T(1) (domestic clients), including where a domestic client assigns themselves to perform the duties of a principal contractor under these Regulations;”;

““project” means a project which includes or is intended to include any building work and includes all planning work, design work, management or other work involved in a project until the end of the construction phase;”;

(**1**) S.I. 2023/1210 (W. 213).

""recipient", in relation to a compliance notice or a stop notice, means the person to whom the notice will be or has been given;" ;

""sole contractor" means a person fulfilling the duties of the principal contractor by virtue of regulation 11U(6);";

""sole or lead designer" means a person fulfilling the duties of the principal designer by virtue of regulation 11U(7);";

""working day" means any day which is not Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971(**1**);";

(b) hepgorer y diffiniad o "full plans".

Diwygiadau i gymhwysiad Rheoliadau 2010

4. Ar ôl rheoliad 2B (datgymhwyso gofynion gweithdrefnol penodol yn Rheoliadau Adeiladu 2010 mewn perthynas â gwaith adeilad risg uwch) mewnosoder—

"**Application: Wales**

2C. Subject to regulation 2D, these Regulations apply to all buildings in Wales, including higher-risk buildings.

Disapplication of certain procedural requirements of the Building Regulations 2010 in relation to higher-risk building work: Wales

2D. The following regulations do not apply to higher-risk building work in Wales—

(a) regulation 12 (giving of a building notice or an application for building control approval);

(b) regulation 13 (particulars and plans where a building notice is given);

(c) regulation 14 (applications for building control approval with full plans);

(d) regulation 14D (determination of applications for building control approval with full plans: Wales);

(e) regulation 15 (consultation with sewerage undertaker);

(**1**) 1971 p. 80.

""recipient", in relation to a compliance notice or a stop notice, means the person to whom the notice will be or has been given;";

""sole contractor" means a person fulfilling the duties of the principal contractor by virtue of regulation 11U(6);";

""sole or lead designer" means a person fulfilling the duties of the principal designer by virtue of regulation 11U(7);";

""working day" means any day which is not Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971(**1**);";

(b) omit the definition of "full plans".

Amendments to the application of the 2010 Regulations

4. After regulation 2B (disapplication of certain procedural requirements of the Building Regulations 2010 in relation to higher-risk building work) insert—

"**Application: Wales**

2C. Subject to regulation 2D, these Regulations apply to all buildings in Wales, including higher-risk buildings.

Disapplication of certain procedural requirements of the Building Regulations 2010 in relation to higher-risk building work: Wales

2D. The following regulations do not apply to higher-risk building work in Wales—

(a) regulation 12 (giving of a building notice or an application for building control approval);

(b) regulation 13 (particulars and plans where a building notice is given);

(c) regulation 14 (applications for building control approval with full plans);

(d) regulation 14D (determination of applications for building control approval with full plans: Wales);

(e) regulation 15 (consultation with sewerage undertaker);

(**1**) 1971 c. 80.

(f) regulation 15B (consultation in relation to fire safety: Wales);

(g) regulation 16 (notices in relation to building work);

(h) regulation 17 (completion certificates);

(i) regulation 17A (certificate for building occupied before work is completed);

(j) regulation 18 (unauthorised building work);

(k) regulation 19 (supervision of building work otherwise than by local authorities);

(l) regulation 38 (fire safety information);

(m) regulation 39 (information about ventilation);

(n) regulation 40 (information about use of fuel and power);

(o) regulation 40A (information about systems for on-site generation of electricity);

(p) regulation 40B (information about overheating).”

Diwygiadau: deiliaid dyletswyddau a chymhwysedd

5. Ar ôl rheoliad 11Q (dehongli’r Rhan hon) mewnosoder y Rhan newydd a ganlyn—

“PART 2B - WALES

Dutyholders and competence

CHAPTER 1

Client

Suitable arrangements to ensure compliance with requirements etc: Wales

11R.—(1) A client must make suitable arrangements for planning, managing and monitoring a project (including allocation of sufficient time and other resources) to ensure compliance with all relevant requirements.

(2) Arrangements under paragraph (1) are suitable if—

(a) they ensure that the design work is carried out so that the building work to which the design relates, if built, would be in compliance with all relevant requirements,

(f) regulation 15B (consultation in relation to fire safety: Wales);

(g) regulation 16 (notices in relation to building work);

(h) regulation 17 (completion certificates);

(i) regulation 17A (certificate for building occupied before work is completed);

(j) regulation 18 (unauthorised building work);

(k) regulation 19 (supervision of building work otherwise than by local authorities);

(l) regulation 38 (fire safety information);

(m) regulation 39 (information about ventilation);

(n) regulation 40 (information about use of fuel and power);

(o) regulation 40A (information about systems for on-site generation of electricity);

(p) regulation 40B (information about overheating).”

Amendments: dutyholders and competence

5. After regulation 11Q (interpretation of this Part) insert the following new Part—

“PART 2B - WALES

Dutyholders and competence

CHAPTER 1

Client

Suitable arrangements to ensure compliance with requirements etc.: Wales

11R.—(1) A client must make suitable arrangements for planning, managing and monitoring a project (including allocation of sufficient time and other resources) to ensure compliance with all relevant requirements.

(2) Arrangements under paragraph (1) are suitable if—

(a) they ensure that the design work is carried out so that the building work to which the design relates, if built, would be in compliance with all relevant requirements,

(b) they ensure the building work is carried out in accordance with all relevant requirements,

(c) they enable the designers and contractors to cooperate with each other to ensure compliance with all relevant requirements, and

(d) they provide for periodic review of the building work (and the design work) included or to be included in the project to identify whether it is higher-risk building work.

(3) A client must ensure that the arrangements under paragraph (1) are maintained and reviewed throughout the project.

(4) A client must provide building information as soon as is practicable to every designer and contractor on the project.

(5) A client must cooperate with any other person working on or in relation to a project to the extent necessary to enable any person with a duty or function under these Regulations to fulfil that duty or function.

(6) Where there is more than one client in relation to a project—

(a) the clients may agree in writing which of them is to be treated for the purposes of these Regulations as the client;

(b) except for the duties specified in sub-paragraph (c), only the person who agreed to be treated as the client under sub-paragraph (a) is subject to the duties owed by a client under these Regulations;

(c) the duties in the following provisions are owed by all clients—

(i) paragraph (4) to the extent that those duties relate to information in the possession of the client or which is reasonably obtainable by or on behalf of the client,

(ii) paragraph (5), and

(iii) regulation 11S (arrangements as to information: higher-risk building work).

(7) In this section—

"building information" means information in the client's possession or which is reasonably obtainable by or on behalf of the client, which is relevant to the building work or the design work, including information about—

(a) the work;

(b) they ensure the building work is carried out in accordance with all relevant requirements,

(c) they enable the designers and contractors to cooperate with each other to ensure compliance with all relevant requirements, and

(d) they provide for periodic review of the building work (and the design work) included or to be included in the project to identify whether it is higher-risk building work.

(3) A client must ensure that the arrangements under paragraph (1) are maintained and reviewed throughout the project.

(4) A client must provide building information as soon as is practicable to every designer and contractor on the project.

(5) A client must cooperate with any other person working on or in relation to a project to the extent necessary to enable any person with a duty or function under these Regulations to fulfil that duty or function.

(6) Where there is more than one client in relation to a project—

(a) the clients may agree in writing which of them is to be treated for the purposes of these Regulations as the client;

(b) except for the duties specified in sub-paragraph (c), only the person who agreed to be treated as the client under sub-paragraph (a) is subject to the duties owed by a client under these Regulations;

(c) the duties in the following provisions are owed by all clients—

(i) paragraph (4) to the extent that those duties relate to information in the possession of the client or which is reasonably obtainable by or on behalf of the client,

(ii) paragraph (5), and

(iii) regulation 11S (arrangements as to information: higher-risk building work).

(7) In this section—

"building information" means information in the client's possession or which is reasonably obtainable by or on behalf of the client, which is relevant to the building work or the design work, including information about—

(a) the work;

(b) planning and management of the project;

(c) issues relating to compliance with any relevant requirement and how they were addressed.

Arrangements as to information: higher-risk building work: Wales

11S.—(1) A client must make suitable arrangements to ensure information is provided to the designers and contractors working on a project which includes any higher-risk building work, to make them aware that the project includes higher-risk building work and the nature of the higher-risk building work.

(2) Paragraph (1) includes a duty to periodically review the building work (and the design work) included or to be included in the project so as to identify whether it is higher-risk building work and to ensure information is provided under paragraph (1) where the work becomes higher-risk building work.

Domestic clients: Wales

11T.—(1) Where the client is a domestic client they may assign the duties in regulations 11R(1) to (3), 11V(2) to (5), 11Z4, and 11Z5 to themselves, or to any other person, provided that—

(a) if the domestic client is undertaking the duties, there is a written statement—

(i) confirming the domestic client understands the duties they are responsible for,

(ii) confirming the domestic client is able to carry out those duties,

(iii) including the location of the building work,

(iv) including the domestic client's name, address, telephone number and (if available) email address, and

(v) signed by the domestic client;

(b) if another person is undertaking the duties, there is a written statement—

(i) confirming the person understands the duties they are responsible for,

(ii) confirming the person is able to carry out those duties,

(b) planning and management of the project;

(c) issues relating to compliance with any relevant requirement and how they were addressed.

Arrangements as to information: higher-risk building work: Wales

11S.—(1) A client must make suitable arrangements to ensure information is provided to the designers and contractors working on a project which includes any higher-risk building work, to make them aware that the project includes higher-risk building work and the nature of the higher-risk building work.

(2) Paragraph (1) includes a duty to periodically review the building work (and the design work) included or to be included in the project so as to identify whether it is higher-risk building work and to ensure information is provided under paragraph (1) where the work becomes higher-risk building work.

Domestic clients: Wales

11T.—(1) Where the client is a domestic client they may assign the duties in regulations 11R(1) to (3), 11V(2) to (5), 11Z4, and 11Z5 to themselves, or to any other person, provided that—

(a) if the domestic client is undertaking the duties, there is a written statement—

(i) confirming the domestic client understands the duties they are responsible for,

(ii) confirming the domestic client is able to carry out those duties,

(iii) including the location of the building work,

(iv) including the domestic client's name, address, telephone number and (if available) email address, and

(v) signed by the domestic client;

(b) if another person is undertaking the duties, there is a written statement—

(i) confirming the person understands the duties they are responsible for,

(ii) confirming the person is able to carry out those duties,

(iii) including the location of the building work,

(iv) including the person's name, address, telephone number and (if available) email address,

(v) signed by the person, and

(vi) signed by the domestic client.

(2) The domestic client must give a written statement as required by paragraph (1)—

(a) in relation to a project which includes higher-risk building work for which an application for building control approval must be submitted to the building control authority, before that application is submitted;

(b) in relation to any other project, before the construction phase begins.

(3) If a domestic client fails to assign a person under paragraph (1) the duties in regulations 11R(1) to (3) and 11V(2) to (5) must be carried out by—

(a) the contractor, where there is only one contractor for a project, or

(b) either—

(i) the principal contractor, or

(ii) the principal designer where the client and the principal designer agree in writing the principal designer is to fulfil those duties,

where there is more than one contractor for a project.

(4) If a domestic client fails to make the appointments required by regulation 11U (principal designer and principal contractor)—

(a) the designer in control of the design phase of the project is the principal designer;

(b) the contractor in control of the construction phase of the project is the principal contractor.

(5) Regulation 11U(5) does not apply to a domestic client.

(iii) including the location of the building work,

(iv) including the person's name, address, telephone number and (if available) email address,

(v) signed by the person, and

(vi) signed by the domestic client.

(2) The domestic client must give a written statement as required by paragraph (1)—

(a) in relation to a project which includes higher-risk building work for which an application for building control approval must be submitted to the building control authority, before that application is submitted;

(b) in relation to any other project, before the construction phase begins.

(3) If a domestic client fails to assign a person under paragraph (1) the duties in regulations 11R(1) to (3) and 11V(2) to (5) must be carried out by—

(a) the contractor, where there is only one contractor for a project, or

(b) either—

(i) the principal contractor, or

(ii) the principal designer where the client and the principal designer agree in writing the principal designer is to fulfil those duties,

where there is more than one contractor for a project.

(4) If a domestic client fails to make the appointments required by regulation 11U (principal designer and principal contractor)—

(a) the designer in control of the design phase of the project is the principal designer;

(b) the contractor in control of the construction phase of the project is the principal contractor.

(5) Regulation 11U(5) does not apply to a domestic client.

Principal designer and principal contractor: Wales

11U.—(1) Where there is more than one contractor, or it is reasonably foreseeable that more than one contractor will be working on a project, the client must appoint in writing—

(a) a designer with control over the design work as the principal designer for the purposes of these Regulations, and

(b) a contractor with control over the building work as the principal contractor for the purposes of these Regulations.

(2) A client is treated as complying with the requirement in paragraph (1) if, instead of appointing a person for the purposes of these Regulations, they certify, in writing, that the person who is the CDM principal designer, or, as the case may be, the CDM principal contractor, is treated as appointed as the principal designer or, as the case may be, the principal contractor, for the purposes of these Regulations.

(3) The appointments under this regulation must be made—

(a) in relation to a project which includes higher-risk building work for which an application for building control approval must be submitted to the building control authority, before that application is submitted;

(b) in relation to any other project, before the construction phase begins.

(4) Where the appointment of a principal designer or the principal contractor ends before the end of the project, as soon as reasonably practicable the client must appoint a new principal designer or new principal contractor under this regulation.

(5) Where the client fails to appoint a principal designer (or a replacement principal designer) or, a principal contractor (or a replacement principal contractor), the client must fulfil the duties of the principal designer or the principal contractor under these Regulations until they appoint another person to that role.

CHAPTER 2
Appointment of principal designer and principal contractor etc.

Principal designer and principal contractor: Wales

11U.—(1) Where there is more than one contractor, or it is reasonably foreseeable that more than one contractor will be working on a project, the client must appoint in writing—

(a) a designer with control over the design work as the principal designer for the purposes of these Regulations, and

(b) a contractor with control over the building work as the principal contractor for the purposes of these Regulations.

(2) A client is treated as complying with the requirement in paragraph (1) if, instead of appointing a person for the purposes of these Regulations, they certify, in writing, that the person who is the CDM principal designer, or, as the case may be, the CDM principal contractor, is treated as appointed as the principal designer or, as the case may be, the principal contractor, for the purposes of these Regulations.

(3) The appointments under this regulation must be made—

(a) in relation to a project which includes higher-risk building work for which an application for building control approval must be submitted to the building control authority, before that application is submitted;

(b) in relation to any other project, before the construction phase begins.

(4) Where the appointment of a principal designer or the principal contractor ends before the end of the project, as soon as reasonably practicable the client must appoint a new principal designer or new principal contractor under this regulation.

(5) Where the client fails to appoint a principal designer (or a replacement principal designer) or, a principal contractor (or a replacement principal contractor), the client must fulfil the duties of the principal designer or the principal contractor, under these Regulations until they appoint another person to that role.

(6) Where there is only one contractor working on a project that contractor is to be treated as appointed as the principal contractor and must fulfil the duties of the principal contractor set out in these Regulations.

(7) Where paragraph (6) applies and—

(a) there is only one designer, or it is reasonably foreseeable that there will be only one designer working on a project, that designer must fulfil the duties of the principal designer set out in these Regulations, or

(b) there is more than one designer or it is reasonably foreseeable that there will be more than one designer working on a project at any time—

(i) the designers must agree in writing which designer is to fulfil the duties of the principal designer set out in these Regulations ("the lead designer");

(ii) the principal designer must give a copy of the agreement to the client.

(8) In relation to higher-risk building work, on appointing a principal designer, for each appointment the client must keep a record, in writing, of the steps it took under paragraph (2) to (4) of regulation 11V (considerations before a person carries out work: Wales).

(9) In relation to higher-risk building work, on appointing a principal contractor, for each appointment the client must keep a record, in writing, of the steps it took under paragraphs (2), (3) and (5) of regulation 11V (considerations before a person carries out work: Wales).

(10) In relation to higher-risk building work, on appointing any other person, the person making the appointment must give to the client (and the client must keep) a record, in writing, of the steps the person making the appointment took under regulation 11V(2) (considerations before a person carries out work: Wales).

(11) In this regulation—

"CDM principal contractor" means a contractor appointed as principal contractor under the CDM Regulations;

"CDM principal designer" means a designer appointed as principal designer under the CDM Regulations;

(6) Where there is only one contractor working on a project that contractor is to be treated as appointed as the principal contractor and must fulfil the duties of the principal contractor set out in these Regulations.

(7) Where paragraph (6) applies and—

(a) there is only one designer, or it is reasonably foreseeable that there will be only one designer working on a project, that designer must fulfil the duties of the principal designer set out in these Regulations, or

(b) there is more than one designer or it is reasonably foreseeable that there will be more than one designer working on a project at any time—

(i) the designers must agree in writing which designer is to fulfil the duties of the principal designer set out in these Regulations ("the lead designer");

(ii) the principal designer must give a copy of the agreement to the client.

(8) In relation to higher-risk building work, on appointing a principal designer, for each appointment the client must keep a record, in writing, of the steps it took under paragraph (2) to (4) of regulation 11V (considerations before a person carries out work: Wales).

(9) In relation to higher-risk building work, on appointing a principal contractor, for each appointment the client must keep a record, in writing, of the steps it took under paragraphs (2), (3) and (5) of regulation 11V (considerations before a person carries out work: Wales).

(10) In relation to higher-risk building work, on appointing any other person, the person making the appointment must give to the client (and the client must keep) a record, in writing, of the steps the person making the appointment took under regulation 11V(2) (considerations before a person carries out work: Wales).

(11) In this regulation—

"CDM principal contractor" means a contractor appointed as principal contractor under the CDM Regulations;

"CDM principal designer" means a designer appointed as principal designer under the CDM Regulations;

"the CDM Regulations" means the Construction (Design and Management) Regulations 2015(**1**).

Considerations before a person carries out work: Wales

11V.—(1) This regulation applies where a person (P) is proposing to use any person (A) to carry out any building work or design work.

(2) Before permitting A to carry out any work—

(a) P must take all reasonable steps to satisfy themself that A—

(i) fulfils the requirements in regulation 11W(1) and (2) (competence: general requirement: Wales), or

(ii) is an individual who is in training to fulfil the requirements in regulation 11W(1) and (2) and arrangements have been put in place to supervise A, and

(b) where the work relates to a higher-risk building, P must—

(i) ask A whether a serious sanction has occurred, in relation to them, within the 5 years ending on the date of the appointment, and

(ii) consider any information available to P relating to any misconduct of A (including any serious sanction).

(3) Before permitting A to undertake any work, P must additionally take all reasonable steps to satisfy themselves that A is able to fulfil the duties of regulation 11Z1 (general duty: Wales).

(4) Where A is to be appointed as the principal designer, the client must take all reasonable steps to satisfy themselves that A fulfils the requirements in regulations 11W(1) and (2) (competence: general requirement: Wales) and 11X(1) (competence: principal designer: Wales) in relation to the design work.

(5) Where A is to be appointed as the principal contractor, the client must take all reasonable steps to satisfy themselves that A fulfils the requirements in regulations 11W(1) and (2) (competence: general requirement: Wales) and 11Y(1) (competence: principal contractor: Wales) in relation to the building work.

(**1**) O.S. 2015/51.

"the CDM Regulations" means the Construction (Design and Management) Regulations 2015(**1**).

Considerations before a person carries out work: Wales

11V.—(1) This regulation applies where a person (P) is proposing to use any person (A) to carry out any building work or design work.

(2) Before permitting A to carry out any work—

(a) P must take all reasonable steps to satisfy themself that A—

(i) fulfils the requirements in regulation 11W(1) and (2) (competence: general requirement: Wales), or

(ii) is an individual who is in training to fulfil the requirements in regulation 11W(1) and (2) and arrangements have been put in place to supervise A, and

(b) where the work relates to a higher-risk building, P must—

(i) ask A whether a serious sanction has occurred, in relation to them, within the 5 years ending on the date of the appointment, and

(ii) consider any information available to P relating to any misconduct of A (including any serious sanction).

(3) Before permitting A to undertake any work, P must additionally take all reasonable steps to satisfy themselves that A is able to fulfil the duties of regulation 11Z1 (general duty: Wales).

(4) Where A is to be appointed as the principal designer, the client must take all reasonable steps to satisfy themselves that A fulfils the requirements in regulations 11W(1) and (2) (competence: general requirement: Wales) and 11X(1) (competence: principal designer: Wales) in relation to the design work.

(5) Where A is to be appointed as the principal contractor, the client must take all reasonable steps to satisfy themselves that A fulfils the requirements in regulations 11W(1) and (2) (competence: general requirement: Wales) and 11Y(1) (competence: principal contractor: Wales) in relation to the building work.

(**1**) S.I. 2015/51.

(6) Any request to undertake any building work or any design work must not be accepted by A if A does not satisfy the requirements in regulation 11W(1) and (2) (competence: general requirement: Wales) at the time of the appointment (except where those requirements do not apply to A by virtue of regulation 11W(3)).

(7) A must not act—

(a) as the principal designer in relation to any design work if A does not satisfy the requirements in regulations 11W(1) and (2) (competence: general requirement: Wales) and 11X(1) (competence: principal designer: Wales) at the time of the appointment as the principal designer;

(b) as the principal contractor in relation to any building work if A does not satisfy the requirements in regulations 11W(1) and (2) (competence: general requirement: Wales) and 11Y(1) (competence: principal contractor: Wales) at the time of the appointment as the principal contractor.

(8) In this regulation "serious sanction" means—

(a) the issue to A of a compliance notice which referred to contravention or likely contravention of a requirement of Part A (structure) or Part B (fire safety) of Schedule 1;

(b) the issue to A of a stop notice;

(c) the conviction of A for any offence under—

(i) the Act;

(ii) the Health and Safety at Work etc. Act 1974;

(iii) the Building Safety Act 2022;

(iv) the Regulatory Reform (Fire Safety) Order 2005;

(d) a report published by an inquiry under the Inquiries Act 2005 finds that A's action or inaction resulted in one or more deaths or was likely to have been a contravention of any requirement of—

(i) the Act;

(ii) Part A (structure) or Part B (fire safety) of Schedule 1;

(6) Any request to undertake any building work or any design work must not be accepted by A if A does not satisfy the requirements in regulation 11W(1) and (2) (competence: general requirement: Wales) at the time of the appointment (except where those requirements do not apply to A by virtue of regulation 11W(3)).

(7) A must not act—

(a) as the principal designer in relation to any design work if A does not satisfy the requirements in regulations 11W(1) and (2) (competence: general requirement: Wales) and 11X(1) (competence: principal designer: Wales) at the time of the appointment as the principal designer;

(b) as the principal contractor in relation to any building work if A does not satisfy the requirements in regulations 11W(1) and (2) (competence: general requirement: Wales) and 11Y(1) (competence: principal contractor: Wales) at the time of the appointment as the principal contractor.

(8) In this regulation "serious sanction" means—

(a) the issue to A of a compliance notice which referred to contravention or likely contravention of a requirement of Part A (structure) or Part B (fire safety) of Schedule 1;

(b) the issue to A of a stop notice;

(c) the conviction of A for any offence under—

(i) the Act;

(ii) the Health and Safety at Work etc. Act 1974;

(iii) the Building Safety Act 2022;

(iv) the Regulatory Reform (Fire Safety) Order 2005;

(d) a report published by an inquiry under the Inquiries Act 2005 finds that A's action or inaction resulted in one or more deaths or was likely to have been a contravention of any requirement of—

(i) the Act;

(ii) Part A (structure) or Part B (fire safety) of Schedule 1;

(iii) the Health and Safety at Work etc. Act 1974;

(iv) the Building Safety Act 2022;

(v) the Regulatory Reform (Fire Safety) Order 2005.

CHAPTER 3

Competence: Wales

Competence: general requirement: Wales

11W.—(1) Any person carrying out any building work or any design work must have—

(a) where the person is an individual, the skills, knowledge, experience and behaviours necessary;

(b) where the person is not an individual, the organisational capability, to carry out—

(i) the building work in accordance with all relevant requirements;

(ii) the design work so that the building work to which the design relates, if built, would be in accordance with all relevant requirements.

(2) Any person carrying out any building work as a contractor or any design work as a designer must have—

(a) where the person is an individual, the skills, knowledge, experience and behaviours necessary,

(b) where the person is not an individual, the organisational capability,

to fulfil the duties of a contractor or designer, under these Regulations in relation to the work.

(3) The requirements in paragraphs (1) and (2) do not apply to an individual (T) who is in training to fulfil those requirements.

(4) The person who asked T to carry out any building work or any design work must ensure T is adequately supervised when carrying out the work.

(5) A person who is in training to fulfil the requirements of a principal contractor or a principal designer may not be appointed as a principal contractor or a principal designer.

(iii) the Health and Safety at Work etc. Act 1974;

(iv) the Building Safety Act 2022;

(v) the Regulatory Reform (Fire Safety) Order 2005.

CHAPTER 3

Competence: Wales

Competence: general requirement: Wales

11W.—(1) Any person carrying out any building work or any design work must have—

(a) where the person is an individual, the skills, knowledge, experience and behaviours necessary;

(b) where the person is not an individual, the organisational capability, to carry out—

(i) the building work in accordance with all relevant requirements;

(ii) the design work so that the building work to which the design relates, if built, would be in accordance with all relevant requirements.

(2) Any person carrying out any building work as a contractor or any design work as a designer must have—

(a) where the person is an individual, the skills, knowledge, experience and behaviours necessary,

(b) where the person is not an individual, the organisational capability,

to fulfil the duties of a contractor or designer, under these Regulations in relation to the work.

(3) The requirements in paragraphs (1) and (2) do not apply to an individual (T) who is in training to fulfil those requirements.

(4) The person who asked T to carry out any building work or, any design work must ensure T is adequately supervised when carrying out the work.

(5) A person who is in training to fulfil the requirements of a principal contractor or a principal designer may not be appointed as a principal contractor or a principal designer.

Competence: principal designer: Wales

11X.—(1) To fulfil the duties of a principal designer in relation to the design work included in the project—

(a) where the person is an individual, they must have the skills, knowledge, experience and behaviours necessary;

(b) where the person is not an individual, they must have the organisational capability.

(2) Where the principal designer (D) is not an individual, D must designate an individual who has the task of managing its functions as the principal designer.

(3) Before making the designation under paragraph (2), D must take all reasonable steps to satisfy themself that the individual to be designated has the skills, knowledge, experience and behaviours necessary to manage the function of principal designer on behalf of D in such a way as to ensure D fulfils the duties of the principal designer under these Regulations in relation to the design work included in the project.

Competence: principal contractor: Wales

11Y.—(1) To fulfil the duties of a principal contractor in relation to the building work included in the project—

(a) where the person is an individual, they must have the skills, knowledge, experience and behaviours necessary;

(b) where the person is not an individual, they must have the organisational capability.

(2) Where the principal contractor (C) is not an individual, C must designate an individual under C's control who has the task of managing its functions as the principal contractor.

(3) Before making the designation under paragraph (2), C must take all reasonable steps to satisfy themself that the individual to be designated has the skills, knowledge, experience and behaviours necessary to manage the function of principal contractor on behalf of C in such a way as to ensure C fulfils the duties of the principal contractor under these Regulations in relation to the building work included in the project.

Competence: principal designer: Wales

11X.—(1) To fulfil the duties of a principal designer in relation to the design work included in the project—

(a) where the person is an individual, they must have the skills, knowledge, experience and behaviours necessary;

(b) where the person is not an individual, they must have the organisational capability.

(2) Where the principal designer (D) is not an individual, D must designate an individual who has the task of managing its functions as the principal designer.

(3) Before making the designation under paragraph (2), D must take all reasonable steps to satisfy themself that the individual to be designated has the skills, knowledge, experience and behaviours necessary to manage the function of principal designer on behalf of D in such a way as to ensure D fulfils the duties of the principal designer under these Regulations in relation to the design work included in the project.

Competence: principal contractor: Wales

11Y.—(1) To fulfil the duties of a principal contractor in relation to the building work included in the project—

(a) where the person is an individual, they must have the skills, knowledge, experience and behaviours necessary;

(b) where the person is not an individual, they must have the organisational capability.

(2) Where the principal contractor (C) is not an individual, C must designate an individual under C's control who has the task of managing its functions as the principal contractor.

(3) Before making the designation under paragraph (2), C must take all reasonable steps to satisfy themself that the individual to be designated has the skills, knowledge, experience and behaviours necessary to manage the function of principal contractor on behalf of C in such a way as to ensure C fulfils the duties of the principal contractor under these Regulations in relation to the building work included in the project.

Ceasing to be competent: notification: Wales

11Z.—(1) Where at any time a person (A) ceases to satisfy the requirements in regulation 11W(1) and (2), 11X(1) or, as the case may be, 11Y(1) in relation to any building work or any design work, A must—

(a) in a case where A is the principal designer or the principal contractor, notify the client;

(b) in a case where there is more than one designer and A is a designer, notify the person who asked them to carry out the design work and the principal designer;

(c) in a case where there is more than one contractor and A is a contractor, notify the person who asked them to carry out the building work and the principal contractor;

(d) in any other case, notify the person who asked them to carry out the work.

(2) If at the time of the notification under paragraph (1)(b) there is no principal designer appointed, that paragraph has effect as if the reference to the principal designer were a reference to the client.

(3) If at the time of the notification under paragraph (1)(c) there is no principal contractor appointed, that paragraph has effect as if the reference to the principal contractor were a reference to the client

CHAPTER 4

Duties of dutyholders

General duty: Wales

11Z1.—(1) Any person carrying out any building work must ensure the work carried out by them (and by any workers under their control) is planned, managed and monitored so as to be in compliance with all relevant requirements.

(2) Any person carrying out any design work must take all reasonable steps to ensure the design work carried out by them (and by any workers under their control) is planned, managed and monitored so that the design is such that if the building work to which the design relates were built in accordance with that design the building work would be in compliance with all relevant requirements.

Ceasing to be competent: notification: Wales

11Z.—(1) Where at any time a person (A) ceases to satisfy the requirements in regulation 11W(1) and (2), 11X(1) or, as the case may be, 11Y(1) in relation to any building work or any design work, A must—

(a) in a case where A is the principal designer or the principal contractor, notify the client;

(b) in a case where there is more than one designer and A is a designer, notify the person who asked them to carry out the design work and the principal designer;

(c) in a case where there is more than one contractor and A is a contractor, notify the person who asked them to carry out the building work and the principal contractor;

(d) in any other case, notify the person who asked them to carry out the work.

(2) If at the time of the notification under paragraph (1)(b) there is no principal designer appointed, that paragraph has effect as if the reference to the principal designer were a reference to the client.

(3) If at the time of the notification under paragraph (1)(c) there is no principal contractor appointed, that paragraph has effect as if the reference to the principal contractor were a reference to the client

CHAPTER 4

Duties of dutyholders

General duty: Wales

11Z1.—(1) Any person carrying out any building work must ensure the work carried out by them (and by any workers under their control) is planned, managed and monitored so as to be in compliance with all relevant requirements.

(2) Any person carrying out any design work must take all reasonable steps to ensure the design work carried out by them (and by any workers under their control) is planned, managed and monitored so that the design is such that if the building work to which the design relates were built in accordance with that design the building work would be in compliance with all relevant requirements.

(3) Any person carrying out any building work must cooperate with the client, designers and contractors (including the principal designer and principal contractor, if any) to the extent necessary to ensure that the work complies with all relevant requirements.

(4) Any person carrying out any design work must cooperate with the client, designers and contractors (including the principal designer and principal contractor, if any) to the extent necessary to ensure that the design is such that if the building work to which the design relates were built in accordance with that design the building work would be in compliance with all relevant requirements.

Additional duties of designers: Wales

11Z2.—(1) A designer must not start design work unless satisfied that the client is aware of the duties owed by the client for the building work to which the design relates under all relevant requirements.

(2) When carrying out design work the designer must take all reasonable steps to ensure that the design is such that if the building work to which the design relates were built in accordance with that design the building work would be in compliance with all relevant requirements.

(3) In providing a design, a designer must take all reasonable steps to provide sufficient information about the design, construction and maintenance of the building to assist the client, other designers and contractors to comply with all relevant requirements.

(4) Where a designer is carrying out only part of the design of the building work which comprises a project, the designer must consider other design work which directly relates to that building work and report any concerns as to compliance with all relevant requirements to the principal designer.

(5) If requested to do so, a designer must provide advice to the principal designer or the client on whether any work, to which a design they are preparing or modifying relates, is higher-risk building work.

Additional duties of contractors: Wales

11Z3.—(1) A contractor must not start any building work unless satisfied that the client is aware of the duties owed by the client under all relevant requirements.

(3) Any person carrying out any building work must cooperate with the client, designers and contractors (including the principal designer and principal contractor, if any) to the extent necessary to ensure that the work complies with all relevant requirements.

(4) Any person carrying out any design work must cooperate with the client, designers and contractors (including the principal designer and principal contractor, if any) to the extent necessary to ensure that the design is such that if the building work to which the design relates were built in accordance with that design the building work would be in compliance with all relevant requirements.

Additional duties of designers: Wales

11Z2.—(1) A designer must not start design work unless satisfied that the client is aware of the duties owed by the client for the building work to which the design relates under all relevant requirements.

(2) When carrying out design work the designer must take all reasonable steps to ensure that the design is such that if the building work to which the design relates were built in accordance with that design the building work would be in compliance with all relevant requirements.

(3) In providing a design, a designer must take all reasonable steps to provide sufficient information about the design, construction and maintenance of the building to assist the client, other designers and contractors to comply with all relevant requirements.

(4) Where a designer is carrying out only part of the design of the building work which comprises a project, the designer must consider other design work which directly relates to that building work and report any concerns as to compliance with all relevant requirements to the principal designer.

(5) If requested to do so, a designer must provide advice to the principal designer or the client on whether any work, to which a design they are preparing or modifying relates, is higher-risk building work.

Additional duties of contractors: Wales

11Z3.—(1) A contractor must not start any building work unless satisfied that the client is aware of the duties owed by the client under all relevant requirements.

(2) A contractor must—

(a) ensure the building work they carry out complies with all relevant requirements, and

(b) provide each worker under their control with appropriate supervision, instructions and information so as to ensure that the building work complies with all relevant requirements.

(3) In relation to building work, a contractor must take all reasonable steps to provide sufficient information about the work to assist the client, other contractors and designers to comply with all relevant requirements.

(4) Where a contractor is carrying out only part of the building work which comprises a project, the contractor must consider other work which directly relates to that building work and report any concerns as to compliance with all relevant requirements to the principal contractor.

(5) If requested to do so, a contractor must provide advice to the principal contractor or the client on whether any work is higher-risk building work.

Additional duties of a principal designer: Wales

11Z4.—(1) The principal designer must—

(a) plan, manage and monitor the design work during the design phase, and

(b) coordinate matters relating to the design work comprised in the project so that all reasonable steps are taken to ensure that the design is such that if the building work to which the design relates were built in accordance with that design the building work would be in compliance with all relevant requirements.

(2) The principal designer must take all reasonable steps to ensure that—

(a) designers, and any other person involved in relation to design work, cooperate with the client, the principal designer, the principal contractor and each other,

(b) the design work of all designers is coordinated so that the design is such that if the building work to which the design relates were built in accordance with that design the building work would be in compliance with all relevant requirements, and

(2) A contractor must—

(a) ensure the building work they carry out complies with all relevant requirements, and

(b) provide each worker under their control with appropriate supervision, instructions and information so as to ensure that the building work complies with all relevant requirements.

(3) In relation to building work, a contractor must take all reasonable steps to provide sufficient information about the work to assist the client, other contractors and designers to comply with all relevant requirements.

(4) Where a contractor is carrying out only part of the building work which comprises a project, the contractor must consider other work which directly relates to that building work and report any concerns as to compliance with all relevant requirements to the principal contractor.

(5) If requested to do so, a contractor must provide advice to the principal contractor or the client on whether any work is higher-risk building work.

Additional duties of a principal designer: Wales

11Z4.—(1) The principal designer must—

(a) plan, manage and monitor the design work during the design phase, and

(b) coordinate matters relating to the design work comprised in the project so that all reasonable steps are taken to ensure that the design is such that if the building work to which the design relates were built in accordance with that design the building work would be in compliance with all relevant requirements.

(2) The principal designer must take all reasonable steps to ensure that—

(a) designers, and any other person involved in relation to design work, cooperate with the client, the principal designer, the principal contractor and each other,

(b) the design work of all designers is coordinated so that the design is such that if the building work to which the design relates were built in accordance with that design the building work would be in compliance with all relevant requirements, and

(c) designers, and any other person involved in relation to design work, comply with the duties under these Regulations.

(3) The principal designer must liaise with the principal contractor and share with the principal contractor any information relevant to—

(a) the planning, management and monitoring of the building work, and

(b) the coordination of building work and design work to ensure compliance with all relevant requirements.

(4) Where the principal contractor provides comments to the principal designer in relation to compliance with the relevant requirements, the principal designer must have regard to those comments.

(5) The principal designer must—

(a) if requested, assist the client in providing information to other designers and contractors;

(b) when the principal designer's appointment ends, no later than 28 days after the date their appointment ends, give to the client a document explaining the arrangements it put in place to fulfil the duties under paragraphs (1) to (3).

(6) Where a replacement principal designer is appointed, they must review the arrangements the previous principal designer put in place for fulfilling the duties under paragraphs (1) to (3) so that all reasonable steps are taken to ensure that the design is such that if the building work to which the design relates were built in accordance with that design the building work would be in compliance with all relevant requirements.

Additional duties of a principal contractor: Wales

11Z5.—(1) The principal contractor must—

(a) plan, manage and monitor the building work during the construction phase, and

(b) coordinate matters relating to the building work comprised in the project to ensure the building work complies with all relevant requirements.

(c) designers, and any other person involved in relation to design work, comply with the duties under these Regulations.

(3) The principal designer must liaise with the principal contractor and share with the principal contractor any information relevant to—

(a) the planning, management and monitoring of the building work, and

(b) the coordination of building work and design work to ensure compliance with all relevant requirements.

(4) Where the principal contractor provides comments to the principal designer in relation to compliance with the relevant requirements, the principal designer must have regard to those comments.

(5) The principal designer must—

(a) if requested, assist the client in providing information to other designers and contractors;

(b) when the principal designer's appointment ends, no later than 28 days after the date their appointment ends, give to the client a document explaining the arrangements it put in place to fulfil the duties under paragraphs (1) to (3).

(6) Where a replacement principal designer is appointed, they must review the arrangements the previous principal designer put in place for fulfilling the duties under paragraphs (1) to (3) so that all reasonable steps are taken to ensure that the design is such that if the building work to which the design relates were built in accordance with that design the building work would be in compliance with all relevant requirements.

Additional duties of a principal contractor: Wales

11Z5.—(1) The principal contractor must—

(a) plan, manage and monitor the building work during the construction phase, and

(b) coordinate matters relating to the building work comprised in the project to ensure the building work complies with all relevant requirements.

(2) The principal contractor must take all reasonable steps to ensure—

(a) contractors and any other person involved in relation to the building work cooperate with the client, the principal designer, the principal contractor and each other (including any successor in a role),

(b) the building work of all contractors is coordinated so that the work complies with all relevant requirements, and

(c) contractors and any other person involved in relation to building work comply with the duties under these Regulations.

(3) The principal contractor must liaise with the principal designer and share with the principal designer any information relevant to—

(a) the planning, management and monitoring of the design work, and

(b) the coordination of building work and design work to ensure compliance with all relevant requirements.

(4) Where the principal designer provides comments to the principal contractor in relation to compliance with the relevant requirements the principal contractor must have regard to those comments.

(5) The principal contractor must—

(a) if requested, assist the client in providing information to other designers and contractors;

(b) when the principal contractor's appointment ends, no later than 28 days after the date their appointment ends, give to the client a document explaining the arrangements it put in place to fulfil the duties under paragraphs (1) to (3).

(6) Where a replacement principal contractor is appointed, they must review the arrangements the previous principal contractor put in place for fulfilling the duties under paragraphs (1) to (3) to ensure that the building work complies with all relevant requirements.

Notification of change of dutyholder: Wales

11Z6.—(1) This paragraph applies where, in relation to any building work, at any time after an application for building control approval is made or a building notice is given the client for a project changes.

(2) The principal contractor must take all reasonable steps to ensure—

(a) contractors and any other person involved in relation to the building work cooperate with the client, the principal designer, the principal contractor and each other (including any successor in a role),

(b) the building work of all contractors is coordinated so that the work complies with all relevant requirements, and

(c) contractors and any other person involved in relation to building work comply with the duties under these Regulations.

(3) The principal contractor must liaise with the principal designer and share with the principal designer any information relevant to—

(a) the planning, management and monitoring of the design work, and

(b) the coordination of building work and design work to ensure compliance with all relevant requirements.

(4) Where the principal designer provides comments to the principal contractor in relation to compliance with the relevant requirements the principal contractor must have regard to those comments.

(5) The principal contractor must—

(a) if requested, assist the client in providing information to other designers and contractors;

(b) when the principal contractor's appointment ends, no later than 28 days after the date their appointment ends, give to the client a document explaining the arrangements it put in place to fulfil the duties under paragraphs (1) to (3).

(6) Where a replacement principal contractor is appointed, they must review the arrangements the previous principal contractor put in place for fulfilling the duties under paragraphs (1) to (3) to ensure that the building work complies with all relevant requirements.

Notification of change of dutyholder: Wales

11Z6.—(1) This paragraph applies where, in relation to any building work, at any time after an application for building control approval is made or a building notice is given the client for a project changes.

(2) Where paragraph (1) applies the new client must give a notice to the building control authority which includes—

(a) the location of the building work;

(b) the name, address, telephone number and (if available) email address of the new client and the date they became the client;

(c) the name, address, telephone number and (if available) email address of the previous client and the date they ceased to be the client;

(d) where the notice is given by someone on behalf of the new client, a statement signed by the new client confirming they agree to the notice being made and that the information contained in the notice is correct.

(3) This paragraph applies where, in relation to any building work, at any time after an application for building control approval is made or a building notice is given the client appoints a principal contractor (or sole contractor) or a principal designer (or sole or lead designer).

(4) Subject to paragraph (5), where paragraph (3) applies the client must give a notice to the building control authority which includes—

(a) the location of the building work;

(b) the name, address, telephone number and (if available) email address of the person appointed (PA) and the date of appointment;

(c) except where PA is the first person appointed to the role, the name, address, telephone number and (if available) email address of the person who held the role before PA ("outgoing dutyholder") and the date their appointment ended;

(d) where the notice is given by someone on behalf of the client, a statement signed by the client confirming they agree to the notice being given and that the information contained in the notice is correct.

(2) Where paragraph (1) applies the new client must give a notice to the building control authority which includes—

(a) the location of the building work;

(b) the name, address, telephone number and (if available) email address of the new client and the date they became the client;

(c) the name, address, telephone number and (if available) email address of the previous client and the date they ceased to be the client;

(d) where the notice is given by someone on behalf of the new client, a statement signed by the new client confirming they agree to the notice being made and that the information contained in the notice is correct.

(3) This paragraph applies where, in relation to any building work, at any time after an application for building control approval is made or a building notice is given the client appoints a principal contractor (or sole contractor) or a principal designer (or sole or lead designer).

(4) Subject to paragraph (5), where paragraph (3) applies the client must give a notice to the building control authority which includes—

(a) the location of the building work;

(b) the name, address, telephone number and (if available) email address of the person appointed (PA) and the date of appointment;

(c) except where PA is the first person appointed to the role, the name, address, telephone number and (if available) email address of the person who held the role before PA ("outgoing dutyholder") and the date their appointment ended;

(d) where the notice is given by someone on behalf of the client, a statement signed by the client confirming they agree to the notice being given and that the information contained in the notice is correct.

(5) Where the client is a domestic client (DC), except where under regulation 11T(1) a domestic client has assigned to themselves the duties in regulations 11R(1) to (3) and 11V(2) to (5) the following applies instead of paragraph (4)—

(a) an outgoing dutyholder must provide the information referred to in paragraph (4)(c) to the DC within 5 working days of the date their appointment ends;

(b) DC must provide the information referred to under paragraph (4)(c) to PA on the date of appointment of PA or as soon as practicable after that date;

(c) subject to paragraph (6), PA must give a notice to the building control authority which includes—

(i) the location of the building work;

(ii) the name, address, telephone number and (if available) email address of PA and the date of appointment;

(iii) except where PA is the first person appointed to the role, the name, address, telephone number and (if available) email address of the outgoing dutyholder and the date their appointment ended;

(iv) a statement explaining the notice is given on behalf of DC.

(6) Where PA has not received the information required to be provided under paragraph (5)(b) by the time the notice under paragraph (5)(c) is to be given, the statement given by PA under paragraph (5)(c)(iv) must also include an explanation to that effect.

(7) A notice required under paragraphs (2), (4) or (5)(c) must be given to the building control authority within 10 working days beginning with the date of the appointment or, as the case may be, the date when the person became the client.

(8) This regulation does not apply to higher-risk building work.

(5) Where the client is a domestic client (DC), except where under regulation 11T(1) a domestic client has assigned to themselves the duties in regulations 11R(1) to (3) and 11V(2) to (5) the following applies instead of paragraph (4)—

(a) an outgoing dutyholder must provide the information referred to in paragraph (4)(c) to the DC within 5 working days of the date their appointment ends;

(b) DC must provide the information referred to under paragraph (4)(c) to PA on the date of appointment of PA or as soon as practicable after that date;

(c) subject to paragraph (6), PA must give a notice to the building control authority which includes—

(i) the location of the building work;

(ii) the name, address, telephone number and (if available) email address of PA and the date of appointment;

(iii) except where PA is the first person appointed to the role, the name, address, telephone number and (if available) email address of the outgoing dutyholder and the date their appointment ended;

(iv) a statement explaining the notice is given on behalf of DC.

(6) Where PA has not received the information required to be provided under paragraph (5)(b) by the time the notice under paragraph (5)(c) is to be given, the statement given by PA under paragraph (5)(c)(iv) must also include an explanation to that effect.

(7) A notice required under paragraphs (2), (4) or (5)(c) must be given to the building control authority within 10 working days beginning with the date of the appointment or, as the case may be, the date when the person became the client.

(8) This regulation does not apply to higher-risk building work.

Minor work: Wales

11Z7. A client is not required to comply with this Part where the building work or design work consists only of work described in Schedule 4.

Interpretation of this Part: Wales

11Z8.—(1) In this Part—

"design" includes drawings, design details, specifications and bills of quantities (including specification of articles or substances) relating to a building, and calculations prepared for a design;

"design phase" means any period during which design work is carried out for a project and may continue during the construction phase;

"relevant requirements" means, to the extent relevant to the building work or design work in question, the requirements of regulations 4, 6, 7, 8, 22, 23, 25B, 26, 26A, 27B, 28, 36, 41(2)(a), 42(2)(a), 43(2)(a), 44A, 44ZA, 44ZC and 44D to 44I and Schedule 1.

(2) References in this Part to an appointment under regulation 11U (principal designer and principal contractor: Wales) includes an appointment which is certified under regulation 11U(2).

(3) For the purposes of this Part, "organisational capability" means appropriate management policies, procedures, systems and resources to ensure—

(a) individuals under the control of the organisation who are carrying out any building work or any design work comply with—

(i) regulation 11W(1)(a) and (2)(a) (competence: general requirement: Wales);

(ii) in the case of the principal designer, regulations 11W(1)(a) and (2)(a) and 11X(1)(a);

(iii) in the case of the principal contractor, regulations 11W(1)(a) and (2)(a) and 11Y(1)(a);

CHAPTER 5
General: Wales

Minor work: Wales

11Z7. A client is not required to comply with this Part where the building work or design work consists only of work described in Schedule 4.

Interpretation of this Part: Wales

11Z8.—(1) In this Part—

"design" includes drawings, design details, specifications and bills of quantities (including specification of articles or substances) relating to a building, and calculations prepared for a design;

"design phase" means any period during which design work is carried out for a project and may continue during the construction phase;

"relevant requirements" means, to the extent relevant to the building work or design work in question, the requirements of regulations 4, 6, 7, 8, 22, 23, 25B, 26, 26A, 27B, 28, 36, 41(2)(a), 42(2)(a), 43(2)(a), 44A, 44ZA, 44ZC and 44D to 44I and Schedule 1.

(2) References in this Part to an appointment under regulation 11U (principal designer and principal contractor: Wales) includes an appointment which is certified under regulation 11U(2).

(3) For the purposes of this Part, "organisational capability" means appropriate management policies, procedures, systems and resources to ensure—

(a) individuals under the control of the organisation who are carrying out any building work or any design work comply with—

(i) regulation 11W(1)(a) and (2)(a)(competence: general requirement: Wales);

(ii) in the case of the principal designer, regulations 11W(1)(a) and (2)(a) and 11X(1)(a);

(iii) in the case of the principal contractor, regulations 11W(1)(a) and (2)(a) and 11Y(1)(a);

(b) individuals under the control of the organisation who are in training to develop the necessary skills, knowledge, experience and behaviours are appropriately supervised.

(4) For the purposes of this Part the necessary behaviours include—

(a) compliance with relevant requirements, including refusing to carry out—

(i) any building work which is not in compliance with any relevant requirement;

(ii) any design work if the building work to which the design relates cannot be carried out in compliance with all relevant requirements;

(b) cooperation with other persons in relation to the work;

(c) refusing to carry out work which is beyond their skills, knowledge or experience, and asking for the assistance of other persons where necessary."

(b) individuals under the control of the organisation who are in training to develop the necessary skills, knowledge, experience and behaviours are appropriately supervised.

(4) For the purposes of this Part the necessary behaviours include—

(a) compliance with relevant requirements, including refusing to carry out—

(i) any building work which is not in compliance with any relevant requirement;

(ii) any design work if the building work to which the design relates cannot be carried out in compliance with all relevant requirements;

(b) cooperation with other persons in relation to the work;

(c) refusing to carry out work which is beyond their skills, knowledge or experience, and asking for the assistance of other persons where necessary."

Diwygiadau: adneuo planiau ac awdurdodau rheolaeth adeiladu etc.

6.—(1) Yn rheoliad 11 (pŵer i hepgor neu lacio gofynion), ym mharagraff (2), yn lle "local authority" rhodder "building control authority".

(2) Yn rheoliad 12 (rhoi hysbysiad adeiladu etc.)—

(a) yn y pennawd, yn lle "deposits of plans" rhodder "an application for building control approval";

(b) ym mharagraff (2)—

(i) yn is-baragraff (a), yn lle "local authority" rhodder "building control authority";

(ii) yn is-baragraff (b), yn lle "deposit full plans with the local authority" rhodder "give an application for building control approval with full plans to the building control authority";

(c) ym mharagraffau (3), (4) a (5), yn lle "deposit full plans" rhodder "give an application for building control approval with full plans";

(d) ym mharagraff (6), yn lle "deposit full plans" rhodder "an application for building control approval with full plans";

(e) ym mharagraff (8), yn lle "local authority" rhodder "building control authority".

Amendments: deposit of plans and building control authorities etc.

6.—(1) In regulation 11 (power to dispense with or relax requirements), in paragraph (2), for "local authority" substitute "building control authority".

(2) In regulation 12 (giving a building notice etc)—

(a) in the heading, for "deposit of plans" substitute "an application for building control approval";

(b) in paragraph (2)—

(i) in sub-paragraph (a), for "local authority" substitute "building control authority";

(ii) in sub-paragraph (b), for "deposit full plans with the local authority" substitute "give an application for building control approval with full plans to the building control authority";

(c) in paragraphs (3), (4), and (5), for "deposit full plans" substitute "give an application for building control approval with full plans";

(d) in paragraph (6), for "deposit full plans" substitute "an application for building control approval with full plans";

(e) in paragraph (8), for "local authority" substitute "building control authority".

(3) Yn rheoliad 13 (manylion a phlaniau pan roddir hysbysiad adeiladu)—

(a) ym mharagraffau (3) a (5), yn lle "local authority" rhodder "building control authority";

(b) ym mharagraff (4), yn lle "for the purposes of section 16 of the Act as having been deposited" rhodder "as an application for building control approval with full plans".

(4) Yn rheoliad 15 (ymgynghori ag ymgymerwr carthffosiaeth)—

(a) ym mharagraff (1), yn lle "full plans have been deposited with the local authority" rhodder "an application for building control approval with full plans has been given to the building control authority";

(b) ym mharagraff (2)—

(i) yn lle "local authority" rhodder "building control authority";

(ii) yn lle "the plans have been deposited" rhodder "the application for building control approval with full plans has been given";

(c) ym mharagraff (3)—

(i) yn lle "local authority" rhodder "building control authority";

(ii) yn lle "the deposit of full plans" rhodder "the giving of an application for building control approval with full plans";

(iii) yn lle "pass plans" rhodder "grant the application for building control approval".

(5) Yn rheoliad 16 (hysbysiad cychwyn a chwblhau camau penodol o'r gwaith)—

(a) ym mharagraffau (1), (2), (3), (4), (5), (6) a (7), yn lle "local authority", ym mhob lle y mae'n digwydd, rhodder "building control authority";

(b) ar ôl paragraff (4) mewnosoder—

"(4A) The notice under paragraph (4) must include—

(a) the name, address, telephone number and (if available) email address of the client;

(b) the name, address, telephone number and (if available) email address of the principal contractor (or sole contractor) and the principal designer (or sole or lead designer);

(c) a statement that the building work is complete;

(3) In regulation 13 (particulars and plans where a building notice is given)—

(a) in paragraphs (3) and (5), for "local authority" substitute "building control authority";

(b) in paragraph (4), for "for the purposes of section 16 of the Act as having been deposited" substitute "as an application for building control approval with full plans".

(4) In regulation 15 (consultation with sewerage undertaker)—

(a) in paragraph (1), for "full plans have been deposited with the local authority" substitute "an application for building control approval with full plans has been given to the building control authority";

(b) in paragraph (2)—

(i) for "local authority" substitute "building control authority";

(ii) for "the plans have been deposited" substitute "the application for building control approval with full plans has been given";

(c) in paragraph (3)—

(i) for "local authority" substitute "building control authority";

(ii) for "the deposit of full plans" substitute "the giving of an application for building control approval with full plans";

(iii) for "pass plans" substitute "grant the application for building control approval".

(5) In regulation 16 (notice of commencement and completion of certain stages of work)—

(a) in paragraphs (1), (2), (3), (4), (5), (6) and (7), for "local authority", in each place it occurs, substitute "building control authority";

(b) after paragraph (4) insert—

"(4A) The notice under paragraph (4) must include—

(a) the name, address, telephone number and (if available) email address of the client;

(b) the name, address, telephone number and (if available) email address of the principal contractor (or sole contractor) and the principal designer (or sole or lead designer);

(c) a statement that the building work is complete;

(d) a statement, signed by the client or an applicant acting on the client's behalf, confirming that to the best of the client's knowledge the work complies with all applicable requirements of the building regulations. Where a person has signed on the client's behalf, a declaration from the client that they approve of this notice;

(e) a statement given by each principal contractor (or sole contractor) for the work and each principal designer (or sole or lead designer) for the work, signed by the person to which the declaration relates, which includes—

(i) the name, address, telephone number and (if available) email address of that person,

(ii) the dates of their appointment, and

(iii) confirmation—

(aa) in the case of a principal contractor (or sole contractor), that they fulfilled their duties as a principal contractor under Part 2B (dutyholders and competence) of these Regulations;

(bb) in the case of a principal designer (or sole or lead designer), that they fulfilled their duties as a principal designer under Part 2B (dutyholders and competence) of these Regulations.

(4B) If for any reason a person carrying out building work is unable to include a statement for a person mentioned under paragraph (4A)(e), the person carrying out the building work must include a statement giving the reasons why that person's statement has not been included."

(c) ym mharagraff (5), yn lle "at least five days notice" rhodder "a notice which complies with paragraph (5A) at least 5 working days";

(d) ar ôl paragraff (5) mewnosoder—

"(5A) The notice under paragraph (5) must include—

(a) the name, address, telephone number and (if available) email address of the client;

(d) a statement, signed by the client or an applicant acting on the client's behalf, confirming that to the best of the client's knowledge the work complies with all applicable requirements of the building regulations. Where a person has signed on the client's behalf, a declaration from the client that they approve of this notice;

(e) a statement given by each principal contractor (or sole contractor) for the work and each principal designer (or sole or lead designer) for the work, signed by the person to which the declaration relates, which includes—

(i) the name, address, telephone number and (if available) email address of that person,

(ii) the dates of their appointment, and

(iii) confirmation—

(aa) in the case of a principal contractor (or sole contractor), that they fulfilled their duties as a principal contractor under Part 2B (dutyholders and competence) of these Regulations;

(bb) in the case of a principal designer (or sole or lead designer), that they fulfilled their duties as a principal designer under Part 2B (dutyholders and competence) of these Regulations.

(4B) If for any reason a person carrying out building work is unable to include a statement for a person mentioned under paragraph (4A)(e), the person carrying out the building work must include a statement giving the reasons why that person's statement has not been included."

(c) in paragraph (5), for "at least five days notice" substitute "a notice which complies with paragraph (5A) at least 5 working days";

(d) after paragraph (5) insert—

"(5A) The notice under paragraph (5) must include—

(a) the name, address, telephone number and (if available) email address of the client;

(b) the name, address, telephone number and (if available) email address of the principal contractor (or sole contractor) and the principal designer (or sole or lead designer);

(c) the date when the building or any part of it is to be occupied;

(d) a statement, signed by the client or an applicant acting on the client's behalf, confirming that to the best of the client's knowledge, regardless of the completion of the current building work, regulation 38 and Part B of Schedule 1 are currently complied with in relation to those parts of the building which are to be occupied before completion of the work. Where a person has signed on the client's behalf, a declaration from the client that they approve of this notice;

(e) a statement given by each principal contractor (or sole contractor) for the work and each principal designer (or sole or lead designer) for the work, signed by the person to which the declaration relates, which includes—

(i) the name, address, telephone number and (if available) email address of that person,

(ii) the dates of their appointment, and

(iii) confirmation—

(aa) in the case of a principal contractor (or sole contractor), that they fulfilled their duties as a principal contractor under Part 2B (dutyholders and competence) of these Regulations;

(bb) in the case of a principal designer (or sole or lead designer), that they fulfilled their duties as a principal designer under Part 2B (dutyholders and competence) of these Regulations.

(5B) If a person carrying out building work is unable to include a statement for a person mentioned in paragraph (5A)(e), the person carrying out the building work must include a statement giving reasons why that person's statement has not been included.";

(b) the name, address, telephone number and (if available) email address of the principal contractor (or sole contractor) and the principal designer (or sole or lead designer);

(c) the date when the building or any part of it is to be occupied;

(d) a statement, signed by the client or an applicant acting on the client's behalf, confirming that to the best of the client's knowledge, regardless of the completion of the current building work, regulation 38 and Part B of Schedule 1 are currently complied with in relation to those parts of the building which are to be occupied before completion of the work. Where a person has signed on the client's behalf, a declaration from the client that they approve of this notice;

(e) a statement given by each principal contractor (or sole contractor) for the work and each principal designer (or sole or lead designer) for the work, signed by the person to which the declaration relates, which includes—

(i) the name, address, telephone number and (if available) email address of that person,

(ii) the dates of their appointment, and

(iii) confirmation—

(aa) in the case of a principal contractor (or sole contractor), that they fulfilled their duties as a principal contractor under Part 2B (dutyholders and competence) of these Regulations;

(bb) in the case of a principal designer (or sole or lead designer), that they fulfilled their duties as a principal designer under Part 2B (dutyholders and competence) of these Regulations.

(5B) If a person carrying out building work is unable to include a statement for a person mentioned in paragraph (5A)(e), the person carrying out the building work must include a statement giving reasons why that person's statement has not been included.";

(e) ym mharagraff (8), yn lle "deposit full plans" rhodder "an application for building control approval with full plans".

(6) Yn rheoliad 17 (tystysgrifau cwblhau)—

(a) ym mharagraff (1), yn lle "local authority" rhodder "building control authority";

(b) yn lle paragraff (2) rhodder—

"(2) The specified period referred to in paragraph (1) is 8 weeks starting from the date that notice under regulation 16(4) is received by the building control authority.";

(c) ar ôl paragraff (5) mewnosoder—

"(6) Where the building control authority is a designated local authority under section 91ZD(3) of the Act, it must send a copy of each certificate it gives under this regulation in relation to a building to the local authority for the area in which the building is situated.".

(7) Yn rheoliad 17A(**1**) (tystysgrif ar gyfer adeilad a feddiennir cyn cwblhau'r gwaith)—

(a) ym mharagraffau (1) a (2), yn lle "local authority" rhodder "building control authority";

(b) ar ôl paragraff (4) mewnosoder—

"(5) Where the building control authority is a designated local authority under section 91ZD(3) of the Act, it must send a copy of each certificate it gives under this regulation in relation to a building to the local authority for the area in which the building is situated.".

(8) Yn rheoliad 18 (gwaith adeiladu anawdurdodedig)—

(a) ym mharagraffau (1), (2), (3), (4), (5) ac (8)(a) a (b), yn lle "local authority", ym mhob lle y mae'n digwydd, rhodder "building control authority";

(b) ar ôl paragraff (6) mewnosoder—

"(6A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each certificate it gives under this regulation in relation to a building to the local authority for the area in which the building is situated.";

(c) ym mharagraff (7), yn lle "for the purposes of section 16 of the Act as the deposit of plans" rhodder "as an application for building control approval with full plans";

(e) in paragraph (8), for "deposit full plans" substitute "an application for building control approval with full plans".

(6) In regulation 17 (completion certificates)—

(a) in paragraph (1), for "local authority" substitute "building control authority";

(b) for paragraph (2) substitute—

"(2) The specified period referred to in paragraph (1) is 8 weeks starting from the date that notice under regulation 16(4) is received by the building control authority.";

(c) after paragraph (5) insert—

"(6) Where the building control authority is a designated local authority under section 91ZD(3) of the Act, it must send a copy of each certificate it gives under this regulation in relation to a building to the local authority for the area in which the building is situated.".

(7) In regulation 17A(**1**) (certificate for building occupied before work is completed)—

(a) in paragraphs (1) and (2), for "local authority" substitute "building control authority";

(b) after paragraph (4) insert—

"(5) Where the building control authority is a designated local authority under section 91ZD(3) of the Act, it must send a copy of each certificate it gives under this regulation in relation to a building to the local authority for the area in which the building is situated.".

(8) In regulation 18 (unauthorised building work)—

(a) in paragraphs (1), (2), (3), (4), (5) and (8)(a) and (b), for "local authority", in each place it occurs, substitute "building control authority";

(b) after paragraph (6) insert—

"(6A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each certificate it gives under this regulation in relation to a building to the local authority for the area in which the building is situated.";

(c) in paragraph (7), for "for the purposes of section 16 of the Act as the deposit of plans" substitute "as an application for building control approval with full plans";

(**1**) Mewnosodwyd rheoliad 17A gan O.S. 2013/747.

(**1**) Regulation 17A was inserted by S.I. 2013/747.

(d) ym mharagraff (8)(b), yn lle "full plans of the work being deposited with" rhodder "an application for building control approval with full plans of the work being given to";

(e) ym mharagraff (8)(c)—

(i) yn lle "commencement of" rhodder "intention to start";

(ii) yn lle "full plans have been deposited" rhodder "an application for building control approval with full plans of the work has been given".

(9) Yn rheoliad 20 (y darpariaethau sy'n gymwys i gynlluniau hunanardystio)—

(a) ym mharagraffau (2), (3), (3A) a (3B), yn lle "local authority", ym mhob lle y mae'n digwydd, rhodder "building control authority";

(b) ar ôl paragraff (6) mewnosoder—

"(6A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(10) Yn rheoliad 25A(**1**) (ystyried systemau amgen tra effeithlon ar gyfer adeiladau newydd)—

(a) ym mharagraff (2)—

(i) ar y dechrau mewnosoder "Where work is not higher-risk building work";

(ii) yn is-baragraffau (a) a (b), yn lle "local authority" rhodder "building control authority";

(b) ar ôl paragraff (2) mewnosoder—

"(2A) Where the work is higher-risk building work the person carrying out the work must—

(a) at the same time as submitting the application for building control approval, give the building control 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

(d) in paragraph (8)(b), for "full plans of the work being deposited with" substitute "an application for building control approval with full plans of the work being given to";

(e) in paragraph (8)(c)—

(i) for "commencement of" substitute "intention to start";

(ii) for "full plans have been deposited" substitute "an application for building control approval with full plans of the work has been given".

(9) In regulation 20 (provisions applicable to self-certification schemes)—

(a) in paragraphs (2), (3), (3A) and (3B), for "local authority", in each place it occurs, substitute "building control authority";

(b) after paragraph (6) insert—

"(6A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(10) In regulation 25A(**1**) (consideration of high-efficiency alternative systems for new buildings)—

(a) in paragraph (2)—

(i) at the start insert "Where work is not higher-risk building work";

(ii) in sub-paragraphs (a) and (b), for "local authority" substitute "building control authority";

(b) after paragraph (2) insert—

"(2A) Where the work is higher-risk building work the person carrying out the work must—

(a) at the same time as submitting the application for building control approval, give the building control 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

(**1**) Mewnosodwyd rheoliad 25A gan O.S. 2013/747.

(**1**) Regulation 25A was inserted by S.I 2013/747.

(b) ensure that a copy of the analysis is available for inspection at all reasonable times upon request by an officer of the building control authority."

(c) ym mharagraff (3), yn lle "local authority" rhodder "building control authority";

(d) ar ôl paragraff (3) mewnosoder—

"(3A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(11) Yn rheoliad 27 (cyfrifiadau cyfradd allyriadau CO2)—

(a) yn lle paragraffau (2) a (3) rhodder—

"(2) The person carrying out the work must—

(a) where the new building is a higher-risk building, ensure the application for building control approval in relation to the work is accompanied by a notice which specifies—

(i) the target CO2 emission rate for the building, calculated and expressed by the methodology approved under regulation 24,

(ii) the CO2 emission rate for the building as designed, calculated and expressed by the methodology approved under regulation 24, and

(iii) a list of specifications to which the building is to be constructed;

(b) in any other case, not later than the day before the work starts, give the building control authority a notice which specifies the matters set out in paragraphs (i) to (iii) of sub-paragraph (a).

(3) The person carrying out the work must—

(a) where the new building is a higher-risk building, ensure the completion certificate application in relation to the work is accompanied by—

(i) a notice which specifies—

(aa) the target CO2 emission rate for building, calculated and expressed by the methodology approved under regulation 24,

(b) ensure that a copy of the analysis is available for inspection at all reasonable times upon request by an officer of the building control authority."

(c) in paragraph (3), for "local authority" substitute "building control authority";

(d) after paragraph (3) insert—

"(3A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(11) In regulation 27 (CO2 emission rate calculations)—

(a) for paragraphs (2) and (3) substitute—

"(2) The person carrying out the work must—

(a) where the new building is a higher-risk building, ensure the application for building control approval in relation to the work is accompanied by a notice which specifies—

(i) the target CO2 emission rate for the building, calculated and expressed by the methodology approved under regulation 24,

(ii) the CO2 emission rate for the building as designed, calculated and expressed by the methodology approved under regulation 24, and

(iii) a list of specifications to which the building is to be constructed;

(b) in any other case, not later than the day before the work starts, give the building control authority a notice which specifies the matters set out in paragraphs (i) to (iii) of sub-paragraph (a).

(3) The person carrying out the work must—

(a) where the new building is a higher-risk building, ensure the completion certificate application in relation to the work is accompanied by—

(i) a notice which specifies—

(aa) the target CO2 emission rate for building, calculated and expressed by the methodology approved under regulation 24,

(bb) the CO2 emission rate for the building as constructed, calculated and expressed by the methodology approved under regulation 24, and

(cc) whether the building has been constructed by the list of specifications referred to in paragraph (2), and, if not, a list of any changes to those specifications, or

(ii) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraphs (aa) to (cc) of paragraph (i);

(b) in any other case, not later than five days after the work has been completed, give the building control authority a notice which specifies the matters mentioned in sub-paragraphs (aa) to (cc) of sub-paragraph (a)(i) or a certificate of the sort mentioned in sub-paragraph (a)(ii).”

(b) ym mharagraff (4), yn lle “local authority” rhodder “building control authority”;

(c) ar ôl paragraff (4) mewnosoder—

“(4A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated.”

(12) Yn rheoliad 27A(**1**) (cyfrifiadau cyfradd ynni crai)—

(a) yn lle paragraffau (2) a (3) rhodder—

“(2) The person carrying out the work must—

(a) where the new building is a higher-risk building, ensure the application for building control approval in relation to the work is accompanied by a notice which specifies—

(i) the target primary energy rate for the building, calculated and expressed by the methodology approved under regulation 24;

(bb) the CO2 emission rate for the building as constructed, calculated and expressed by the methodology approved under regulation 24, and

(cc) whether the building has been constructed by the list of specifications referred to in paragraph (2), and, if not, a list of any changes to those specifications, or

(ii) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraphs (aa) to (cc) of paragraph (i);

(b) in any other case, not later than five days after the work has been completed, give the building control authority a notice which specifies the matters mentioned in sub-paragraphs (aa) to (cc) of sub-paragraph (a)(i) or a certificate of the sort mentioned in sub-paragraph (a)(ii).”

(b) in paragraph (4), for “local authority” substitute “building control authority”;

(c) after paragraph (4) insert—

“(4A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated.”

(12) In regulation 27A(**1**) (primary energy rate calculations)—

(a) for paragraphs (2) and (3) substitute—

“(2) The person carrying out the work must—

(a) where the new building is a higher-risk building, ensure the application for building control approval in relation to the work is accompanied by a notice which specifies—

(i) the target primary energy rate for the building, calculated and expressed by the methodology approved under regulation 24;

(**1**) Mewnosodwyd rheoliad 27A gan O.S. 2014/110 ac fe’i diwygiwyd gan O.S. 2022/564.

(**1**) Regulation 27A was inserted by S.I 2014/110 and amended by S.I. 2022/564.

(ii) the primary energy rate for the building as designed, calculated and expressed by the methodology approved under regulation 24, and

(iii) a list of specifications to which the building is to be constructed;

(b) in any other case, not later than the day before the work starts, give the building control authority a notice which specifies the matters set out in paragraphs (i) to (iii) of sub-paragraph (a).

(3) The person carrying out the work must—

(a) where the new building is a higher-risk building, ensure the completion certificate application in relation to the work is accompanied by—

(i) a notice which specifies—

(aa) the target primary energy rate for the dwelling, calculated and expressed by the methodology approved under regulation 24;

(bb) the primary energy rate for the dwelling as constructed, calculated and expressed by the methodology approved under regulation 24, and

(cc) whether the building has been constructed by the list of specifications referred to in paragraph (2), and, if not, a list of any changes to those specifications, or

(ii) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraphs (aa) to (cc) of paragraph (i);

(b) in any other case, not later than 5 days after the work has been completed give the building control authority a notice which specifies the matters mentioned in sub-paragraphs (aa) to (cc) of sub-paragraph (a)(i) or a certificate of the sort mentioned in sub-paragraph (a)(ii).

";

(b) ym mharagraff (4), yn lle "local authority" rhodder "building control authority";

(ii) the primary energy rate for the building as designed, calculated and expressed by the methodology approved under regulation 24, and

(iii) a list of specifications to which the building is to be constructed;

(b) in any other case, not later than the day before the work starts give the building control authority a notice which specifies the matters set out in paragraphs (i) to (iii) of sub-paragraph (a).

(3) The person carrying out the work must—

(a) where the new building is a higher-risk building, ensure the completion certificate application in relation to the work is accompanied by—

(i) a notice which specifies—

(aa) the target primary energy rate for the dwelling, calculated and expressed by the methodology approved under regulation 24;

(bb) the primary energy rate for the dwelling as constructed, calculated and expressed by the methodology approved under regulation 24, and

(cc) whether the building has been constructed by the list of specifications referred to in paragraph (2), and, if not, a list of any changes to those specifications, or

(ii) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraphs (aa) to (cc) of paragraph (i);

(b) in any other case, not later than 5 days after the work has been completed give the building control authority a notice which specifies the matters mentioned in sub-paragraphs (aa) to (cc) of sub-paragraph (a)(i) or a certificate of the sort mentioned in sub-paragraph (a)(ii).

";

(b) in paragraph (4), for "local authority" substitute "building control authority";

(c) ar ôl paragraff (4) mewnosoder—

"(4A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(13) Yn rheoliad 27B (cyfrifiadau gwerthoedd perfformiad adeiladwaith)—

(a) yn lle paragraffau (2) a (3) rhodder—

"(2) The person carrying out the work must—

(a) where the dwelling is within a higher-risk building, ensure the application for building control approval in relation to the work is accompanied by a notice which specifies—

(i) the target fabric performance values for the dwelling, calculated and expressed by the methodology approved under regulation 24,

(ii) the fabric energy performance values for the dwelling as designed, calculated and expressed by the methodology approved pursuant to regulation 24, and

(iii) a list of specifications to which the dwelling is to be constructed;

(b) in any other case, not later than the day before the work starts give the building control authority a notice which specifies the matters set out in paragraphs (1) to (iii) of sub-paragraph (a).

(3) The person carrying out the work must—

(a) where the dwelling is within a higher-risk building, ensure the completion certificate application in relation to the work is accompanied by—

(i) a notice which specifies—

(aa) the target fabric performance values for the dwelling, calculated and expressed by the methodology approved pursuant to regulation 24,

(bb) the fabric energy performance values for the dwelling as constructed, calculated and expressed by the methodology approved pursuant to regulation 24, and

(c) after paragraph (4) insert—

"(4A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(13) In regulation 27B (fabric performance values calculations)—

(a) for paragraphs (2) and (3) substitute—

"(2) The person carrying out the work must—

(a) where the dwelling is within a higher-risk building, ensure the application for building control approval in relation to the work is accompanied by a notice which specifies—

(i) the target fabric performance values for the dwelling, calculated and expressed by the methodology approved under regulation 24,

(ii) the fabric energy performance values for the dwelling as designed, calculated and expressed by the methodology approved pursuant to regulation 24, and

(iii) a list of specifications to which the dwelling is to be constructed;

(b) in any other case, not later than the day before the work starts give the building control authority a notice which specifies the matters set out in paragraphs (1) to (iii) of sub-paragraph (a).

(3) The person carrying out the work must—

(a) where the dwelling is within a higher-risk building, ensure the completion certificate application in relation to the work is accompanied by—

(i) a notice which specifies—

(aa) the target fabric performance values for the dwelling, calculated and expressed by the methodology approved pursuant to regulation 24,

(bb) the fabric energy performance values for the dwelling as constructed, calculated and expressed by the methodology approved pursuant to regulation 24, and

(cc) whether the dwelling has been constructed by the list of specifications referred to in paragraph (2), and if not, a list of any changes to those specifications, or

(ii) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraphs (aa) to (cc) of paragraph (i);

(b) in any other case, not later than 5 days after the work has been completed give the building control authority a notice which specifies the matters mentioned in sub-paragraphs (aa) to (cc) or a certificate of the sort mentioned in sub-paragraph (a)(ii).";

(b) ym mharagraff (4), yn lle "local authority" rhodder "building control authority";

(c) ar ôl paragraff (4) mewnosoder—

"(4A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated.".

(14) Yn rheoliad 27C (cyfrifiadau graddau effeithlonrwydd ynni)—

(a) yn lle paragraffau (2) a (3) rhodder—

" (2) The person carrying out the work must—

(a) where the dwelling is within a higher-risk building, ensure the application for building control approval in relation to the work is accompanied by a notice which specifies—

(i) the energy efficiency rating for the dwelling, as designed, calculated and expressed by the methodology approved under regulation 24, and

(ii) a list of specifications to which the dwelling is to be constructed;

(b) in any other case, not later than the day before the work starts, the person carrying out the work must give the building control authority a notice which specifies the matters set out in paragraphs (i) to (iii) of sub-paragraph (a).

(cc) whether the dwelling has been constructed by the list of specifications referred to in paragraph (2), and if not, a list of any changes to those specifications, or

(ii) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraphs (aa) to (cc) of paragraph (i);

(b) in any other case, not later than 5 days after the work has been completed give the building control authority a notice which specifies the matters mentioned in sub-paragraphs (aa) to (cc) or a certificate of the sort mentioned in sub-paragraph (a)(ii).";

(b) in paragraph (4), for "local authority" substitute "building control authority";

(c) after paragraph (4) insert—

"(4A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated.".

(14) In regulation 27C (energy efficiency rating calculations)—

(a) for paragraphs (2) and (3) substitute—

"(2) The person carrying out the work must—

(a) where the dwelling is within a higher-risk building, ensure the application for building control approval in relation to the work is accompanied by a notice which specifies—

(i) the energy efficiency rating for the dwelling, as designed, calculated and expressed by the methodology approved under regulation 24, and

(ii) a list of specifications to which the dwelling is to be constructed;

(b) in any other case, not later than the day before the work starts, the person carrying out the work must give the building control authority a notice which specifies the matters set out in paragraphs (i) to (iii) of sub-paragraph (a).

(3) The person carrying out the work must—

(a) where the dwelling is within a higher-risk building, ensure the completion certificate application in relation to the work is accompanied by—

(i) a notice which specifies—

(aa) the target energy efficiency rating for the building, calculated and expressed by the methodology approved under regulation 24,

(bb) the energy efficiency rating for the building as constructed, calculated and expressed by the methodology approved under regulation 24, and

(cc) whether the building has been constructed in accordance with the list of specifications referred to in paragraph (2), and, if not, a list of any changes to those specifications, or

(ii) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraphs (aa) to (cc) of paragraph (i);

(b) in any other case, not later than 5 days after the work has been completed, give the building control authority a notice which specifies the matters mentioned in sub-paragraphs (aa) to (cc) of sub-paragraph (a)(i) or a certificate of the sort mentioned in sub-paragraph (a)(ii).";

(b) ym mharagraff (4), yn lle "local authority" rhodder "building control authority";

(c) ar ôl paragraff (4) mewnosoder—

"(5) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(15) Yn rheoliad 37 (cyfrifo'r defnydd o ddŵr dihalog)—

(a) ym mharagraff (1), yn lle "local authority" rhodder "building control authority";

(3) The person carrying out the work must—

(a) where the dwelling is within a higher-risk building, ensure the completion certificate application in relation to the work is accompanied by—

(i) a notice which specifies—

(aa) the target energy efficiency rating for the building, calculated and expressed by the methodology approved under regulation 24,

(bb) the energy efficiency rating for the building as constructed, calculated and expressed by the methodology approved under regulation 24, and

(cc) whether the building has been constructed in accordance with the list of specifications referred to in paragraph (2), and, if not, a list of any changes to those specifications, or

(ii) a certificate of the sort referred to in paragraph (4) accompanied by the information referred to in sub-paragraphs (aa) to (cc) of paragraph (i);

(b) in any other case, not later than 5 days after the work has been completed, give the building control authority a notice which specifies the matters mentioned in sub-paragraphs (aa) to (cc) of sub-paragraph (a)(i) or a certificate of the sort mentioned in sub-paragraph (a)(ii).";

(b) in paragraph (4), for "local authority" substitute "building control authority";

(c) after paragraph (4) insert—

"(5) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(15) In regulation 37 (wholesome water consumption calculation)—

(a) in paragraph (1), for "local authority" substitute "building control authority";

(b) yn lle paragraff (2) rhodder—

"(2) The person carrying out the work must—

(a) where the dwelling is within a higher-risk building, ensure the notice accompanies the completion certificate application in relation to the work;

(b) in any other case, give the notice to the building control authority not later than 5 days after the date the work has been completed.";

(c) ar ôl paragraff (2) mewnosoder—

"(3) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice it receives under this regulation in relation to a building to the local authority for the area in which the building is situated.".

(16) Yn rheoliad 41 (profi inswleiddio sain)—

(a) ym mharagraff (2)(b), yn lle "local authority" rhodder "building control authority";

(b) yn lle paragraff (3)(b) rhodder—

" (b) given—

(i) in the case where the building work is higher-risk building work, to the building control authority with the completion certificate application in relation to the work;

(ii) in any other case, to the building control authority not later than the date on which the notice required by regulation 16(4) is given.";

(c) ar ôl paragraff (3) mewnosoder—

"(3A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each results of testing received under this regulation in relation to a building to the local authority for the area in which the building is situated.";

(d) ym mharagraff (4), yn lle'r geiriau o flaen "the person is using one or more design details approved by Robust Details Limited" rhodder—

"(4) Where building work consists of the erection of a dwelling-house or a building containing flats, this regulation does not apply to any part of the building in relation to which the person carrying out the building work notifies the building control authority—

(i) in the case of building work which is higher-risk building work, not later than the date on which the application for building control approval for the work is submitted;

(b) for paragraph (2) substitute—

"(2) The person carrying out the work must—

(a) where the dwelling is within a higher-risk building, ensure the notice accompanies the completion certificate application in relation to the work;

(b) in any other case, give the notice to the building control authority not later than 5 days after the date the work has been completed.";

(c) after paragraph (2) insert—

"(3) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice it receives under this regulation in relation to a building to the local authority for the area in which the building is situated.".

(16) In regulation 41 (sound insulation testing)—

(a) in paragraph (2)(b), for "local authority" substitute "building control authority";

(b) for paragraph (3)(b) substitute—

" (b) given—

(i) in the case where the building work is higher-risk building work, to the building control authority with the completion certificate application in relation to the work;

(ii) in any other case, to the building control authority not later than the date on which the notice required by regulation 16(4) is given.";

(c) after paragraph (3) insert—

"(3A) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each results of testing received under this regulation in relation to a building to the local authority for the area in which the building is situated.";

(d) in paragraph (4), for the words before "the person is using one or more design details approved by Robust Details Limited" substitute—

"(4) Where building work consists of the erection of a dwelling-house or a building containing flats, this regulation does not apply to any part of the building in relation to which the person carrying out the building work notifies the building control authority—

(i) in the case of building work which is higher-risk building work, not later than the date on which the application for building control approval for the work is submitted;

(ii) in any other case, not later than the date on which notice of intention to start work is given under regulation 16(1);

that, for the purposes of achieving compliance of the work with paragraph E1 of Schedule 1,".

(17) Yn rheoliad 42 (profi cyfradd llif awyr awyru mecanyddol)—

(a) ym mharagraffau (2)(b) a (3)(b), yn lle "local authority", ym mhob lle y mae'n digwydd, rhodder "building control authority";

(b) ar ôl paragraff (3) mewnosoder—

"(4) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice of the results of testing received under this regulation in relation to a building to the local authority for the area in which the building is situated."

(18) Yn rheoliad 43 (profi pwysedd)—

(a) ym mharagraffau (2), (3) a (4), yn lle "local authority", ym mhob lle y mae'n digwydd, rhodder "building control authority";

(b) ar ôl paragraff (5) mewnosoder—

"(6) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(19) Yn rheoliad 44 (comisiynu)—

(a) ym mharagraff (3), yn lle "local authority" rhodder "building control authority";

(b) yn lle paragraff (4) rhodder—

"(4) The notice must be given—

(a) in the case where the building work is higher-risk building work for which a completion certificate application is required, to the building control authority with the application;

(b) in any other case, to the building control authority—

(i) not later than the date on which the notice required by regulation 16(4) is required to be given, or

(ii) where that regulation does not apply, not more than 30 days after completion of the work.

(ii) in any other case, not later than the date on which notice of intention to start work is given under regulation 16(1);

that, for the purposes of achieving compliance of the work with paragraph E1 of Schedule 1,".

(17) In regulation 42 (mechanical ventilation air flow rate testing)—

(a) in paragraphs (2)(b) and (3)(b), for "local authority", in each place it occurs, substitute "building control authority";

(b) after paragraph (3) insert—

"(4) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice of the results of testing received under this regulation in relation to a building to the local authority for the area in which the building is situated."

(18) In regulation 43 (pressure testing)—

(a) in paragraphs (2), (3) and (4), for "local authority", in each place it occurs, substitute "building control authority";

(b) after paragraph (5) insert—

"(6) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice or certificate it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(19) In regulation 44 (commissioning)—

(a) in paragraph (3), for "local authority" substitute "building control authority";

(b) for paragraph (4) substitute—

"(4) The notice must be given—

(a) in the case where the building work is higher-risk building work for which a completion certificate application is required, to the building control authority with the application;

(b) in any other case, to the building control authority—

(i) not later than the date on which the notice required by regulation 16(4) is required to be given, or

(ii) where that regulation does not apply, not more than 30 days after completion of the work.

(5) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(20) Yn rheoliad 44ZA (comisiynu mewn cysylltiad â system ar gyfer cynhyrchu trydan ar y safle)—

(a) ym mharagraff (2), yn lle "local authority" rhodder "building control authority";

(b) yn lle paragraff (3) rhodder—

"(3) The notice must be given—

(a) in the case where the building work is higher-risk building work for which a completion certificate application is required, to the building control authority with the application;

(b) in any other case, to the building control authority—

(i) not later than the date on which the notice required by regulation 16(4) is required to be given, or

(ii) where that regulation does not apply, not more than 30 days after completion of the work.";

(c) ar ôl paragraff (3) mewnosoder—

"(4) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(21) Yn rheoliad 44ZAA (manylion cysylltiad â rhwydwaith cyfathrebiadau electronig cyhoeddus)—

(a) ym mharagraff (2), yn lle "local authority" rhodder "building control authority";

(b) ar ôl paragraff (2) mewnosoder—

"(3) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of the information it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(22) Yn Atodlen 1 i Reoliadau 2010, ym mharagraff RA1(3), yn lle "full plans relating to building work to which this paragraph applies are deposited" rhodder "an application for building control approval with full plans relating to building work to which this paragraph applies is given".

(23) Ym mhennawd Atodlen 3, yn lle "deposit full plans" rhodder "an application for building control approval with full plans".

(5) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(20) In regulation 44ZA (commissioning in respect of a system for on-site electricity generation)—

(a) in paragraph (2), for "local authority" substitute "building control authority";

(b) for paragraph (3) substitute—

"(3) The notice must be given—

(a) in the case where the building work is higher-risk building work for which a completion certificate application is required, to the building control authority with the application;

(b) in any other case, to the building control authority—

(i) not later than the date on which the notice required by regulation 16(4) is required to be given, or

(ii) where that regulation does not apply, not more than 30 days after completion of the work.";

(c) after paragraph (3) insert—

"(4) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of each notice it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(21) In regulation 44ZAA (particulars of connection to public electronic communications network)—

(a) in paragraph (2), for "local authority" substitute "building control authority";

(b) after paragraph (2) insert—

"(3) Where the building control authority is a designated local authority under section 91ZD of the Act, it must send a copy of the information it receives under this regulation in relation to a building to the local authority for the area in which the building is situated."

(22) In Schedule 1 to the 2010 Regulations, in paragraph RA1(3), for "full plans relating to building work to which this paragraph applies are deposited" substitute "an application for building control approval with full plans relating to building work to which this paragraph applies is given".

(23) In the heading of Schedule 3, for "deposit full plans" substitute "an application for building control approval with full plans".

(24) Yn Atodlen 4—

(a) yn y pennawd, yn lle "deposit full plans" rhodder "an application for building control approval with full plans";

(b) ym mharagraff 1(g)(ii), yn lle "to deposit full plans" rhodder "an application for building control approval with full plans";

(c) ym mharagraff 1(1), yn lle "to deposit full plans" rhodder "an application for building control approval with full plans".

(24) In Schedule 4—

(a) in the heading for "deposit full plans" substitute "an application for building control approval with full plans";

(b) in paragraph 1(g)(ii), for "to deposit full plans" substitute "an application for building control approval with full plans";

(c) in paragraph 1(l), for "to deposit full plans" substitute "an application for building control approval with full plans".

Diwygiadau: ceisiadau am reolaeth adeiladu

7.—(1) Yn lle rheoliad 14 rhodder—

"Applications for building control approval with full plans: Wales

14.—(1) An application for building control approval with full plans must be made in writing, signed by the person making the application ("the applicant"), and must include—

(a) the name, address, telephone number and (if available) email address of the applicant;

(b) where the applicant is not the client, the name, address, telephone number and (if available) email address of the client;

(c) where known at the date of the application, the name, address, telephone number and (if available) email address of the principal contractor (or sole contractor) and the principal designer (or sole or lead designer);

(d) a statement—

(i) that the application is an application for building control approval with full plans given under regulation 12(2)(b);

(ii) whether the building is a building to which the Regulatory Reform (Fire Safety) Order 2005, applies or will apply after completion of the building work;

(e) where the work consists of work to an existing building, a description of the existing building including—

(i) details of the current use of the building, including the current use of each storey;

Amendments: applications for building control

7.—(1) For regulation 14 substitute—

"Applications for building control approval with full plans: Wales

14.—(1) An application for building control approval with full plans must be made in writing, signed by the person making the application ("the applicant"), and must include—

(a) the name, address, telephone number and (if available) email address of the applicant;

(b) where the applicant is not the client, the name, address, telephone number and (if available) email address of the client;

(c) where known at the date of the application, the name, address, telephone number and (if available) email address of the principal contractor (or sole contractor) and the principal designer (or sole or lead designer);

(d) a statement—

(i) that the application is an application for building control approval with full plans given under regulation 12(2)(b);

(ii) whether the building is a building to which the Regulatory Reform (Fire Safety) Order 2005, applies or will apply after completion of the building work;

(e) where the work consists of work to an existing building, a description of the existing building including—

(i) details of the current use of the building, including the current use of each storey;

(ii) the height of the building;

(iii) the number of storeys in the building as determined under regulation 5 of the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023;

(f) a description of the proposed work, including—

(i) details of the intended use of the building, including the intended use of each storey;

(ii) the height of the building after the proposed work;

(iii) the number of storeys in the building after the proposed work as determined under regulation 5 of the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023;

(iv) the provision to be made for the drainage of the building;

(v) where paragraph H4 of Schedule 1 imposes a requirement, the precautions to be taken in the building over a drain, sewer or disposal main to comply with the requirements of that paragraph;

(vi) the steps to be taken to comply with any local enactment that applies;

(vii) a statement setting out—

(aa) the date when it is proposed the work will reach the point when it is to be regarded as commenced under regulation 46B (lapse of building control approval: commencement of work: Wales), and

(bb) where the work does not consist of work to which paragraph (2) or (3) of regulation 46B applies, details of the work where the client considers building control input is required.

(ii) the height of the building;

(iii) the number of storeys in the building as determined under regulation 5 of the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023;

(f) a description of the proposed work, including—

(i) details of the intended use of the building, including the intended use of each storey;

(ii) the height of the building after the proposed work;

(iii) the number of storeys in the building after the proposed work as determined under regulation 5 of the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023;

(iv) the provision to be made for the drainage of the building;

(v) where paragraph H4 of Schedule 1 imposes a requirement, the precautions to be taken in the building over a drain, sewer or disposal main to comply with the requirements of that paragraph;

(vi) the steps to be taken to comply with any local enactment that applies;

(vii) a statement setting out—

(aa) the date when it is proposed the work will reach the point when it is to be regarded as commenced under regulation 46B (lapse of building control approval: commencement of work: Wales), and

(bb) where the work does not consist of work to which paragraph (2) or (3) of regulation 46B applies, details of the work where the client considers building control input is required.

(2) An application for building control approval with full plans must be accompanied by—

(a) (i) two copies of the full plans, or

(ii) where Part B of Schedule 1 (fire safety) imposes a requirement in relation to proposed building work, four copies of the full plans;

(b) where the application is made by someone on behalf of the client, a statement signed by the client confirming they agree to the application being made and that the information contained in the application is correct.

(3) Paragraph (2)(a)(ii) does not require the deposit of additional copies of plans where the proposed building work relates to the erection, extension or material alteration of a dwelling-house or flat.

(4) Plans are only full plans if they consist of—

(a) a description of the proposed building work, renovation or replacement of a thermal element, change to the building's energy status or material change of use,

(b) the plans, particulars and statements required by paragraphs (1), (1A) and (2) of regulation 13,

(c) where paragraph H4 of Schedule 1 imposes a requirement, particulars of the precautions to be taken in building over a drain, sewer or disposal main to comply with the requirements of that paragraph, and

(d) any other plans which are necessary to show that the work would comply with these Regulations."

(2) Ar ôl rheoliad 14C mewnosoder—

"**Determination of applications for building control approval with full plans: Wales**

14D.—(1) Where an application for building control approval with full plans is made under regulations 12(2)(b) and 14, the building control authority must grant the application for building control approval unless the application (including the plans or other documents which accompany it)—

(a) does not comply with the requirements of regulation 14 (applications for building control approval with full plans: Wales);

(2) An application for building control approval with full plans must be accompanied by—

(a) (i) two copies of the full plans, or

(ii) where Part B of Schedule 1 (fire safety) imposes a requirement in relation to proposed building work, four copies of the full plans;

(b) where the application is made by someone on behalf of the client, a statement signed by the client confirming they agree to the application being made and that the information contained in the application is correct.

(3) Paragraph (2)(a)(ii) does not require the deposit of additional copies of plans where the proposed building work relates to the erection, extension or material alteration of a dwelling-house or flat.

(4) Plans are only full plans if they consist of—

(a) a description of the proposed building work, renovation or replacement of a thermal element, change to the building's energy status or material change of use,

(b) the plans, particulars and statements required by paragraphs (1), (1A) and (2) of regulation 13,

(c) where paragraph H4 of Schedule 1 imposes a requirement, particulars of the precautions to be taken in building over a drain, sewer or disposal main to comply with the requirements of that paragraph, and

(d) any other plans which are necessary to show that the work would comply with these Regulations."

(2) After regulation 14C insert—

"**Determination of applications for building control approval with full plans: Wales**

14D.—(1) Where an application for building control approval with full plans is made under regulations 12(2)(b) and 14, the building control authority must grant the application for building control approval unless the application (including the plans or other documents which accompany it)—

(a) does not comply with the requirements of regulation 14 (applications for building control approval with full plans: Wales);

(b) is not sufficiently detailed in any respect to allow the building control authority to determine whether the proposed work would contravene any applicable requirement of the building regulations;

(c) shows that—

(i) the proposed work would contravene any applicable requirements of these Regulations, or

(ii) where the statement regarding commencement includes the client's assessment of when building control input is required, the building control authority is of the opinion that oversight will be required at a different point, be that earlier or later, than the point described in the application.

(2) If the application for building control approval with full plans (or any plans or other documents which accompany it) is defective or shows that the proposed work would contravene any requirement of these Regulations, the building control authority may—

(a) reject the application, or

(b) subject to paragraph (4), grant the application for building control approval subject to either or both of the requirements set out in paragraph (3).

(3) The requirements mentioned in paragraph (2) are—

(a) that such modifications as the building control authority may specify must be made in the full plans, and

(b) that such further plans as the building control authority may specify must be provided before work to which those plans relate starts.

(4) A building control authority may only grant an application for building control approval with full plans subject to a requirement in paragraph (3) if the person making the application ("the applicant")—

(a) has requested in writing the authority does so, or

(b) has consented in writing to the authority doing so.

(b) is not sufficiently detailed in any respect to allow the building control authority to determine whether the proposed work would contravene any applicable requirement of the building regulations;

(c) shows that—

(i) the proposed work would contravene any applicable requirements of these Regulations, or

(ii) where the statement regarding commencement includes the client's assessment of when building control input is required, the building control authority is of the opinion that oversight will be required at a different point, be that earlier or later, than the point described in the application.

(2) If the application for building control approval with full plans (or any plans or other documents which accompany it) is defective or shows that the proposed work would contravene any requirement of these Regulations, the building control authority may—

(a) reject the application, or

(b) subject to paragraph (4), grant the application for building control approval subject to either or both of the requirements set out in paragraph (3).

(3) The requirements mentioned in paragraph (2) are—

(a) that such modifications as the building control authority may specify must be made in the full plans, and

(b) that such further plans as the building control authority may specify must be provided before work to which those plans relate starts.

(4) A building control authority may only grant an application for building control approval with full plans subject to a requirement in paragraph (3) if the person making the application ("the applicant")—

(a) has requested in writing the authority does so, or

(b) has consented in writing to the authority doing so.

(5) The duty in paragraph (1) is subject to any provision in sections 19 to 25 of the Act which expressly requires or authorises the building control authority to reject an application for building control approval.

(6) The building control authority must notify the applicant of the outcome of the application within 5 weeks beginning with the date the application is received by the building control authority, or within such longer period as at any time the authority and the applicant agree in writing.

(7) A failure by the building control authority to notify the applicant under paragraph (6) is not to be treated as a grant of the application or a rejection of the application.

(8) A notice that the application under paragraph (1) is rejected must give the reasons for the rejection.

(9) A notice that the application is granted subject to a requirement must specify the requirement imposed.

(10) Where the application for building control approval with full plans is successful the effect is that the building control approval is granted.

Appeal against a building control authority's rejection of an application for building control approval: Wales

14E.—(1) A person ("the appellant") who has made an application for building control approval with full plans to a building control authority may appeal to the Welsh Ministers against the decision of the building control authority to reject the application provided the appeal is made within 15 working days beginning with the day after the day on which the building control authority notifies the person under regulation 14D(6) (determination of applications for building control approval with full plans: Wales).

(2) The Welsh Ministers may allow an appeal under paragraph (1) only if they are satisfied that the decision appealed against was wrong on one or more of the following grounds—

(a) that the decision was based on error of fact;

(b) that the decision was wrong in law;

(c) that the decision was unreasonable;

(d) that the decision was made without following the procedures set out in the Act or regulations made under the Act.

(5) The duty in paragraph (1) is subject to any provision in sections 19 to 25 of the Act which expressly requires or authorises the building control authority to reject an application for building control approval.

(6) The building control authority must notify the applicant of the outcome of the application within 5 weeks beginning with the date the application is received by the building control authority, or within such longer period as at any time the authority and the applicant agree in writing.

(7) A failure by the building control authority to notify the applicant under paragraph (6) is not to be treated as a grant of the application or a rejection of the application.

(8) A notice that the application under paragraph (1) is rejected must give the reasons for the rejection.

(9) A notice that the application is granted subject to a requirement must specify the requirement imposed.

(10) Where the application for building control approval with full plans is successful the effect is that the building control approval is granted.

Appeal against a building control authority's rejection of an application for building control approval: Wales

14E.—(1) A person ("the appellant") who has made an application for building control approval with full plans to a building control authority may appeal to the Welsh Ministers against the decision of the building control authority to reject the application provided the appeal is made within 15 working days beginning with the day after the day on which the building control authority notifies the person under regulation 14D(6) (determination of applications for building control approval with full plans: Wales).

(2) The Welsh Ministers may allow an appeal under paragraph (1) only if they are satisfied that the decision appealed against was wrong on one or more of the following grounds—

(a) that the decision was based on error of fact;

(b) that the decision was wrong in law;

(c) that the decision was unreasonable;

(d) that the decision was made without following the procedures set out in the Act or regulations made under the Act.

(3) If the Welsh Ministers allow an appeal they may quash or vary the decision.

(4) A person aggrieved with the decision of the Welsh Ministers on an appeal under this regulation may appeal that decision to the magistrates' court within 15 working days, beginning with the day after the day on which the Welsh Ministers notifies the person of their decision.

(5) The magistrates' court may allow an appeal referred to in paragraph (4) only if it is satisfied that the decision appealed against was wrong on one or more of the following grounds—

(a) that the decision was based on error of fact;

(b) that the decision was wrong in law;

(c) that the decision was unreasonable;

(d) that the decision was made without following the procedures set out in the Act or regulations made under the Act.

(6) If the magistrates' court allows an appeal it may quash or vary the decision."

Diwygiadau: ymgynghori ar geisiadau am reolaeth adeiladu

8. Ar ôl rheoliad 15A mewnosoder—

"Consultation in relation to fire safety: Wales

15B.—(1) This regulation applies where it is proposed—

(a) to erect, extend or make any material alteration to a building to which the Regulatory Reform (Fire Safety) Order 2005 applies or will apply after completion of the work, or

(b) to change the use of a building, or part of a building, to which the Regulatory Reform (Fire Safety) Order 2005 applies or will apply after the change of use, and

(c) in connection with that proposal, an application for building control approval with full plans is given to the building control authority.

(2) Where this regulation applies the building control authority must consult the enforcing authority before determining the application for building control approval with full plans given to the building control authority.

(3) If the Welsh Ministers allow an appeal they may quash or vary the decision.

(4) A person aggrieved with the decision of the Welsh Ministers on an appeal under this regulation may appeal that decision to the magistrates' court within 15 working days, beginning with the day after the day on which the Welsh Ministers notifies the person of their decision.

(5) The magistrates' court may allow an appeal referred to in paragraph (4) only if it is satisfied that the decision appealed against was wrong on one or more of the following grounds—

(a) that the decision was based on error of fact;

(b) that the decision was wrong in law;

(c) that the decision was unreasonable;

(d) that the decision was made without following the procedures set out in the Act or regulations made under the Act.

(6) If the magistrates' court allows an appeal it may quash or vary the decision."

Amendments: consultation on applications for building control

8. After regulation 15A insert—

"Consultation in relation to fire safety: Wales

15B.—(1) This regulation applies where it is proposed—

(a) to erect, extend or make any material alteration to a building to which the Regulatory Reform (Fire Safety) Order 2005 applies or will apply after completion of the work, or

(b) to change the use of a building, or part of a building, to which the Regulatory Reform (Fire Safety) Order 2005 applies or will apply after the change of use, and

(c) in connection with that proposal, an application for building control approval with full plans is given to the building control authority.

(2) Where this regulation applies the building control authority must consult the enforcing authority before determining the application for building control approval with full plans given to the building control authority.

(3) The duty to consult imposed by paragraph (2) does not apply where the building control authority is the enforcing authority.

(4) Where a building control authority are required to consult the enforcing authority, they must not grant the application for building control approval until 15 working days have elapsed from the date on which they consulted the enforcing authority, unless the enforcing authority has expressed its views to them before the expiry of those 15 working days.

(5) In this regulation "enforcing authority" has the same meaning as in article 25 of the Regulatory Reform (Fire Safety) Order 2005."

Diwygiadau: dechrau ar safle a chychwyn gwaith

9.—(1) Yn rheoliad 16—

(a) yn lle'r pennawd rhodder "Notices in relation to building work";

(b) ym mharagraff (1)—

(i) yn lle "commence that work" rhodder "start that work";

(ii) yn lle "commence work" rhodder "start work";

(c) yn mharagraff (2)(b), yn lle "commence that work" rhodder "start that work";

(d) ar ôl paragraff (2) mewnosoder—

"(2A) Not more than 5 days after the day on which work is to be regarded as commenced the person carrying out the work must give a notice to that effect to the building control authority.

(2B) The building control authority may take such steps, including—

(a) requiring information;

(b) laying open of work for inspection,

as the authority thinks appropriate to check whether the work is to be regarded as commenced.

(2C) If the building control authority are not satisfied the work is to be regarded as commenced they must give the person carrying out the work a notice to that effect ("rejection notice") within 4 weeks of the date the notice under paragraph (2A) is given, and the rejection notice must give the reasons for rejection and indicate what work needs to be completed for the work to be accepted as commenced.

(3) The duty to consult imposed by paragraph (2) does not apply where the building control authority is the enforcing authority.

(4) Where a building control authority are required to consult the enforcing authority, they must not grant the application for building control approval until 15 working days have elapsed from the date on which they consulted the enforcing authority, unless the enforcing authority has expressed its views to them before the expiry of those 15 working days.

(5) In this regulation "enforcing authority" has the same meaning as in article 25 of the Regulatory Reform (Fire Safety) Order 2005."

Amendments: starting on site and commencement of work

9.—(1) In regulation 16—

(a) for the heading substitute "Notices in relation to building work";

(b) in paragraph (1)—

(i) for "commence that work" substitute "start that work";

(ii) for "commence work" substitute "start work";

(c) in paragraph (2)(b), for "commence that work" substitute "start that work";

(d) after paragraph (2) insert—

"(2A) Not more than 5 days after the day on which work is to be regarded as commenced the person carrying out the work must give a notice to that effect to the building control authority.

(2B) The building control authority may take such steps, including—

(a) requiring information;

(b) laying open of work for inspection,

as the authority thinks appropriate to check whether the work is to be regarded as commenced.

(2C) If the building control authority are not satisfied the work is to be regarded as commenced they must give the person carrying out the work a notice to that effect ("rejection notice") within 4 weeks of the date the notice under paragraph (2A) is given, and the rejection notice must give the reasons for rejection and indicate what work needs to be completed for the work to be accepted as commenced.

(2D) Where a notice is given under paragraph (2A) and the period referred to in paragraph (2D) expires without a rejection notice being given, then the work is to be regarded as commenced.

(2E) If the person carrying out the work accepts the rejection notice they may not give a further notice under paragraph (2A) unless, having regard to the reasons given by the building control authority, they are satisfied the work is to be regarded as commenced.

(2F) A person who gave the notice under paragraph (2A) may appeal to the magistrates' court against the decision of the building control authority to reject the notice provided the appeal is made within 15 working days beginning with the day after the day on which the building control authority gives the rejection notice.

(2G) The magistrates' court may allow an appeal under paragraph (2F) only if it is satisfied that the decision appealed against was wrong on one or more of the following grounds—

(a) that the decision was based on an error of fact;

(b) that the decision was wrong in law;

(c) that the decision was unreasonable;

(d) that the decision was made without following the procedures set out in the Act or regulations made under that Act.

(2H) For the purposes of paragraphs (2A) to (2G), regulation 46B (lapse of building control approval: commencement of work: Wales) applies to determine whether work is to be regarded as commenced."

(2) Ar ôl rheoliad 46A mewnosoder—

"Lapse of building control approval: commencement of work: Wales

46B.—(1) For the purposes of section 32(6) of the Act (lapse of building control approval) work is to be regarded as commenced in accordance with the following paragraphs.

(2) Where the work consists of the construction of a complex building, work is to be regarded as commenced in relation to that building or the first stage of building work for that building when the foundations supporting the building and the structure of the lowest floor level of that building (but not the other buildings or structures to be supported by those foundations) are completed.

(2D) Where a notice is given under paragraph (2A) and the period referred to in paragraph (2D) expires without a rejection notice being given, then the work is to be regarded as commenced.

(2E) If the person carrying out the work accepts the rejection notice they may not give a further notice under paragraph (2A) unless, having regard to the reasons given by the building control authority, they are satisfied the work is to be regarded as commenced.

(2F) A person who gave the notice under paragraph (2A) may appeal to the magistrates' court against the decision of the building control authority to reject the notice provided the appeal is made within 15 working days beginning with the day after the day on which the building control authority gives the rejection notice.

(2G) The magistrates' court may allow an appeal under paragraph (2F) only if it is satisfied that the decision appealed against was wrong on one or more of the following grounds—

(a) that the decision was based on an error of fact;

(b) that the decision was wrong in law;

(c) that the decision was unreasonable;

(d) that the decision was made without following the procedures set out in the Act or regulations made under that Act.

(2H) For the purposes of paragraphs (2A) to (2G), regulation 46B (lapse of building control approval: commencement of work: Wales) applies to determine whether work is to be regarded as commenced."

(2) After regulation 46A insert—

"Lapse of building control approval: commencement of work: Wales

46B.—(1) For the purposes of section 32(6) of the Act (lapse of building control approval) work is to be regarded as commenced in accordance with the following paragraphs.

(2) Where the work consists of the construction of a complex building, work is to be regarded as commenced in relation to that building or the first stage of building work for that building when the foundations supporting the building and the structure of the lowest floor level of that building (but not the other buildings or structures to be supported by those foundations) are completed.

(3) Where the work consists of—

(a) the construction of a building and paragraph (2) does not apply, or

(b) horizontal extension of a building,

work is to be regarded as commenced when the sub-surface structure of the building or the extension including all foundations, any basement level (if any) and the structure of ground floor level is completed.

(4) Where the work consists of any other building work, and that work will be incorporated into the completed building, then the work is to be regarded as commenced when—

(a) it reaches the point at which the project requires building control input, and

(b) without such building control input, at that point, there would be grounds for enforcement.

(5) In this regulation—

"complex building" means—

(a) a building which is to be constructed on the same foundation plinth or podium as any other building or structure;

(b) a building which has more than one storey below ground level;

(c) a building where it is proposed use is primarily as a public building where the public or a section of the public has access to the building (whether or not on payment) provided that the building has a capacity for 100 or more visitors;

"public building" means—

(a) a shop or shopping centre;

(b) premises where food or drink are sold for consumption on the premises, including a nightclub, social club or dance hall;

(c) a stadium, theatre, cinema, concert hall;

(d) a sports ground;

(e) an exhibition hall or conference centre;

(f) a hospital or premises for the provision of health care."

(3) Where the work consists of—

(a) the construction of a building and paragraph (2) does not apply, or

(b) horizontal extension of a building,

work is to be regarded as commenced when the sub-surface structure of the building or the extension including all foundations, any basement level (if any) and the structure of ground floor level is completed.

(4) Where the work consists of any other building work, and that work will be incorporated into the completed building, then the work is to be regarded as commenced when—

(a) it reaches the point at which the project requires building control input, and

(b) without such building control input, at that point, there would be grounds for enforcement.

(5) In this regulation—

"complex building" means—

(a) a building which is to be constructed on the same foundation plinth or podium as any other building or structure;

(b) a building which has more than one storey below ground level;

(c) a building where it is proposed use is primarily as a public building where the public or a section of the public has access to the building (whether or not on payment) provided that the building has a capacity for 100 or more visitors;

"public building" means—

(a) a shop or shopping centre;

(b) premises where food or drink are sold for consumption on the premises, including a nightclub, social club or dance hall;

(c) a stadium, theatre, cinema, concert hall;

(d) a sports ground;

(e) an exhibition hall or conference centre;

(f) a hospital or premises for the provision of health care."

Diwygiadau: gwybodaeth am ddiogelwch tân

10.—(1) Yn rheoliad 17 (tystysgrifau cwblhau), ym mharagraff (1), yn lle "it, a building complies with the relevant provisions" rhodder "a building, the relevant provisions have been complied with in relation to the building".

(2) Yn rheoliad 17A (tystysgrif ar gyfer adeilad a feddiennir cyn cwblhau'r gwaith), yn mharagraff (1)(c), yn lle "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" rhodder "regulation 38 and Part B of Schedule 1 are currently complied with in relation to those parts of the building which are to be occupied before completion of the work".

(3) Yn rheoliad 38 (gwybodaeth am ddiogelwch tân), yn lle paragraff (2) rhodder—

"(2) The person carrying out the work must give fire safety information to the responsible person no later than—

(a) where the building, proposed building or extension to which the building work relates is not occupied during the building work, the date of completion of the work or the date of occupation of the building or the extension, whichever is the earlier, or

(b) in any other case, the date of completion of the work.

(2A) The responsible person must give the person carrying out the work a notice acknowledging receipt of the fire safety information and confirming the information provided is sufficient to enable them to understand, operate and maintain the building (and the fire safety systems in it) after the building work in question.

(2B) The person carrying out the work must give a notice to the building control authority—

(a) confirming that they have given the fire safety information to the responsible person under paragraph (2), and

(b) stating that they have received the notice from the responsible person under paragraph (2A) or where they have not received the notice, stating the steps taken to obtain the notice from the responsible person and the dates they were taken.

Amendments: fire safety information

10.—(1) In regulation 17 (completion certificates), in paragraph (1), for "it, a building complies with the relevant provisions" substitute "a building, the relevant provisions have been complied with in relation to the building".

(2) In regulation 17A (certificate for building occupied before work is completed), in paragraph (1)(c), for "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" substitute "regulation 38 and Part B of Schedule 1 are currently complied with in relation to those parts of the building which are to be occupied before completion of the work".

(3) In regulation 38 (fire safety information), for paragraph (2) substitute—

"(2) The person carrying out the work must give fire safety information to the responsible person no later than—

(a) where the building, proposed building or extension to which the building work relates is not occupied during the building work, the date of completion of the work or the date of occupation of the building or the extension, whichever is the earlier, or

(b) in any other case, the date of completion of the work.

(2A) The responsible person must give the person carrying out the work a notice acknowledging receipt of the fire safety information and confirming the information provided is sufficient to enable them to understand, operate and maintain the building (and the fire safety systems in it) after the building work in question.

(2B) The person carrying out the work must give a notice to the building control authority—

(a) confirming that they have given the fire safety information to the responsible person under paragraph (2), and

(b) stating that they have received the notice from the responsible person under paragraph (2A) or where they have not received the notice, stating the steps taken to obtain the notice from the responsible person and the dates they were taken.

(2C) The notification under paragraph (2B) must be given no later than—

(a) where regulation 20 (provisions applicable to self-certification schemes) applies to the work, 30 working days after the date referred to in paragraph (2);

(b) in any other case, 5 working days after the date referred to in paragraph (2).”

Diwygiadau: apelau eraill

11. Ar ôl rheoliad 18E (apelau o dan adran 101A o'r Ddeddf) mewnosoder—

“Appeal in relation to section 42 of the Act: Wales

18F. An appeal to the High Court under section 42 of the Act against the decision of the Welsh Ministers who determined an appeal of a building control authority refusing to relax building regulations, must be made within 15 working days beginning with the date the Welsh Ministers gave notice of their decision.

Appeal to the magistrates' court in relation to certain decisions: Wales

18G.—(1) An appeal to the magistrates' court under section 19(4), 21(4) or 22(4) of the Act must be made within 15 working days beginning with the day after the day on which the building control authority notifies the person of its decision.

(2) The magistrates' court may allow an appeal referred to in paragraph (1) only if it is satisfied that the decision appealed against was wrong on one or more of the following grounds—

(a) that the decision was based on an error of fact;

(b) that the decision was wrong in law;

(c) that the decision was unreasonable;

(d) that the decision was made without following the procedures set out in the Act or regulations made under that Act.

(3) If the magistrates' court allows an appeal referred to in paragraph (1) it may quash or vary the decision.

(2C) The notification under paragraph (2B) must be given no later than—

(a) where regulation 20 (provisions applicable to self-certification schemes) applies to the work, 30 working days after the date referred to in paragraph (2);

(b) in any other case, 5 working days after the date referred to in paragraph (2).

Amendments: other appeals

11. After regulation 18E (appeals under section 101A of the Act) insert—

“Appeal in relation to section 42 of the Act: Wales

18F. An appeal to the High Court under section 42 of the Act against the decision of the Welsh Ministers who determined an appeal of a building control authority refusing to relax building regulations, must be made within 15 working days beginning with the date the Welsh Ministers gave notice of their decision.

Appeal to the magistrates' court in relation to certain decisions: Wales

18G.—(1) An appeal to the magistrates' court under section 19(4), 21(4) or 22(4) of the Act must be made within 15 working days beginning with the day after the day on which the building control authority notifies the person of its decision.

(2) The magistrates' court may allow an appeal referred to in paragraph (1) only if it is satisfied that the decision appealed against was wrong on one or more of the following grounds—

(a) that the decision was based on an error of fact;

(b) that the decision was wrong in law;

(c) that the decision was unreasonable;

(d) that the decision was made without following the procedures set out in the Act or regulations made under that Act.

(3) If the magistrates' court allows an appeal referred to in paragraph (1) it may quash or vary the decision.

Application to the magistrates' court in relation to certain decisions: Wales

18H.—(1) At least 5 working days before making an appeal to the magistrates' court under section 21(3) or (6), 24(2), 25(2) or (5), 33(6) or 36(3) of the Act the person proposing to make an appeal ("the appellant") must notify the building control authority of their intention to make the appeal.

(2) An application to the magistrates' court under section 21(3) or (6), 24(2), 25(2) or (5), 33(6) or 36(3) of the Act must be made within 15 working days beginning with the day on which the applicant notifies the building control authority under paragraph (1).

(3) If the magistrates' court allows an appeal it may quash or vary the decision.

Appeals under section 101A of the Act: Wales

18I.—(1) A person aggrieved with the refusal of a building control authority to consider an application for building control approval, an initial notice or an amendment notice on the grounds that all or part of the work to which the application or notice relates is higher-risk building work may appeal to the Welsh Ministers under section 101A of the Act provided the appeal is made within 20 working days beginning with the day after the day on which the building control authority refuses to consider the application.

(2) An appeal to the Welsh Ministers under section 101A of the Act must be made in writing, signed by the person who made the original application or one of the persons who gave the original initial notice or amendment notice (in this regulation "the appellant") and must include the following information—

(a) the name, address, telephone number and (if available) email address of the appellant;

(b) a statement explaining why the appellant considers the work proposed in the original application or notice does not include higher-risk building work;

(c) where the appellant is a registered building control approver, a statement confirming the client agrees to the appeal being made.

Application to the magistrates' court in relation to certain decisions: Wales

18H.—(1) At least 5 working days before making an appeal to the magistrates' court under section 21(3) or (6), 24(2), 25(2) or (5), 33(6) or 36(3) of the Act the person proposing to make an appeal ("the appellant") must notify the building control authority of their intention to make the appeal.

(2) An application to the magistrates' court under section 21(3) or (6), 24(2), 25(2) or (5), 33(6) or 36(3) of the Act must be made within 15 working days beginning with the day on which the applicant notifies the building control authority under paragraph (1).

(3) If the magistrates' court allows an appeal it may quash or vary the decision.

Appeals under section 101A of the Act: Wales

18I.—(1) A person aggrieved with the refusal of a building control authority to consider an application for building control approval, an initial notice or an amendment notice on the grounds that all or part of the work to which the application or notice relates is higher-risk building work may appeal to the Welsh Ministers under section 101A of the Act provided the appeal is made within 20 working days beginning with the day after the day on which the building control authority refuses to consider the application.

(2) An appeal to the Welsh Ministers under section 101A of the Act must be made in writing, signed by the person who made the original application or one of the persons who gave the original initial notice or amendment notice (in this regulation "the appellant") and must include the following information—

(a) the name, address, telephone number and (if available) email address of the appellant;

(b) a statement explaining why the appellant considers the work proposed in the original application or notice does not include higher-risk building work;

(c) where the appellant is a registered building control approver, a statement confirming the client agrees to the appeal being made.

(3) In addition to the information provided for in paragraph (2) the appeal must be accompanied by—

(a) a copy of the original application or notice given to the building control authority (including all documentation that accompanied the application or notice);

(b) all the information provided to the building control authority in relation to the application or notice;

(c) all the correspondence with the building control authority in relation to that application or notice;

(d) a copy of the notice sent to the building control authority under paragraph (4).

(4) At least 2 working days before submitting an appeal under section 101A(2) of the Act the appellant must give notice to the building control authority of their intention to do so.

(5) Where the appellant submits an appeal under section 101A of the Act through electronic facilities provided by the Welsh Ministers for that purpose, they are taken to have consented to the use of electronic communications for all purposes relating to the appeal that are capable of being carried out electronically.

(6) The deemed consent in paragraph (5) may be revoked by the appellant giving the Welsh Ministers 10 working days' notice in writing specifying that the notice is given under this regulation.

(7) An appeal under section 101A of the Act is to be determined by consideration of written representations.

(8) The Welsh Ministers must give the building control authority which refused to consider the original application or notice the opportunity to make written representations in relation to a section 101A application.

(9) The Welsh Ministers may give any other person an opportunity to make written representations in relation to the appeal.

(10) The Welsh Ministers may, by notice in writing, require the building control authority in question to provide specified information, or provide copies of specified documents, by the date specified in the notice (that date must be no fewer than 5 working days after the date the notice is given).

(3) In addition to the information provided for in paragraph (2) the appeal must be accompanied by—

(a) a copy of the original application or notice given to the building control authority (including all documentation that accompanied the application or notice);

(b) all the information provided to the building control authority in relation to the application or notice;

(c) all the correspondence with the building control authority in relation to that application or notice;

(d) a copy of the notice sent to the building control authority under paragraph (4).

(4) At least 2 working days before submitting an appeal under section 101A(2) of the Act the appellant must give notice to the building control authority of their intention to do so.

(5) Where the appellant submits an appeal under section 101A of the Act through electronic facilities provided by the Welsh Ministers for that purpose, they are taken to have consented to the use of electronic communications for all purposes relating to the appeal that are capable of being carried out electronically.

(6) The deemed consent in paragraph (5) may be revoked by the appellant giving the Welsh Ministers 10 working days' notice in writing specifying that the notice is given under this regulation.

(7) An appeal under section 101A of the Act is to be determined by consideration of written representations.

(8) The Welsh Ministers must give the building control authority which refused to consider the original application or notice the opportunity to make written representations in relation to a section 101A application.

(9) The Welsh Ministers may give any other person an opportunity to make written representations in relation to the appeal.

(10) The Welsh Ministers may, by notice in writing, require the building control authority in question to provide specified information, or provide copies of specified documents, by the date specified in the notice (that date must be no fewer than 5 working days after the date the notice is given).

(11) Before determining a section 101A application the Welsh Ministers may as they consider appropriate—

(a) hold any meeting with the appellant, the building control authority or any other person;

(b) undertake any site visit.

(12) The Welsh Ministers must determine the appeal within 40 workings days of the date on which the appeal is received and the decision in relation to the appeal must be given in writing to the appellant (and where the appellant is not the client, a copy of the decision must be given to them).

(13) A copy of the decision made by the Welsh Ministers must be sent to the building control authority.

(14) For the purposes of section 101A(6) of the Act, an appeal to the High Court under section 101A(6) of the Act may be made within 20 working days beginning with the day after the day on which the Welsh Ministers gave their decision to the appellant under paragraph (12).

(15) The Welsh Ministers may appoint a person to determine a section 101A application instead of the Welsh Ministers.

(16) At any time before a person appointed under this regulation has determined the appeal the Welsh Ministers may—

(a) revoke that person’s appointment;

(b) appoint another person to determine the appeal instead.

(17) A person appointed under paragraph (15) has the same powers and duties in relation to determination of a section 101A application as the Welsh Ministers and, in particular, where the appeal is determined by a person appointed under this regulation their decision is to be treated as the decision of the Welsh Ministers.”

Diwygiadau yn ymwneud â chychwyn adran 33 o Ddeddf Adeiladu 1984

12.—(1) Yn rheoliad 19 (goruchwylio gwaith adeiladu ac eithrio gan awdurdodau lleol)—

(a) ym mharagraff (1), hepgorer “, 45 (testing of building work) and 46 (sampling material)”;

(b) hepgorer paragraff (2);

(2) Hepgorer rheoliadau 45 a 46 o Reoliadau 2010.

(11) Before determining a section 101A application the Welsh Ministers may as they consider appropriate—

(a) hold any meeting with the appellant, the building control authority or any other person;

(b) undertake any site visit.

(12) The Welsh Ministers must determine the appeal within 40 workings days of the date on which the appeal is received and the decision in relation to the appeal must be given in writing to the appellant (and where the appellant is not the client, a copy of the decision must be given to them).

(13) A copy of the decision made by the Welsh Ministers must be sent to the building control authority.

(14) For the purposes of section 101A(6) of the Act, an appeal to the High Court under section 101A(6) of the Act may be made within 20 working days beginning with the day after the day on which the Welsh Ministers gave their decision to the appellant under paragraph (12).

(15) The Welsh Ministers may appoint a person to determine a section 101A application instead of the Welsh Ministers.

(16) At any time before a person appointed under this regulation has determined the appeal the Welsh Ministers may—

(a) revoke that person's appointment;

(b) appoint another person to determine the appeal instead.

(17) A person appointed under paragraph (15) has the same powers and duties in relation to determination of a section 101A application as the Welsh Ministers and, in particular, where the appeal is determined by a person appointed under this regulation their decision is to be treated as the decision of the Welsh Ministers.”

Amendments relating to commencement of section 33 of the Building Act 1984

12.—(1) In regulation 19 (supervision of building work otherwise than by local authorities)—

(a) in paragraph (1), omit “, 45 (testing of building work) and 46 (sampling material)”;

(b) omit paragraph (2);

(2) Omit regulations 45 and 46 of the 2010 Regulations.

Diwygio rheoliad 20 o Reoliadau 2010

13. Yn rheoliad 20 (y darpariaethau sy'n gymwys i gynlluniau hunanardystio), ar ôl paragraff (1) mewnosoder—

"(1A) Where this regulation applies and the building work in question relates to a higher-risk building, the client must make the person carrying out the work aware that the building is a higher-risk building."

Amendments to regulation 20 of the 2010 Regulations

13. In regulation 20 (provisions applicable to self-certification schemes), after paragraph (1) insert—

"(1A) Where this regulation applies and the building work in question relates to a higher-risk building, the client must make the person carrying out the work aware that the building is a higher-risk building."

Diwygiadau: darpariaethau gorfodi

14.—(1) Yn rheoliad 47 (torri rheoliadau penodol i beidio â bod yn drosedd), yn lle is-baragraff (a) rhodder—

"(a) regulations—

(i) 14D (determination of applications for building control approval with full plans: Wales);

(ii) 15B (consultation in relation fire safety: Wales);

(iii) 16(2B) and (2C) (notices in relation to building work);

(iv) 17 (completion certificates);

(v) 17A (certificate for building occupied before work is completed);

(vi) 18(6A) (unauthorised building work);

(vii) 18I(8) and (12) (appeals under section 101A of the Act: Wales);

(viii) 20(6A) (provisions applicable to self-certification schemes);

(ix) 25A(3A) (consideration of high-efficiency alternative systems for new buildings);

(x) 27(4A) (CO_2 emission rate calculations);

(xi) 27A(4A) (fabric energy efficiency rate calculations);

(xii) 27B(4A) (fabric performance values calculations);

(xiii) 27C(5) (energy efficiency rating calculations);

(xiv) 37(3) (wholesome water consumption calculation);

(xv) 41(3A) (sound insulation testing);

(xvi) 42(4) (mechanical ventilation air flow rate testing);

(xvii) 43(6) (pressure testing);

Amendments: enforcement provisions

14.—(1) In regulation 47 (contravention of certain regulations not to be an offence), for sub-paragraph (a) substitute—

"(a) regulations—

(i) 14D (determination of applications for building control approval with full plans: Wales);

(ii) 15B (consultation in relation fire safety: Wales);

(iii) 16(2B) and (2C) (notices in relation to building work);

(iv) 17 (completion certificates);

(v) 17A (certificate for building occupied before work is completed);

(vi) 18(6A) (unauthorised building work);

(vii) 18I(8) and (12) (appeals under section 101A of the Act: Wales);

(viii) 20(6A) (provisions applicable to self-certification schemes);

(ix) 25A(3A) (consideration of high-efficiency alternative systems for new buildings);

(x) 27(4A) (CO_2 emission rate calculations);

(xi) 27A(4A) (fabric energy efficiency rate calculations);

(xii) 27B(4A) (fabric performance values calculations);

(xiii) 27C(5) (energy efficiency rating calculations);

(xiv) 37(3) (wholesome water consumption calculation);

(xv) 41(3A) (sound insulation testing);

(xvi) 42(4) (mechanical ventilation air flow rate testing);

(xvii) 43(6) (pressure testing);

(xviii) 44(5) (commissioning);

(xix) 44ZA(4) (commissioning in respect of a system for on-site electricity generation);

(xx) 44ZAA(3) (particulars of connection to public electronic communications network);

(xxi) 47J (compliance notices: contents: Wales);

(xxii) 47K (stop notices: contents: Wales);

(xxiii) 47L(3) (compliance notices and stop notices: giving of notices and notification to others: Wales);

(xxiv) 47M(2) (compliance and stop notices: withdrawal: Wales), and".

(2) Ar ôl rheoliad 47H (cais i dribiwnlys yr haen gyntaf am gyfarwyddyd mewn perthynas â hysbysiad stop) mewnosoder—

"**Compliance notices: excluded provisions: Wales**

47I. The following provisions of these Regulations are prescribed as provisions in relation to which a compliance notice(**1**) may not be given under section 35B(7)(a) of the Act—

(a) regulation 14D (determination of applications for building control approval with full plans: Wales);

(b) regulation 15B (consultation in relation fire safety: Wales);

(c) regulation 16(2B) and (2C) (notice as to commencement of work);

(d) regulation 17 (completion certificates);

(e) regulation 17A (certificate for building occupied before work is completed);

(f) regulation 18(6A) (unauthorised building work);

(g) regulation 18I(8) and (12) (appeals under section 101A of the Act: Wales);

(h) regulation 20(6A) (provisions applicable to self-certification schemes);

(**1**) Gweler y diffiniad o "compliance notice" yn adran 35B(2) o Ddeddf Adeiladu 1984, a fewnosodwyd gan adran 38 o Ddeddf Diogelwch Adeiladau 2022.

(xviii) 44(5) (commissioning);

(xix) 44ZA(4) (commissioning in respect of a system for on-site electricity generation);

(xx) 44ZAA(3) (particulars of connection to public electronic communications network);

(xxi) 47J (compliance notices: contents: Wales);

(xxii) 47K (stop notices: contents: Wales);

(xxiii) 47L(3) (compliance notices and stop notices: giving of notices and notification to others: Wales);

(xxiv) 47M(2) (compliance and stop notices: withdrawal: Wales), and".

(2) After regulation 47H (application to the first-tier tribunal for a direction in relation to a stop notice) insert—

"**Compliance notices: excluded provisions: Wales**

47I. The following provisions of these Regulations are prescribed as provisions in relation to which a compliance notice(**1**) may not be given under section 35B(7)(a) of the Act—

(a) regulation 14D (determination of applications for building control approval with full plans: Wales);

(b) regulation 15B (consultation in relation fire safety: Wales);

(c) regulation 16(2B) and (2C) (notice as to commencement of work);

(d) regulation 17 (completion certificates);

(e) regulation 17A (certificate for building occupied before work is completed);

(f) regulation 18(6A) (unauthorised building work);

(g) regulation 18I(8) and (12) (appeals under section 101A of the Act: Wales);

(h) regulation 20(6A) (provisions applicable to self-certification schemes);

(**1**) See the definition of compliance notice in section 35B(2) of the Building Act 1984, inserted by section 38 of the Building Safety Act 2022.

(i) regulation 25A(3A) (consideration of high-efficiency alternative systems for new buildings);

(j) regulation 27(4A) (CO2 emission rate calculations);

(k) regulation 27A(4A) (primary energy rate calculations);

(l) 27B(4A) (fabric performance values calculations);

(m) regulation 27C(5) (energy efficiency rating calculations);

(n) regulation 37(3) (wholesome water consumption calculation);

(o) regulation 41(3A) (sound insulation testing);

(p) regulation 42(4) (mechanical ventilation air flow rate testing);

(q) regulation 43(6) (pressure testing);

(r) regulation 44(5) (commissioning);

(s) regulation 44ZA(4) (commissioning in respect of a system for on-site electricity generation);

(t) 44ZAA(3) (particulars of connection to public electronic communications network);

(u) regulation 47J (compliance notices: contents: Wales);

(v) regulation 47K (stop notices: contents: Wales);

(w) regulation 47L(3) (compliance notices and stop notices: giving of notices and notification of others: Wales);

(x) regulation 47M(2) (compliance and stop notices: withdrawal: Wales).

Compliance notices: contents: Wales

47J.—(1) A compliance notice given by a building control authority must be in writing and state—

(a) that it is a compliance notice under section 35B of the Act,

(b) the date the notice is given,

(c) the name or description of the recipient, and

(d) the consequences of failing to comply with the notice.

(2) A compliance notice must additionally—

(a) describe the issue to which the notice relates,

(i) regulation 25A(3A) (consideration of high-efficiency alternative systems for new buildings);

(j) regulation 27(4A) (CO2 emission rate calculations);

(k) regulation 27A(4A) (primary energy rate calculations);

(l) 27B(4A) (fabric performance values calculations);

(m) regulation 27C(5) (energy efficiency rating calculations);

(n) regulation 37(3) (wholesome water consumption calculation);

(o) regulation 41(3A) (sound insulation testing);

(p) regulation 42(4) (mechanical ventilation air flow rate testing);

(q) regulation 43(6) (pressure testing);

(r) regulation 44(5) (commissioning);

(s) regulation 44ZA(4) (commissioning in respect of a system for on-site electricity generation);

(t) 44ZAA(3) (particulars of connection to public electronic communications network);

(u) regulation 47J (compliance notices: contents: Wales);

(v) regulation 47K (stop notices: contents: Wales);

(w) regulation 47L(3) (compliance notices and stop notices: giving of notices and notification of others: Wales);

(x) regulation 47M(2) (compliance and stop notices: withdrawal: Wales).

Compliance notices: contents: Wales

47J.—(1) A compliance notice given by a building control authority must be in writing and state—

(a) that it is a compliance notice under section 35B of the Act,

(b) the date the notice is given,

(c) the name or description of the recipient, and

(d) the consequences of failing to comply with the notice.

(2) A compliance notice must additionally—

(a) describe the issue to which the notice relates,

(b) identify the provision of building regulations, or the requirement imposed by virtue of building regulations, to which the compliance notice relates,

(c) provide details of the nature of the contravention or likely contravention,

(d) state that the notice may be withdrawn by the building control authority,

(e) state that the recipient may apply to the magistrates' court under section 39A(3) of the Act for an extension of the specified period for doing anything set out in the notice and state that any application must be made within 15 working days of the date the notice is given, and

(f) state that the recipient may appeal to the magistrates' court under section 39A(1) of the Act and state that any appeal must be made within 15 working days of the date the notice is given.

(3) A compliance notice must relate to no more than one contravention or likely contravention of building regulations or a requirement imposed by virtue of building regulations.

Stop notices: contents: Wales

47K.—(1) A stop notice given by a building control authority must be in writing and state—

(a) that it is a stop notice under section 35C(1)(a), 35C(1)(b) or, as the case may be, 35C(1)(c) of the Act,

(b) the date the notice is given and whether the notice applies immediately, or where it does not apply immediately, the date when it applies,

(c) the name or description of the recipient, and

(d) the consequences of failing to comply with the notice.

(2) A stop notice must additionally—

(a) describe the issue to which the notice relates,

(b) specify—

(i) in a case within section 35C(1)(a) of the Act, the provision of building regulations or requirement imposed by virtue of building regulations to which the stop notice relates;

(b) identify the provision of building regulations, or the requirement imposed by virtue of building regulations, to which the compliance notice relates,

(c) provide details of the nature of the contravention or likely contravention,

(d) state that the notice may be withdrawn by the building control authority,

(e) state that the recipient may apply to the magistrates' court under section 39A(3) of the Act for an extension of the specified period for doing anything set out in the notice and state that any application must be made within 15 working days of the date the notice is given, and

(f) state that the recipient may appeal to the magistrates' court under section 39A(1) of the Act and state that any appeal must be made within 15 working days of the date the notice is given.

(3) A compliance notice must relate to no more than one contravention or likely contravention of building regulations or a requirement imposed by virtue of building regulations.

Stop notices: contents: Wales

47K.—(1) A stop notice given by a building control authority must be in writing and state—

(a) that it is a stop notice under section 35C(1)(a), 35C(1)(b) or, as the case may be, 35C(1)(c) of the Act,

(b) the date the notice is given and whether the notice applies immediately, or where it does not apply immediately, the date when it applies,

(c) the name or description of the recipient, and

(d) the consequences of failing to comply with the notice.

(2) A stop notice must additionally—

(a) describe the issue to which the notice relates,

(b) specify—

(i) in a case within section 35C(1)(a) of the Act, the provision of building regulations or requirement imposed by virtue of building regulations to which the stop notice relates;

(ii) in a case within section 35C(1)(b) of the Act, the compliance notice to which the stop notice relates;

(iii) in a case within section 35C(1)(c) of the Act, the provision of building regulations or requirement imposed by virtue of building regulations to which the stop notice relates,

(c) provide details of the nature of the contravention (including, in a case within section 35C(1)(c) of the Act, the nature of the serious harm that is anticipated),

(d) state that the recipient may appeal to the magistrates' court under section 39A(5) of the Act and state that any appeal must be made within 15 working days of the date the notice is given, and

(e) state that the recipient may apply to the magistrates' court under section 39A(6) of the Act for a direction.

(3) A stop notice must relate to—

(a) in a case within section 35C(1)(a) of the Act, no more than one contravention of a prescribed provision of building regulations or requirement imposed by virtue of such a provision;

(b) in a case within section 35C(1)(b) of the Act, no more than one compliance notice;

(c) in a case within section 35C(1)(c) of the Act, no more than one contravention of a provision of building regulations or a requirement imposed by virtue of such a provision.

Compliance notices and stop notices: giving of notices and notification to others: Wales

47L.—(1) Paragraph (2) applies where a compliance notice under section 35B of the Act or a stop notice under section 35C(1) of the Act is to be given in relation to work on a site or premises and another form of service under section 94(1) of the Act is not appropriate.

(2) Where, after reasonable inquiries, the building control authority is satisfied that there is no one to whom a compliance notice or stop notice can be delivered, the notice, or a copy of it, may be affixed to a conspicuous part of the site or premises where the work to which the notice relates is carried out.

(ii) in a case within section 35C(1)(b) of the Act, the compliance notice to which the stop notice relates;

(iii) in a case within section 35C(1)(c) of the Act, the provision of building regulations or requirement imposed by virtue of building regulations to which the stop notice relates,

(c) provide details of the nature of the contravention (including, in a case within section 35C(1)(c) of the Act, the nature of the serious harm that is anticipated),

(d) state that the recipient may appeal to the magistrates' court under section 39A(5) of the Act and state that any appeal must be made within 15 working days of the date the notice is given, and

(e) state that the recipient may apply to the magistrates' court under section 39A(6) of the Act for a direction.

(3) A stop notice must relate to—

(a) in a case within section 35C(1)(a) of the Act, no more than one contravention of a prescribed provision of building regulations or requirement imposed by virtue of such a provision;

(b) in a case within section 35C(1)(b) of the Act, no more than one compliance notice;

(c) in a case within section 35C(1)(c) of the Act, no more than one contravention of a provision of building regulations or a requirement imposed by virtue of such a provision.

Compliance notices and stop notices: giving of notices and notification to others: Wales

47L.—(1) Paragraph (2) applies where a compliance notice under section 35B of the Act or a stop notice under section 35C(1) of the Act is to be given in relation to work on a site or premises and another form of service under section 94(1) of the Act is not appropriate.

(2) Where, after reasonable inquiries, the building control authority is satisfied that there is no one to whom a compliance notice or stop notice can be delivered, the notice, or a copy of it, may be affixed to a conspicuous part of the site or premises where the work to which the notice relates is carried out.

(3) Where a building control authority gives a compliance notice or stop notice, the authority must take reasonable steps to notify the following persons as to the giving of the notice—

(a) the client, the principal contractor (or sole contractor) and the principal designer (or sole or lead designer) for the work to which the notice relates,

(b) where the notice relates to a contravention of Part B of Schedule 1 in relation to a building to which the Regulatory Reform (Fire Safety) Order 2005 applies or will apply after completion of the work, the enforcing authority (within the meaning of article 25 of that Order) for the building or the proposed building,

(c) where the client is a landlord in relation to any dwelling contained in the building, the local housing authority for the area in which the building is located, and

(d) where the notice relates to work to an existing higher-risk building, the responsible person who is responsible for the part of the building where the work is carried out.

Compliance and stop notices: withdrawal: Wales

47M.—(1) A building control authority may withdraw a compliance notice or stop notice.

(2) Where the building control authority withdraws a compliance notice or stop notice it must as soon as reasonably practicable give the recipient a notice in writing to that effect.

Appeal to magistrates' court in relation to a compliance notice or stop notice: Wales

47N.—(1) An appeal to the magistrates' court under section 39A(1) or (5) of the Act must be made by the relevant date.

(2) The magistrates' court may allow an appeal referred to in paragraph (1) only if it is satisfied that the giving of the compliance notice or stop notice in question was wrong on one or more of the following grounds—

(a) that the notice was given based on an error of fact;

(3) Where a building control authority gives a compliance notice or stop notice, the authority must take reasonable steps to notify the following persons as to the giving of the notice—

(a) the client, the principal contractor (or sole contractor) and the principal designer (or sole or lead designer) for the work to which the notice relates,

(b) where the notice relates to a contravention of Part B of Schedule 1 in relation to a building to which the Regulatory Reform (Fire Safety) Order 2005 applies or will apply after completion of the work, the enforcing authority (within the meaning of article 25 of that Order) for the building or the proposed building,

(c) where the client is a landlord in relation to any dwelling contained in the building, the local housing authority for the area in which the building is located, and

(d) where the notice relates to work to an existing higher-risk building, the responsible person who is responsible for the part of the building where the work is carried out.

Compliance and stop notices: withdrawal: Wales

47M.—(1) A building control authority may withdraw a compliance notice or stop notice.

(2) Where the building control authority withdraws a compliance notice or stop notice it must as soon as reasonably practicable give the recipient a notice in writing to that effect.

Appeal to magistrates' court in relation to a compliance notice or stop notice: Wales

47N.—(1) An appeal to the magistrates' court under section 39A(1) or (5) of the Act must be made by the relevant date.

(2) The magistrates' court may allow an appeal referred to in paragraph (1) only if it is satisfied that the giving of the compliance notice or stop notice in question was wrong on one or more of the following grounds—

(a) that the notice was given based on an error of fact;

(b) that the giving of the notice was wrong in law;

(c) that the giving of the notice was unreasonable;

(d) that the notice was given without following the procedures set out in the Act or regulations made under that Act (except regulation 47L(3)).

(3) If the magistrates' court allows an appeal referred to in paragraph (1) it may quash or vary the compliance notice or stop notice.

(4) In this regulation the "relevant date" is—

(a) in the case of an appeal under section 39A(1), within 15 working days beginning with the date the compliance notice is given, and

(b) in the case of an appeal under section 39A(5), within 15 working days beginning with the date the stop notice is given.

Application to the magistrates' court in relation to extension of the specified period in a compliance notice: Wales

47O.—(1) An application to the magistrates' court under section 39A(3) of the Act in relation to a compliance notice must be made within 15 working days beginning with the date the compliance notice is given.

(2) In deciding the question set out in an application under section 39A(3) of the Act the magistrates' court must consider whether the recipient of the notice has demonstrated they are unable to comply within the specified period and it is reasonable to extend it.

Application to the magistrates' court for a direction in relation to a stop notice: Wales

47P.—(1) In deciding the question set out in an application to the magistrates' court under section 39A(3) of the Act in relation to a stop notice, the magistrates' court must consider whether it is fair and proportionate, having regard to any representations made, to give the direction."

Diwygiadau amrywiol eraill i Reoliadau 2010

15.—(1) Yn rheoliad 5 (ystyr newid defnydd sylweddol) hepgorer "the purposes of paragraph 8(1)(e) of Schedule 1 to the Act and for".

(b) that the giving of the notice was wrong in law;

(c) that the giving of the notice was unreasonable;

(d) that the notice was given without following the procedures set out in the Act or regulations made under that Act (except regulation 47L(3)).

(3) If the magistrates' court allows an appeal referred to in paragraph (1) it may quash or vary the compliance notice or stop notice.

(4) In this regulation the "relevant date" is—

(a) in the case of an appeal under section 39A(1), within 15 working days beginning with the date the compliance notice is given, and

(b) in the case of an appeal under section 39A(5), within 15 working days beginning with the date the stop notice is given.

Application to the magistrates' court in relation to extension of the specified period in a compliance notice: Wales

47O.—(1) An application to the magistrates' court under section 39A(3) of the Act in relation to a compliance notice must be made within 15 working days beginning with the date the compliance notice is given.

(2) In deciding the question set out in an application under section 39A(3) of the Act the magistrates' court must consider whether the recipient of the notice has demonstrated they are unable to comply within the specified period and it is reasonable to extend it.

Application to the magistrates' court for a direction in relation to a stop notice: Wales

47P.—(1) In deciding the question set out in an application to the magistrates' court under section 39A(3) of the Act in relation to a stop notice, the magistrates' court must consider whether it is fair and proportionate, having regard to any representations made, to give the direction."

Other miscellaneous amendments to the 2010 Regulations

15.—(1) In regulation 5 (meaning of material change of use) omit "the purposes of paragraph 8(1)(e) of Schedule 1 to the Act and for".

(2) Yn rheoliad 44ZAA (manylion cysylltiad â rhwydwaith cyfathrebiadau electronig cyhoeddus), ar ddiwedd paragraff 2(c)(ii), yn lle "the notice is given" rhodder "either a building notice, initial notice or public body's notice is given.".

(3) Yn rheoliad 44C (dehongli Rhan 9A a Rhan R o Atodlen 1), yn y diffiniad o "public electronic communications network" yn lle "has the meaning" rhodder "and "public electronic communications service" have the meanings".

(4) Hepgorer rheoliad 48 (cyflwyno dogfennau yn electronig).

(2) In regulation 44ZAA (particulars of connection to public electronic communications network), at the end of paragraph 2(c)(ii), for "the notice is given" substitute "either a building notice, initial notice or public body's notice is given."

(3) In regulation 44C (interpretation of Part 9A and of Part R of Schedule 1), in the definition of "public electronic communications network" for "has the meaning" substitute "and "public electronic communications service" have the meanings".

(4) Omit regulation 48 (electronic service of documents).

RHAN 3

Diwygio is-ddeddfwriaeth arall

Diwygio Rheoliadau Adeiladu (Taliadau Awdurdodau Lleol) 2010

16.—(1) Mae Rheoliadau Adeiladu (Taliadau Awdurdodau Lleol) 2010(**1**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2—

(a) ar ôl y diffiniad o "chargeable function" mewnosoder—

> ""local authority" means a county council or county borough council for an area in Wales, or where applicable, by virtue of regulations made under section 91ZD of the 1984 Act, means a designated local authority."

(b) yn y diffiniad o "relevant person", ym mharagraff (a), yn lle "or building notice charge" rhodder ", building notice charge, controlled change charge, completion certificate charge or partial completion certificate charge".

(3) Yn rheoliad 5(1) (egwyddorion cynllun codi tâl: swyddogaethau a chyngor y gellir codi tâl amdanynt)—

(a) yn is-baragraff (a), ar ôl "in relation to Wales," mewnosoder—

> "(i) the passing or rejection of plans which have been deposited with the local authority, under section 16 of the Act, before 1 July 2026, or

(**1**) O.S. 2010/404 fel y'i diwygiwyd gan O.S. 2010/2214, O.S. 2023/911 ac O.S. 2024/1268; mae offerynnau diwygio eraill, ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

PART 3

Amendment of other secondary legislation

Amendments to the Building (Local Authority Charges) Regulations 2010

16.—(1) The Building (Local Authority Charges) Regulations 2010(**1**) are amended as follows.

(2) In regulation 2—

(a) after the definition of "chargeable function" insert—

> ""local authority" means a county council or county borough council for an area in Wales, or where applicable, by virtue of regulations made under section 91ZD of the 1984 Act, means a designated local authority."

(b) in the definition of "relevant person", in paragraph (a), for "or building notice charge" substitute ", building notice charge, controlled change charge, completion certificate charge or partial completion certificate charge".

(3) In regulation 5(1) (principles of charging scheme: chargeable functions and advice)—

(a) in sub-paragraph (a), after "in relation to Wales," insert—

> "(i) the passing or rejection of plans which have been deposited with the local authority, under section 16 of the Act, before 1 July 2026, or

(**1**) S.I. 2010/404 as amended by S.I. 2010/2214, S.I. 2023/911 and S.I. 2024/1268; there are other amending instruments but none is relevant to these Regulations.

(ii) the granting or rejection of an application for building control approval in relation to proposed building work in Wales made to the local authority under the Principal Regulations, (a "plan charge");"

(b) yn is-baragraff (b), ar ôl "in relation to Wales," mewnosoder—

"the inspection of building work for which—

(i) plans have been deposited with the local authority, under section 16 of the Act, before 1 July 2026, or

(ii) an application for building control approval has been granted under the Principal Regulations, (an "inspection charge");".

(c) ar ôl is-baragraff (e) mewnosoder—

"(f) in relation to Wales, the actions taken under the following regulations of the Building (Higher-Risk Buildings Procedures) (Wales) Regulations 2025—

(i) regulations 20 to 25 (a "controlled change charge");

(ii) regulations 39 to 43 (a "completion certificate charge");

(iii) regulation 44 (a "partial completion certificate charge")."

(4) Yn rheoliad 7(5) (egwyddorion cynllun codi tâl: cyfrifo taliadau), ar ôl is-baragraff (j) mewnosoder—

"(ja) whether an application or building notice in relation to building work is in respect of building work which is substantially the same as building work in respect of which an application for building control approval has been granted or building works have been inspected by the same local authority;".

(5) Yn rheoliad 8 (egwyddorion cynllun codi tâl o ran talu)—

(a) ym mharagraff (1)—

(i) yn is-baragraff (a), ar ôl "deposited with" mewnosoder ", or an application for building control approval for the building work is made to,";

(ii) yn is-baragraff (d)—

(aa) yn lle "first deposited with" rhodder "first given to";

(ii) the granting or rejection of an application for building control approval in relation to proposed building work in Wales made to the local authority under the Principal Regulations, (a "plan charge");"

(b) in sub-paragraph (b), after "in relation to Wales," insert—

"the inspection of building work for which—

(i) plans have been deposited with the local authority, under section 16 of the Act, before 1 July 2026, or

(ii) an application for building control approval has been granted under the Principal Regulations, (an "inspection charge");".

(c) after sub-paragraph (e) insert—

"(f) in relation to Wales, the actions taken under the following regulations of the Building (Higher-Risk Buildings Procedures) (Wales) Regulations 2025—

(i) regulations 20 to 25 (a "controlled change charge");

(ii) regulations 39 to 43 (a "completion certificate charge");

(iii) regulation 44 (a "partial completion certificate charge")."

(4) In regulation 7(5) (principles of charging scheme: calculating charges), after sub-paragraph (j) insert—

"(ja) whether an application or building notice in relation to building work is in respect of building work which is substantially the same as building work in respect of which an application for building control approval has been granted or building works have been inspected by the same local authority;".

(5) In regulation 8 (principles of charging scheme as to payment)—

(a) in paragraph (1)—

(i) in sub-paragraph (a), after "deposited with" insert ", or an application for building control approval for the building work is made to,";

(ii) in sub-paragraph (d)—

(aa) for "first deposited with" substitute "first given to";

(bb) yn lle “have been deposited with” rhodder “have been given to”;

(cc) yn lle “are or have been deposited” rhodder “are or have been given”;

(b) ym mharagraff (2)—

(i) ar ôl “are deposited” mewnosoder “or an application for building control approval which is made”, a

(ii) ar ôl “of the Act” mewnosoder “or is not validly made for the purposes of the Principal Regulations”;

(c) ym mharagraff (3), ar ôl “plans of building work are deposited” mewnosoder “, an application for building control approval is made”.

(6) Yn rheoliad 11 (ad-daliadau a thaliadau atodol)—

(a) ym mharagraff (1), ar ôl “the Act” mewnosoder “or do not give notice of the granting or rejection of an application for building control approval within the period required under the Principal Regulations”;

(b) ym mharagraff (2)—

(i) ar ôl “the plans were deposited” mewnosoder “or an application for building control approval was made”;

(ii) ar ôl “in order to comply with section 16 of the Act” mewnosoder “or the Principal Regulations”.

(c) ym mharagraff (6), ar ôl “plans which are deposited with a local authority under section 16 of the Act” mewnosoder “or an application for building control approval which is made to a local authority under the Principal Regulations”.

(7) Yn rheoliad 14 —

(a) yn lle’r pennawd “Fees for determinations of questions by the Secretary of State” rhodder “Fees for determinations of questions by the Welsh Ministers”;

(b) ym mharagraff (1), yn lle “a reference under section 16(10) of the Act (determinations of questions by the Secretary of State)” rhodder “an appeal under regulation 14E of the Building Regulations 2010”.

(bb) for “have been deposited with” substitute “have been given to”;

(cc) for “are or have been deposited” substitute “are or have been given”;

(b) in paragraph (2)—

(i) after “are deposited" insert “or an application for building control approval which is made”, and

(ii) after “of the Act” insert “or is not validly made for the purposes of the Principal Regulations”;

(c) in paragraph (3), after “plans of building work are deposited” insert “, an application for building control approval is made”.

(6) In regulation 11 (refunds and supplementary charges)—

(a) in paragraph (1), after “the Act” insert “or do not give notice of the granting or rejection of an application for building control approval within the period required under the Principal Regulations”;

(b) in paragraph (2)—

(i) after “the plans were deposited” insert “or an application for building control approval was made”;

(ii) after “in order to comply with section 16 of the Act” insert “or the Principal Regulations”.

(c) in paragraph (6), after “plans which are deposited with a local authority under section 16 of the Act” insert “or an application for building control approval which is made to a local authority under the Principal Regulations”.

(7) In regulation 14—

(a) for the heading “Fees for determinations of questions by the Secretary of State” substitute “Fees for determinations of questions by the Welsh Ministers”;

(b) in paragraph (1), for “a reference under section 16(10) of the Act (determinations of questions by the Secretary of State)” substitute “an appeal under regulation 14E of the Building Regulations 2010”.

Diwygio Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024

17.—(1) Mae Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024(**1**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 4(2)(a), ar ôl paragraff (iii), mewnosoder "(iiia) Rhan 2B – Cymru (deiliaid dyletswyddau a chymhwysedd)".

(3) Yn rheoliad 5 (addasu Rheoliadau 2010 etc.)—

(a) ym mharagraff (2), ar ôl "37 (cyfrifo'r defnydd o ddŵr dihalog)," mewnosoder "38 (gwybodaeth am ddiogelwch tân),";

(b) ar ôl paragraff (9)(b) mewnosoder—

"(c) ym mharagraff (4), "regulation 13A(1) (notice before starting work) of the Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024," wedi ei roi yn lle "regulation 16(1)"".

(c) ym mharagraff (12), yn lle "rheoliad 7A(3)" rhodder "rheoliad 7A".

(4) Ar ôl rheoliad 6 mewnosoder—

"**6A.**—(1) Mae paragraff (2) yn gymwys pan fo dogfen sy'n honni ei bod yn hysbysiad cychwynnol, yn hysbysiad diwygio, yn dystysgrif blaniau neu'n dystysgrif derfynol ("y ddogfen wreiddiol") yn cael ei rhoi i awdurdod lleol a bod yr awdurdod lleol wedi ei fodloni bod y cyfan neu ran o'r gwaith y mae'r ddogfen wreiddiol yn ymwneud ag ef yn waith adeilad risg uwch(**2**).

(2) Pan fo'r paragraff hwn yn gymwys rhaid i'r awdurdod lleol, cyn gynted ag y bo'n rhesymol ymarferol, roi hysbysiad i'r cymeradwywr a'r person sy'n bwriadu cynnal y gwaith (a phan nad y cleient yw'r person hwnnw, y cleient) a'r ffurflen sydd i'w defnyddio ar gyfer yr hysbysiad yw ffurflen 6(C) yn Atodlen 1.

(3) Pan fo dogfen sy'n honni ei bod yn hysbysiad cychwynnol, yn hysbysiad diwygio, yn dystysgrif blaniau neu'n dystysgrif derfynol ("y ddogfen wreiddiol") yn cael ei rhoi i awdurdod lleol a bod yr awdurdod lleol wedi ei fodloni bod y cyfan neu ran o'r gwaith y mae'r ddogfen wreiddiol yn ymwneud ag ef y tu allan

(**1**) O.S. 2024/1268 (Cy. 214), fel y'i diwygiwyd gan O.S. 2025/377 (Cy. 74).

(**2**) Gweler y diffiniad o "higher-risk building work" yn adran 120I(3) o Ddeddf Adeiladu 1984, a fewnosodwyd gan adran 31 o Ddeddf Diogelwch Adeiladau 2022.

Amendments to the Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024

17.—(1) The Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024(**1**) are amended as follows.

(2) In regulation 4(2)(a), after paragraph (iii), insert "(iiia) Part 2B – Wales (dutyholders and competence)".

(3) In regulation 5 (modification of the 2010 Regulations etc.)—

(a) in paragraph (2), after "37 (wholesome water consumption calculation," insert "38 (fire safety information),";

(b) after paragraph (9)(b) insert—

"(c) in paragraph (4), for "regulation 16(1)" there were substituted "regulation 13A(1) (notice before starting work) of the Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024,"".

(c) in paragraph (12), for "Regulation 7A(3)" substitute "Regulation 7A".

(4) After regulation 6 insert—

"**6A.**—(1) Paragraph (2) applies where a document which purports to be an initial notice, amendment notice, plans certificate or final certificate ("the original document") is given to a local authority and the local authority is satisfied that all or part of the work to which the original document relates is higher-risk building work(**2**).

(2) Where this paragraph applies the local authority must, as soon as is reasonably practicable, give a notice to the approver and the person intending to carry out the work (and where that person is not the client, the client) and the form to be used for the notice is form 6(W) in Schedule 1.

(3) Where a document which purports to be an initial notice, amendment notice, plans certificate or final certificate ("the original document") is given to a local authority and the local authority is satisfied that all or part of the work to which the original document relates is outside the scope of the approver's registration

(**1**) S.I. 2024/1268 (W 214), as amended by S.I. 2025/377 (W 74).

(**2**) See the definition of "higher-risk building work" in section 120I(3) of the Building Act 1984, which was inserted by section 31 of the Building Safety Act 2022.

i gwmpas cofrestriad y cymeradwywr yna rhaid i'r awdurdod, cyn gynted ag y bo'n rhesymol ymarferol, roi hysbysiad i'r cymeradwywr a'r person sy'n bwriadu cynnal y gwaith (a phan nad y cleient yw'r person hwnnw, y cleient) a'r ffurflen sydd i'w defnyddio ar gyfer yr hysbysiad yw ffurflen 6(C) yn Atodlen 1.

(4) Pan fo dogfen sy'n honni ei bod yn hysbysiad cychwynnol ("yr hysbysiad gwreiddiol") yn cael ei rhoi i awdurdod lleol a bod yr awdurdod lleol wedi ei fodloni bod yr hysbysiad gwreiddiol yn cael ei roi gan dorri adran 53D(5) o Ddeddf 1984 yna rhaid i'r awdurdod, cyn gynted ag y bo'n rhesymol ymarferol, roi hysbysiad i'r cymeradwywr a'r person sy'n bwriadu cynnal y gwaith (a phan nad y cleient yw'r person hwnnw, y cleient) a'r ffurflen sydd i'w defnyddio ar gyfer yr hysbysiad yw ffurflen 6(C) yn Atodlen 1."

then the authority must, as soon as is reasonably practicable, give a notice to the approver and the person intending to carry out the work (and where that person is not the client, the client) and the form to be used for the notice is form 6(W) in Schedule 1.

(4) Where a document which purports to be an initial notice ("the original notice") is given to a local authority and the local authority is satisfied that the original notice is given in breach of section 53D(5) of the 1984 Act then the authority must, as soon as is reasonably practicable, give a notice to the approver and the person intending to carry out the work (and where that person is not the client, the client) and the form to be used for the notice is form 6(W) in Schedule 1."

(5) Yn rheoliad 8(5) (ymgynghori â'r awdurdod tân ac achub), yn lle "planiau'n cael eu rhoi ar waith" rhodder "cais am gymeradwyaeth rheolaeth adeiladu gyda phlaniau llawn yn cael ei gyflwyno neu ei ganiatáu".

(5) In regulation 8(5) (consultation with the fire and rescue authority), for "plans were deposited" substitute "an application for building control approval with full plans were submitted or granted".

(6) Ar ôl rheoliad 13 (ffurf hysbysiad o dan adran 51C o Ddeddf 1984) mewnosoder—

(6) After regulation 13 (form of notice under section 51C of the 1984 Act) insert—

"Hysbysiad cyn dechrau gwaith a hysbysiad pellach pan fydd gwaith "wedi ei gychwyn" etc.

13A.—(1) O leiaf ddau ddiwrnod gwaith cyn y diwrnod y mae'r gwaith adeiladu yn dechrau, rhaid i'r person sy'n cynnal y gwaith roi hysbysiad i'r cymeradwywr a ddangosir ar yr hysbysiad cychwynnol sy'n ymwneud â'r gwaith adeiladu yn nodi ei fwriad i ddechrau'r gwaith a'r dyddiad y mae'r gwaith i ddechrau.

(2) Dim mwy na 5 diwrnod gwaith ar ôl y diwrnod y mae'r gwaith i'w ystyried yn waith sydd wedi ei gychwyn rhaid i'r person sy'n cynnal y gwaith roi hysbysiad i'r perwyl hwnnw i'r cymeradwywr.

(3) Os nad yw'r cymeradwywr wedi ei fodloni bod y gwaith i'w ystyried yn waith sydd wedi ei gychwyn rhaid iddo roi hysbysiad i'r perwyl hwnnw ("hysbysiad gwrthod") i'r person sy'n cynnal y gwaith o fewn 20 diwrnod gwaith i'r dyddiad y rhoddir yr hysbysiad o dan baragraff (2), a rhaid i'r hysbysiad gwrthod roi'r rhesymau dros wrthod a dynodi pa waith y mae angen ei gwblhau er mwyn i'r gwaith gael ei dderbyn yn waith sydd wedi ei gychwyn.

"Notice before starting work and further notice when work is "commenced" etc.

13A.—(1) At least two working days before the day on which building work starts, the person carrying out the work must give a notice to the approver shown on the initial notice relating to the building work setting out their intention to start the work and the date that work is to start.

(2) Not more than 5 working days after the day on which the work is to be regarded as commenced the person carrying out the work must give a notice to that effect to the approver.

(3) If the approver is not satisfied the work is to be regarded as commenced they must give the person carrying out the work a notice to that effect ("rejection notice") within 20 working days of the date the notice under paragraph (2) is given, and the rejection notice must give the reasons for rejection and indicate what work needs to be completed for the work to be accepted as commenced.

(4) Pan roddir hysbysiad o dan baragraff (2) a bod y cyfnod y cyfeirir ato ym mharagraff (3) yn dod i ben heb i hysbysiad gwrthod gael ei roi, yna mae'r gwaith i'w ystyried yn waith sydd wedi ei gychwyn.

(5) Os yw'r person sy'n cynnal y gwaith yn derbyn yr hysbysiad gwrthod ni chaiff roi hysbysiad pellach o dan baragraff (2) oni bai ei fod, gan roi sylw i'r rhesymau a roddwyd gan y cymeradwywr, wedi ei fodloni bod y gwaith i'w ystyried yn waith sydd wedi ei gychwyn.

(6) Caiff person a roddodd yr hysbysiad o dan baragraff (2) apelio i'r llys ynadon yn erbyn penderfyniad y cymeradwywr i wrthod yr hysbysiad ar yr amod bod yr apêl yn cael ei gwneud o fewn 15 diwrnod gwaith sy'n dechrau â'r diwrnod drannoeth y diwrnod y mae'r awdurdod lleol yn rhoi'r hysbysiad gwrthod.

(7) Ni chaiff y llys ynadon ganiatáu apêl o dan baragraff (6) ond os yw wedi ei fodloni bod y penderfyniad yr apelir yn ei erbyn yn anghywir ar un neu ragor o'r seiliau a ganlyn—

(a) bod y penderfyniad yn seiliedig ar wall ffeithiol;

(b) bod y penderfyniad yn anghywir mewn cyfraith;

(c) bod y penderfyniad yn afresymol;

(d) bod y penderfyniad wedi ei wneud heb ddilyn y gweithdrefnau a nodir yn y Ddeddf neu mewn rheoliadau a wnaed o dan y Ddeddf.

(8) Caiff y cymeradwywr gymryd unrhyw gamau, gan gynnwys—

(a) gwneud gwybodaeth yn ofynnol;

(b) agor gwaith i'w arolygu, fel y mae'n meddwl sy'n briodol i wirio a yw'r gwaith i'w ystyried yn waith sydd wedi ei gychwyn.

(9) At ddibenion paragraffau (2) i (8), mae rheoliad 13B (hysbysiadau cychwynnol yn darfod: cychwyn gwaith) yn gymwys er mwyn penderfynu a yw gwaith i'w ystyried yn waith sydd wedi ei gychwyn.

Hysbysiad cychwynnol yn darfod: cychwyn gwaith

13B.—(1) At ddibenion adran 53A(6) o'r Ddeddf (hysbysiad cychwynnol yn darfod) mae gwaith i'w ystyried yn waith sydd wedi ei gychwyn yn unol â pharagraffau (2) i (4).

(4) Where a notice is given under paragraph (2) and the period referred to in paragraph (3) expires without a rejection notice being given, then the work is to be regarded as commenced.

(5) If the person carrying out the work accepts the rejection notice they may not give a further notice under paragraph (2) unless, having regard to the reasons given by the approver, they are satisfied the work is to be regarded as commenced.

(6) A person who gave the notice under paragraph (2) may appeal to the magistrates' court against the decision of the approver to reject the notice provided the appeal is made within 15 working days beginning with the day after the day on which the local authority gives the rejection notice.

(7) The magistrates' court may allow an appeal under paragraph (6) only if it is satisfied that the decision appealed against was wrong on one or more of the following grounds—

(a) that the decision was based on an error of fact;

(b) that the decision was wrong in law;

(c) that the decision was unreasonable;

(d) that the decision was made without following the procedures set out in the Act or regulations made under the Act.

(8) The approver may take such steps, including—

(a) requiring information;

(b) laying open of work for inspection, as it thinks appropriate to check whether the work is to be regarded as commenced.

(9) For the purposes of paragraphs (2) to (8), regulation 13B (lapse of initial notice: commencement of work) applies to determine whether work is to be regarded as commenced.

Lapse of initial notice: commencement of work

13B.—(1) For the purposes of section 53A(6) of the Act (lapse of initial notice) work is to be regarded as commenced in accordance with paragraphs (2) to (4).

(2) Pan fo'r gwaith yn golygu adeiladu adeilad cymhleth, mae gwaith i'w ystyried yn waith sydd wedi ei gychwyn mewn perthynas â'r adeilad hwnnw neu'r cam cyntaf o waith adeiladu ar gyfer yr adeilad hwnnw pan fydd y sylfeini sy'n cynnal yr adeilad a strwythur lefel llawr isaf yr adeilad hwnnw (ond nid yr adeiladau neu'r strwythurau eraill sydd i'w cynnal gan y sylfeini hynny) wedi eu cwblhau.

(3) Pan fo'r gwaith yn golygu—

(a) adeiladu adeilad ac nad yw paragraff (2) yn gymwys, neu

(b) estyn adeilad yn llorweddol,

mae gwaith i'w ystyried yn waith sydd wedi ei gychwyn pan fydd strwythur is-wyneb yr adeilad neu'r estyniad gan gynnwys yr holl sylfeini, y lefelau islawr (os oes rhai) a strwythur lefel y llawr daear wedi ei gwblhau.

(4) Pan fo'r gwaith yn golygu unrhyw waith adeiladu arall, ac y bydd y gwaith hwnnw yn cael ei ymgorffori yn yr adeilad wedi ei gwblhau, yna mae gwaith i'w ystyried yn waith sydd wedi ei gychwyn pan—

(a) bydd yn cyrraedd y pwynt pan fydd mewnbwn rheolaeth adeiladu yn ofynnol ar gyfer y prosiect, a

(b) heb fewnbwn rheolaeth adeiladu o'r fath, fyddai sail dros orfodi.

(5) Yn y rheoliad hwn—

ystyr "adeilad cyhoeddus" ("*public building*") yw—

(a) siop neu ganolfan siopa;

(b) mangre lle y gwerthir bwyd neu ddiod i'w fwyta neu i'w hyfed yn y fangre, gan gynnwys clwb nos, clwb cymdeithasol neu neuadd ddawns;

(c) stadiwm, theatr, sinema, neuadd gyngerdd;

(d) maes chwaraeon;

(e) neuadd arddangos neu ganolfan gynadledda;

(f) ysbyty neu fangre ar gyfer darparu gofal iechyd;

ystyr "adeilad cymhleth" ("*complex building*") yw—

(a) adeilad sydd i'w adeiladu ar yr un godre neu bodiwm sylfaen ag unrhyw adeilad neu strwythur arall;

(b) adeilad y mae iddo fwy nag un llawr islaw lefel y ddaear;

(2) Where the work consists of the construction of a complex building, work is to be regarded as commenced in relation to that building or the first stage of building work for that building when the foundations supporting the building and the structure of the lowest floor level of that building (but not the other buildings or structures to be supported by those foundations) are completed.

(3) Where the work consists of—

(a) the construction of a building and paragraph (2) does not apply, or

(b) the horizontal extension of a building,

work is to be regarded as commenced when the sub-surface structure of the building or the extension including all foundations, basement levels (if any) and the structure of ground floor level is completed.

(4) Where the work consists of any other building work, and that work will be incorporated into the completed building, then the work is to be regarded as commenced when—

(a) it reaches the point at which the project requires building control input, and

(b) without such building control input, at that point, there would be grounds for enforcement.

(5) In this regulation—

"complex building" (*"adeilad cymhleth"*) means—

(a) a building which is to be constructed on the same foundation plinth or podium as any other building or structure;

(b) a building which has more than one storey below ground level;

(c) a building where its proposed use is primarily as a public building where the public or a section of the public has access to the building (whether or not on payment) provided that the building has a capacity for 100 or more visitors;

"public building" (*"adeilad cyhoeddus"*) means—

(a) a shop or shopping centre;

(b) premises where food or drink are sold for consumption on the premises, including a nightclub, social club or dance hall;

(c) adeilad y bwriedir ei ddefnyddio yn bennaf fel adeilad cyhoeddus lle y mae gan y cyhoedd neu gyfran o'r cyhoedd fynediad i'r adeilad (pa un ai ar ôl talu ai peidio) ar yr amod bod gan yr adeilad gapasiti ar gyfer 100 neu ragor o ymwelwyr.

Hysbysu Cymeradwywr Cofrestredig Rheolaeth Adeiladu am newid mewn deiliaid dyletswyddau

13C.—(1) Mae'r paragraff hwn yn gymwys pan fo'r cleient, mewn perthynas ag unrhyw waith adeiladu, yn penodi prif gontractwr (neu unig gontractwr) neu brif ddylunydd (neu unig ddylunydd neu ddylunydd arweiniol).

(2) Pan fo paragraff (1) yn gymwys rhaid i'r cleient roi hysbysiad i'r cymeradwywr a ddangosir ar yr hysbysiad cychwynnol sy'n ymwneud â'r gwaith adeiladu sy'n cynnwys—

(a) enw, cyfeiriad, rhif ffôn ac (os yw ar gael) gyfeiriad e-bost y person a benodwyd (PB) a dyddiad y penodiad;

(b) ac eithrio pan mai PB yw'r person cyntaf a benodir i'r rôl, enw, cyfeiriad, rhif ffôn ac (os yw ar gael) gyfeiriad e-bost y person a oedd yn dal y rôl cyn PB ("deiliad dyletswyddau ymadawol") a'r dyddiad y daeth ei benodiad i ben;

(c) pan roddir yr hysbysiad gan rywun ar ran y cleient, ddatganiad wedi ei lofnodi gan y cleient yn cadarnhau ei fod yn cytuno i'r hysbysiad gael ei wneud a bod yr wybodaeth a gynhwysir yn yr hysbysiad yn gywir.

(3) Pan fo'r cleient yn gleient domestig (CD) ac eithrio pan fo cleient domestig o dan reoliad 11T(1) o Reoliadau 2010 wedi aseinio iddo'i hun y dyletswyddau yn rheoliadau 11R(1) i (3) ac 11V(2) i (5) o Reoliadau 2010, mae'r canlynol yn gymwys yn lle paragraff (2)—

(a) rhaid i ddeiliad dyletswyddau ymadawol ddarparu'r wybodaeth y cyfeirir ati ym mharagraff (2)(b) i CD o fewn pum niwrnod gwaith i'r diwrnod y mae ei benodiad yn dod i ben;

(b) rhaid i CD ddarparu'r wybodaeth y cyfeirir ati o dan is-baragraff (a) i PB ar ddyddiad penodiad PB neu cyn gynted ag y bo'n ymarferol ar ôl y dyddiad hwnnw;

(c) a stadium, theatre, cinema, concert hall;

(d) a sports ground;

(e) an exhibition hall or conference centre;

(f) a hospital or premises for the provision of healthcare.

Notifying a Registered Building Control Approver of a change in dutyholders

13C.—(1) This paragraph applies where, in relation to any building work, the client appoints a principal contractor (or sole contractor) or a principal designer (or sole or lead designer).

(2) Where paragraph (1) applies the client must give a notice to the approver shown on the initial notice relating to the building work which includes—

(a) the name, address, telephone number and (if available) email address of the person appointed (PA) and the date of appointment;

(b) except where PA is the first person appointed to the role, the name, address, telephone number and (if available) email address of the person who held the role before PA ("outgoing dutyholder") and the date their appointment ended;

(c) where the notice is given by someone on behalf of the client, a statement signed by the client confirming they agree to the notice being made and that the information contained in the notice is correct.

(3) Where the client is a domestic client (DC) except where under regulation 11T(1) of the 2010 Regulations a domestic client has assigned to themselves the duties in regulations 11R(1) to (3) and 11V(2) to (5) of the 2010 Regulations, the following applies instead of paragraph (2)—

(a) an outgoing dutyholder must provide the information referred to in paragraph (2)(b) to the DC within 5 working days of the day on which their appointment ends;

(b) DC must provide the information referred to under sub-paragraph (a) to PA on the date of appointment of PA or as soon as practicable after that date;

(c) rhaid i PB roi hysbysiad i'r cymeradwywr sy'n cynnwys—

(i) lleoliad y gwaith adeiladu;

(ii) enw, cyfeiriad, rhif ffôn ac (os yw ar gael) gyfeiriad e-bost PB a dyddiad y penodiad;

(iii) ac eithrio pan mai PB yw'r person cyntaf a benodir i'r rôl, enw, cyfeiriad, rhif ffôn ac (os yw ar gael) gyfeiriad e-bost y deiliad dyletswyddau ymadawol a'r dyddiad y daeth ei benodiad i ben;

(iv) datganiad yn egluro bod yr hysbysiad yn cael ei roi ar ran cleient domestig.

(4) Pan nad yw'r deiliad dyletswyddau ymadawol wedi cael yr wybodaeth sy'n ofynnol o dan baragraff (3)(b) erbyn yr adeg y mae'r hysbysiad o dan baragraff (3)(c) i'w roi ac nad oes gan CD yr wybodaeth, rhaid i'r datganiad a roddir gan PB o dan baragraff (3)(c)(iii) hefyd gynnwys eglurhad i'r perwyl hwnnw.

(5) Rhaid i hysbysiad sy'n ofynnol o dan baragraff (2) neu (3)(c) gael ei roi i'r cymeradwywr o fewn 10 diwrnod gwaith sy'n dechrau â dyddiad y penodiad.

Declarasiwn cydymffurfedd i'w roi i Gymeradwywyr Cofrestredig Rheolaeth Adeiladu

13D.—(1) Pan fo gwaith adeiladu a ddisgrifir mewn hysbysiad cychwynnol wedi ei gwblhau rhaid i'r cleient roi hysbysiad i'r cymeradwywr sy'n cynnwys—

(a) enw, cyfeiriad, rhif ffôn ac (os yw ar gael) gyfeiriad e-bost y cleient;

(b) enw, cyfeiriad, rhif ffôn ac (os yw ar gael) gyfeiriad e-bost y prif gontractwr (neu'r unig gontractwr) a'r prif ddylunydd (neu'r unig ddylunydd neu'r dylunydd arweiniol);

(c) datganiad bod y gwaith adeiladu wedi ei gwblhau;

(d) datganiad, wedi ei lofnodi gan y cleient, yn cadarnhau bod y gwaith yn cydymffurfio â holl ofynion cymwys y rheoliadau adeiladu hyd eithaf gwybodaeth y cleient;

(c) PA must give a notice to the approver which includes—

(i) the location of the building work;

(ii) the name, address, telephone number and (if available) email address of PA and date of appointment;

(iii) except where PA is the first person appointed to the role, the name, address, telephone number and (if available) email address of the outgoing dutyholder and the date on which their appointment ended;

(iv) a statement explaining the notice is given on behalf of a domestic client.

(4) Where the outgoing dutyholder has not received the information required under paragraph (3)(b) by the time the notice under paragraph (3)(c) is to be given and DC does not have the information, the statement given by PA under paragraph (3)(c)(iii) must also include an explanation to that effect.

(5) A notice required under paragraph (2) or (3)(c) must be given to the approver within 10 working day beginning with the date of the appointment.

Compliance declaration to be given to Registered Building Control Approvers

13D.—(1) Where building work described in an initial notice is completed the client must give the approver a notice which includes—

(a) the name, address, telephone number and (if available) email address of the client;

(b) the name, address, telephone number and (if available) email address of the principal contractor (or sole contractor) and the principal designer (or sole or lead designer);

(c) a statement that the building work is complete;

(d) a statement, signed by the client, confirming that to the best of the client's knowledge the work complies with all applicable requirements of the building regulations;

(e) datganiad a roddir gan bob prif gontractwr (neu unig gontractwr) ar gyfer y gwaith a phob prif ddylunydd (neu unig ddylunydd neu ddylunydd arweiniol) ar gyfer y gwaith, wedi ei lofnodi gan y person y mae'r declarasiwn yn ymwneud ag ef, sy'n cynnwys—

(i) enw, cyfeiriad, rhif ffôn ac (os yw ar gael) gyfeiriad e-bost y person hwnnw,

(ii) dyddiadau ei benodiad, a

(iii) cadarnhad—

(aa) yn achos prif gontractwr (neu unig gontractwr), y cyflawnodd ei ddyletswyddau fel prif gontractwr o dan Ran 2B (deiliaid dyletswyddau a chymhwysedd) o Reoliadau 2010;

(bb) yn achos prif ddylunydd (neu unig ddylunydd neu ddylunydd arweiniol), y cyflawnodd ei ddyletswyddau fel prif ddylunydd o dan Ran 2B (deiliaid dyletswyddau a chymhwysedd) o Reoliadau 2010.

(2) Os nad yw'r cleient yn gallu cynnwys datganiad o dan baragraff (1)(e) ar gyfer person a grybwyllir yn yr is-baragraff hwnnw am unrhyw reswm, rhaid i'r cleient gynnwys yn yr hysbysiad ddatganiad sy'n rhoi'r rhesymau pam nad yw datganiad y person hwnnw wedi ei gynnwys."

(7) Yn rheoliad 16 (canslo hysbysiad cychwynnol: hysbysiad o dorri rheoliadau adeiladu)—

(a) ym mharagraff (1), yn lle "Pan fo cymeradwywr o'r farn y dylid canslo hysbysiad cychwynnol o dan adran 52(1)(c) o Ddeddf 1984 am dorri unrhyw ddarpariaeth o reoliadau adeiladu, rhaid i'r cymeradwywr roi hysbysiad ysgrifenedig yn gyntaf i'r person sy'n cynnal y gwaith ("C") sy'n pennu—" rhodder "Ac eithrio pan fo paragraff (3) yn gymwys, pan fo cymeradwywr o'r farn y dylid canslo hysbysiad cychwynnol o dan adran 52(1)(c) o Ddeddf 1984 am dorri unrhyw ddarpariaeth o reoliadau adeiladu (gan gynnwys am dorri unrhyw ddarpariaeth yn Rhan 2B o Reoliadau 2010 ac eithrio rheoliad 11U(3)(a), (8) a (9)) rhaid i'r cymeradwywr roi hysbysiad ysgrifenedig yn gyntaf i'r person sy'n

(e) a statement given by each principal contractor (or sole contractor) for the work and each principal designer (or sole or lead designer) for the work, signed by the person to which the declaration relates, which includes—

(i) the name, address, telephone number and (if available) email address of that person,

(ii) the dates of their appointment, and

(iii) confirmation—

(aa) in the case of a principal contractor (or sole contractor), that they fulfilled their duties as a principal contractor under Part 2B (dutyholders and competence) of the 2010 Regulations;

(bb) in the case of a principal designer (or sole or lead designer), that they fulfilled their duties as a principal designer under Part 2B (dutyholders and competence) of the 2010 Regulations.

(2) If for any reason the client is unable to include a statement under paragraph (1)(e) for a person mentioned in that sub-paragraph, the client must include in the notice a statement giving the reasons why that person's statement has not been included."

(7) In regulation 16 (cancellation of initial notice: notice of contravention of building regulations)—

(a) in paragraph (1), for "Where an approver is of the opinion that an initial notice should be cancelled under section 52(1)(c) of the 1984 Act for contravention of any provision of building regulations, the approver must first give notice in writing to the person carrying out the work ("C") specifying—" substitute "Except where paragraph (3) applies, where an approver is of the opinion that an initial notice should be cancelled under section 52(1)(c) of the 1984 Act for contravention of any provision of building regulations (including for contravention of any provision in Part 2B of the 2010 Regulations except regulation 11U(3)(a), (8) and (9)) the approver must first give notice in writing to the

cynnal y gwaith (C) neu, yn achos torri unrhyw ddarpariaeth yn Rhan 2B o Reoliadau 2010, i'r cleient sy'n pennu—"

(b) yn lle paragraff (2) rhodder—

(2) "Ac eithrio mewn achos pan fo'r toriad yn torri unrhyw ddarpariaeth yn Rhan 2B o Reoliadau 2010, rhaid i hysbysiad a roddir o dan baragraff (1) hysbysu C, os nad yw C, erbyn diwedd y cyfnod a bennir ym mharagraff (3), naill ai wedi tynnu ymaith neu wedi symud ymaith y gwaith nac wedi gwneud yr addasiadau hynny iddo sy'n angenrheidiol er mwyn iddo gydymffurfio â rheoliadau adeiladu, bydd y cymeradwywr yn canslo'r hysbysiad cychwynnol."

(c) ar ôl paragraff (2) mewnosoder—

"(2A) Pan fo'r toriad y mae'r hysbysiad o dan baragraff (1) yn ymwneud ag ef yn torri darpariaeth yn Rhan 2B o Reoliadau 2010 yna rhaid i'r hysbysiad a roddir o dan baragraff (1) hysbysu'r cleient y bydd y cymeradwywr yn canslo'r hysbysiad cychwynnol os nad yw'r cleient, erbyn diwedd y cyfnod a bennir ym mharagraff (3), wedi gwneud y newidiadau hynny i'r trefniadau ar gyfer cynnal y gwaith a'r gwelliannau hynny i gymhwysedd personau sy'n cynnal y gwaith (neu yn ôl y digwydd, y cleient), y prif gontractwr neu'r prif ddylunydd sy'n angenrheidiol er mwyn sicrhau bod cynnal y gwaith yn cydymffurfio â darpariaethau'r rheoliadau adeiladu y cyfeirir atynt yn yr hysbysiad."

(8) Yn rheoliad 17(4) (pwerau awdurdodau lleol mewn perthynas â gwaith sydd wedi ei gwblhau yn rhannol), yn lle "planiau a adneuwyd yn unol â rheoliadau adeiladu" rhodder "cais am gymeradwyaeth rheolaeth adeiladu gyda phlaniau llawn".

(9) Ar ôl rheoliad 35 (atal dros dro interim am doriad difrifol a amheuir) mewnosoder—

"(35A) At ddibenion adran 58Z5(7) o Ddeddf 1984, mae'r achosion a ganlyn wedi eu rhagnodi—

(a) unrhyw hysbysiad o doriad difrifol a roddir i gymeradwywr cofrestredig rheolaeth adeiladu;

(b) pan fo hysbysiad o'r fath yn cael ei ddirymu."

(10) Yn rheoliad 37 (torri rheoliadau penodol yn peidio â bod yn drosedd)—

(a) yn y pennawd ar ôl "Torri rheoliadau penodol yn peidio â bod yn drosedd" mewnosoder "nac yn ddarostyngedig i hysbysiad cydymffurfio";

person carrying out the work (C) or, in the case of contravention of any provision in Part 2B of the 2010 Regulations, the client specifying—"

(b) for paragraph (2) substitute—

"(2) Except in a case where the contravention is of any provision in Part 2B of the 2010 Regulations, a notice given under paragraph (1) must inform C that if, by the end of the period specified in paragraph (3), C has neither pulled down nor removed the work nor effected such alterations in it as may be necessary to make it comply with building regulations, the approver will cancel the initial notice."

(c) after paragraph (2) insert—

"(2A) Where the contravention to which the notice under paragraph (1) relates is of a provision in Part 2B of the 2010 Regulations then the notice given under paragraph (1) must inform the client that the approver will cancel the initial notice if, by the end of the period specified in paragraph (3), the client has not effected such alterations to the arrangements for carrying out the work and such improvements to the competence of persons carrying out the work (or as the case may be, the client), the principal contractor or principal designer as may be necessary to ensure the carrying out of the work complies with provisions of the building regulations referred to in the notice."

(8) In regulation 17(4) (local authority powers in relation to partly completed work) for "plans deposited in accordance with building regulations" substitute "an application for building control approval with full plans".

(9) After regulation 35 (interim suspension for suspected serious contravention) insert—

"(35A) For the purposes of section 58Z5(7) of the 1984 Act, the following cases are prescribed—

(a) any serious contravention notice given to a registered building control approver;

(b) where such a notice is revoked."

(10) In regulation 37 (contravention of certain regulations not to be an offence)—

(a) in the heading after "Contravention of certain regulations not to be an offence" insert "or be subject to a compliance notice";

(b) ar ôl "rheoliad 17 (pwerau awdurdod lleol mewn perthynas â gwaith sydd wedi ei gwblhau yn rhannol)" mewnosoder ", rheoliad 13C (Hysbysu Cymeradwywr Cofrestredig Rheolaeth Adeiladu am newid mewn deiliaid dyletswyddau) a rheoliad 13D (Declarasiwn cydymffurfedd i'w roi i Gymeradwywyr Cofrestredig Rheolaeth Adeiladu)";

(c) yn lle "nad yw adran 35 o Ddeddf 1984 yn gymwys iddi" rhodder "nad yw adrannau 35 (cosb am dorri rheoliadau adeiladu) na 35B (hysbysiadau cydymffurfio) yn gymwys iddi".

(11) Yn rheoliad 42(1) (dirymiadau, darpariaethau trosiannol a darpariaethau arbed), yn lle "Rhannau 2 – 5" rhodder "Rhannau 1 – 6".

(12) Yn Atodlen 1—

(a) yn lle ffurflenni 1(C), 2(C), 3(C), 4(C), 5(C), 13(C), 14(C) a 15(C) rhodder y ffurflenni cyfatebol yn yr Atodlen i'r Rheoliadau hyn;

(b) mewnosoder ffurflen 6(C) yn yr Atodlen i'r Rheoliadau hyn ar ôl ffurflen 5(C).

(13) Yn Atodlen 2 (y seiliau dros wrthod hysbysiad cychwynnol, hysbysiad diwygio, neu dystysgrif blaniau wedi ei chyfuno â hysbysiad cychwynnol)—

(a) ar ôl paragraff 6(c) mewnosoder—

"(d) datganiad sy'n nodi'r dyddiad pan fydd gwaith yn cyrraedd y pwynt pan fydd i'w ystyried yn waith sydd wedi ei gychwyn ac, os yw'n gymwys, asesiad y cleient o ba bryd y mae goruchwyliaeth rheolaeth adeiladu yn ofynnol ar gyfer y gwaith arfaethedig.";

(b) ym mharagraff 11, yn lle "planiau" rhodder "cais am gymeradwyaeth rheolaeth adeiladu";

(c) ar ôl paragraff 12 mewnosoder—

"Cychwyn gwaith

13. Pan fo datganiad wedi ei gynnwys sy'n manylu ar ba bryd y mae'r cleient yn ystyried bod mewnbwn rheolaeth adeiladu yn ofynnol, gall yr awdurdod lleol ei wrthod os yw'n anghytuno â'r hysbysiad cychwynnol, hysbysiad diwygio, neu dystysgrif blaniau wedi ei chyfuno â hysbysiad cychwynnol.".

(14) Ym mharagraff 9 o Atodlen 3, yn y testun Cymraeg, yn lle "yr apelydd" rhodder "y cymeradwywr".

(b) after "regulation 17 (local authority powers in relation to partly completed work)" insert ", regulation 13C (Notifying a Registered Building Control Approver of a change in dutyholders) and regulation 13D (Compliance declaration to be given to Registered Building Control Approvers)";

(c) for "section 35 of the Act (penalty for contravening building regulations) does not apply" substitute "sections 35 (penalty for contravening building regulations) and 35B (compliance notices) do not apply".

(11) In regulation 42(1) (revocations, transitional and savings provisions) substitute "Parts 2 – 5" for "Parts 1 – 6".

(12) In Schedule 1—

(a) substitute forms 1(W), 2(W), 3(W), 4(W), 5(W), 13(W), 14(W) and 15(W) for the corresponding forms in the Schedule to these Regulations;

(b) insert form 6(W) in the Schedule to these Regulations after form 5(W).

(13) In Schedule 2 (grounds for rejecting an initial notice, an amendment notice, or a plans certificate combined with an initial notice)—

(a) after paragraph 6(c) insert—

"(d) a statement setting out the date when work will reach the point when it is to be regarded as commenced and, if applicable, the client's assessment of when building control oversight is required for the proposed work.";

(b) in paragraph 11, for "plans" substitute "an application for building control approval";

(c) after paragraph 12 insert—

"Commencement of work

13. Where a statement has been included detailing when the client considers building control input is required, the local authority can reject it if it disagrees with the initial notice, amendment notice, or a plans certificate combined with an initial notice."

(14) In paragraph 9 of Schedule 3 in the Welsh language text for, "yr apelydd" substitute "y cymeradwywr".

Diwygio Rheoliadau Adeiladu (Gweithgareddau a Swyddogaethau Cyfyngedig) (Cymru) 2024

18.—(1) Mae Rheoliadau Adeiladu (Gweithgareddau a Swyddogaethau Cyfyngedig) (Cymru) 2024(**1**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 3(2) (awdurdodau rheolaeth adeiladu: gweithgareddau a swyddogaethau cyfyngedig)—

(a) yn is-baragraff (b), yn lle "pasio neu wrthod cynlluniau o dan adran 16 o Ddeddf 1984 (pasio neu wrthod cynlluniau) gan gynnwys arfer, mewn perthynas â'r cynlluniau hynny" rhodder "penderfynu cais am gymeradwyaeth rheolaeth adeiladu o dan reoliad 14D (penderfynu ceisiadau am gymeradwyaeth rheolaeth adeiladu gyda phlaniau llawn: Cymru) o Reoliadau 2010 a rheoliad 7 (ceisiadau am gymeradwyaeth rheolaeth adeiladu ar gyfer gwaith ARU neu gam o waith ARU: penderfyniadau) a rheoliad 15 (ceisiadau am gymeradwyaeth rheolaeth adeiladu ar gyfer gwaith i ARU presennol: penderfyniadau) o Reoliadau Adeiladu (Gweithdrefnau Adeiladau Risg Uchel) (Cymru) 2025, gan gynnwys arfer, mewn perthynas â'r cais hwnnw";

(b) ar ôl paragraff (o), mewnosoder—

"(p) rhoi cymeradwyaeth y caiff gwaith adeilad risg uwch fesul cam fynd y tu hwnt i bwynt a bennir mewn gofyniad a osodwyd wrth gymeradwyo'r gwaith hwnnw;

(q) penderfynu cais rheolaeth newid ar gyfer gwaith adeilad risg uwch;

(r) penderfynu a yw newid a reolaethir i waith adeilad risg uwch yn newid hysbysadwy neu'n newid mawr;

(s) rhoi hysbysiad cydymffurfio o dan adran 35B o Ddeddf 1984 (hysbysiadau cydymffurfio);

(t) rhoi hysbysiad stop o dan adran 35C o Ddeddf 1984 (hysbysiadau stop);

(u) penderfynu tystysgrif gwblhau o dan reoliad 40 o Reoliadau Adeiladu (Gweithdrefnau Adeiladau Risg Uwch) (Cymru) 2025 (ceisiadau am dystysgrifau cwblhau: terfyn amser);

(**1**) O.S. 2024/238 (Cy. 48) fel y'i diwygiwyd gan O.S. 2024/1268 (Cy. 214).

Amendments to the Building (Restricted Activities and Functions) (Wales) Regulations 2024

18.—(1) The Building (Restricted Activities and Functions) (Wales) Regulations 2024(**1**) are amended as follows.

(2) In regulation 3(2) (building control authorities: restricted activities and functions)—

(a) in sub-paragraph (b), for "passing or rejecting plans under section 16 of the 1984 Act (passing or rejection of plans) including exercising, in relation to such plans" substitute "determining an application for building control approval under regulation 14D (determination of applications for building control approval with full plans: Wales) of the 2010 Regulations and regulation 7 (building control approval applications for HRB work or stage of HRB work: decisions) and regulation 15 (building control approval applications for work to existing HRB: decisions) of the Building (Higher-Risk Buildings Procedures) (Wales) Regulations 2025, including exercising, in relation to such an application, a power in—"

(b) after paragraph (o) insert—

"(p) giving approval, that staged higher-risk building work, may proceed beyond a point specified in a requirement imposed in the approval of that work;

(q) determining a change control application for higher-risk building work;

(r) determining is a controlled change to a higher-risk building work is a notifiable or major change;

(s) giving a compliance notice under section 35B of the 1984 Act (compliance notices);

(t) giving a stop notice under section 35C of the 1984 Act (stop notices);

(u) determining a completion certificate under regulation 40 of the Building (Higher-Risk Buildings Procedures) (Wales) Regulations 2025 (completion certificate applications: time limit);

(**1**) S.I. 2024/238 (W. 48), as amended by 2024/1268 (W. 214).

(v) penderfynu tystysgrif cwblhau rhannol o dan reoliad 44 o Reoliadau Adeiladu (Gweithdrefnau Adeiladau Risg Uwch) (Cymru) 2025 (tystysgrifau cwblhau rhannol);

(w) cais i unioni gwaith adeiladu anawdurdodedig o dan reoliad 46 o Reoliadau Adeiladu (Gweithdrefnau Adeiladau Risg Uwch) (Cymru) 2025 (unioni gwaith adeiladu anawdurdodedig).”

(v) determining a partial completion certificate under regulation 44 of the Building (Higher-Risk Buildings Procedures) (Wales) Regulations 2025 (partial completion certificates);

(w) an application of regularisation of unauthorised building work under regulation 46 of the Building (Higher-Risk Buildings Procedures) (Wales) Regulations 2025 (regularisation of unauthorised building work).”

RHAN 4

Darpariaethau trosiannol, darpariaethau atodol a darpariaethau arbed

Darpariaethau trosiannol a darpariaethau arbed ar gyfer Rheoliadau Adeiladu 2010

19. Nid yw'r diwygiadau a wneir i Reoliadau 2010 gan y Rheoliadau hyn yn gymwys i—

(a) gwaith adeiladu a ddechreuodd cyn 1 Gorffennaf 2026;

(b) gwaith adeiladu—

(i) yr adneuwyd planiau gydag awdurdod lleol o dan adran 16 o'r Ddeddf mewn perthynas ag ef cyn 1 Gorffennaf 2026, neu

(ii) y mae hysbysiad adeiladu wedi ei roi i awdurdod lleol mewn perthynas ag ef cyn 1 Gorffennaf 2026,

ond nid yw'r paragraff hwn yn gymwys i waith adeiladu os yw'r awdurdod lleol, ar 1 Gorffennaf 2026 neu ar ôl hynny, yn gwrthod y planiau a adneuwyd.

Darpariaethau trosiannol a darpariaethau arbed ar gyfer Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024

20. Bydd unrhyw ffurflen a gyflwynwyd cyn 1 Gorffennaf 2026 sy'n cydymffurfio â'r gofynion ar adeg y cais yn cael ei phrosesu.

Darpariaethau trosiannol mewn perthynas â phlaniau a adneuwyd cyn 1 Gorffennaf 2026

21.—(1) Mae paragraff (2) yn gymwys pan adneuwyd unrhyw blaniau gydag awdurdod lleol yn unol ag adran 16 o Ddeddf Adeiladu 1984 cyn 1 Gorffennaf 2026.

PART 4

Transitional, supplementary and saving provisions

Transitional and saving provisions for the Building Regulations 2010

19. The amendments made to the 2010 Regulations by these Regulations do not apply to—

(a) building work which started before 1 July 2026;

(b) building work in relation to which—

(i) plans were deposited with a local authority under section 16 of the Act before 1 July 2026, or

(ii) a building notice has been given to a local authority before 1 July 2026,

but this paragraph does not apply to building work if on, or after, the 1 July 2026 the plans which were deposited are rejected by the local authority.

Transitional and saving provisions for the Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024

20. Any form submitted before 1 July 2026 that complies with the requirements at the time of application will be processed.

Transitional provisions in relation to plans deposited before 1 July 2026

21.—(1) Paragraph (2) applies where any plans were deposited with a local authority in accordance with section 16 of the Building Act 1984 before 1 July 2026.

(2) Mae Deddf Adeiladu 1984 a'r darpariaethau ym mharagraff (3) yn parhau i fod yn gymwys mewn perthynas â phlaniau o'r fath fel yr oeddent yn cael effaith yn union cyn 1 Gorffennaf 2026 hyd nes y bydd unrhyw un neu ragor o'r canlynol yn digwydd—

(a) mae'r planiau yn cael eu gwrthod o dan unrhyw ddarpariaeth yn Neddf Adeiladu 1984 neu mewn unrhyw reoliadau a wneir odani (fel yr oedd y darpariaethau hynny yn cael effaith yn union cyn 1 Gorffennaf 2026);

(b) mae'r gwaith adeiladu y mae'r planiau yn ymwneud ag ef wedi ei asesu;

(c) mae'r gwaith adeiladu y mae'r planiau yn ymwneud ag ef wedi ei gwblhau.

(3) Y darpariaethau yw—

(a) rheoliad 12 (rhoi hysbysiad adeiladu neu gais am gymeradwyaeth rheolaeth adeiladu) o Reoliadau 2010;

(b) rheoliad 14 (ceisiadau am gymeradwyaeth rheolaeth adeiladu gyda phlaniau llawn: Cymru) o Reoliadau 2010;

(c) rheoliad 3(2)(b) (awdurdodau rheolaeth adeiladu: gweithgareddau a swyddogaethau cyfyngedig) o Reoliadau Adeiladu (Gweithgareddau a Swyddogaethau Cyfyngedig) (Cymru) 2024;

(d) rheoliad 8(5) (ymgynghori â'r awdurdod tân ac achub) o Reoliadau Adeiladu (Cymeradwywr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024;

(e) rheoliad 17(4) (pwerau awdurdod lleol mewn perthynas â gwaith sydd wedi ei gwblhau yn rhannol) o Reoliadau Adeiladu (Cymeradwywr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024.

Darpariaethau trosiannol a darpariaethau arbed mewn perthynas â rheolaeth adeiladu yn darfod etc.

22.—(1) Er gwaethaf cychwyn adran 36 o Ddeddf Diogelwch Adeiladau 2022 (cymeradwyaeth rheolaeth adeiladu yn darfod etc.)—

(a) mae adran 32 o Ddeddf Adeiladu 1984 yn parhau i fod yn gymwys, fel yr oedd y ddarpariaeth honno yn cael effaith yn union cyn 1 Gorffennaf 2026, mewn perthynas ag unrhyw blaniau a adneuwyd gydag awdurdod lleol yn unol ag adran 16 o Ddeddf Adeiladu 1984 cyn y dyddiad hwnnw;

(2) The Building Act 1984 and the provisions in paragraph (3) continue to apply in relation to such plans as they had effect immediately before 1 July 2026 until any of the following occurs—

(a) the plans are rejected under any provision of the Building Act 1984 or regulations made under it (as those provisions had effect immediately before 1 July 2026);

(b) the building work to which the plans relate has been assessed;

(c) the building work to which the plans relate is completed.

(3) The provisions are—

(a) regulation 12 (giving of a building notice or an application for building control approval) of the 2010 Regulations;

(b) regulation 14 (applications for building control approval with full plans: Wales) of the 2010 Regulations;

(c) regulation 3(2)(b) (Building Control authorities: restricted activities and functions) of the Building (Restricted Activities and Functions) (Wales) Regulations 2024;

(d) regulation 8(5) (consultation with the fire and rescue authority) of the Building (Registered Building Control Approver etc.) (Wales) Regulations 2024;

(e) regulation 17(4) (local authority powers in relation to partly completed work) of the Building (Registered Building Control Approver etc.) (Wales) Regulations 2024.

Transitional and saving provisions in relation to lapse of building control etc.

22.—(1) Notwithstanding the commencement of section 36 of the Building Safety Act 2022 (lapse of building control approval etc)—

(a) section 32 of the Building Act 1984 continues to apply, as that provision had effect immediately before 1 July 2026, in relation to any plans deposited with a local authority pursuant to section 16 of the Building Act 1984 before that date;

(b) mae adran 50(8) o Ddeddf Adeiladu 1984 yn parhau i fod yn gymwys, fel yr oedd y ddarpariaeth honno yn cael effaith yn union cyn 1 Gorffennaf 2026, mewn perthynas ag unrhyw dystysgrif blaniau a roddwyd i awdurdod lleol ac a dderbyniwyd neu a driniwyd fel pe bai wedi ei derbyn o dan adran 50 o Ddeddf Adeiladu 1984 cyn y dyddiad hwnnw;

(c) mae adran 52(5) o Ddeddf Adeiladu 1984 yn parhau i fod yn gymwys, fel yr oedd y ddarpariaeth honno yn cael effaith yn union cyn 1 Gorffennaf 2026, mewn perthynas ag unrhyw hysbysiad cychwynnol a roddwyd i awdurdod lleol ac a dderbyniwyd neu a driniwyd fel pe bai wedi ei dderbyn o dan adran 47 o Ddeddf Adeiladu 1984 cyn y dyddiad hwnnw.

(2) Yn y rheoliad hwn mae i "tystysgrif blaniau" yr ystyr a roddir i "plans certificate" yn adran 50(1) o Ddeddf Adeiladu 1984.

(b) section 50(8) of the Building Act 1984 continues to apply, as that provision had effect immediately before 1 July 2026, in relation to any plans certificate given to a local authority and accepted or treated as accepted under section 50 of the Building Act 1984 before that date;

(c) section 52(5) of the Building Act 1984 continues to apply, as that provision had effect immediately before 1 July 2026, in relation to any initial notice given to a local authority and accepted or treated as accepted under section 47 of the Building Act 1984 before that date.

(2) In this regulation "plans certificate" has the meaning given in section 50(1) of the Building Act 1984.

Rebecca Evans

Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio, un o Weinidogion Cymru
12 Rhagfyr 2025

Cabinet Secretary for Economy, Energy and Planning, one of the Welsh Ministers
12 December 2025

ATODLEN Rheoliad 17

Ffurflenni

Ffurflen 1(C)

Adran 47 o Ddeddf Adeiladu 1984

Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024 ("Rheoliadau 2024")

HYSBYSIAD CYCHWYNNOL

I: **(1)**

1. Mae'r hysbysiad hwn yn ymwneud â'r gwaith a ganlyn: **(2)**

2. Y cymeradwywr cofrestredig rheolaeth adeiladu mewn perthynas â'r gwaith yw: **(3)**

3. Y person sy'n bwriadu cynnal y gwaith yw: **(4)**

SCHEDULE Regulation 17

Forms

Form 1(W)

Section 47 of the Building Act 1984

The Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024 ("the 2024 Regulations")

INITIAL NOTICE

To: **(1)**

1. This notice relates to the following work: **(2)**

2. The registered building control approver in relation to the work is: **(3)**

3. The person intending to carry out the work is: **(4)**

4. Daw'r dogfennau a ganlyn gyda'r hysbysiad hwn, sef y dogfennau hynny sy'n berthnasol i'r gwaith a ddisgrifir yn yr hysbysiad hwn— **(5)**

(a) yn achos codi neu estyn adeilad, blan i raddfa o ddim llai nag 1:1250 yn dangos ffiniau a lleoliad y safle a phan fo'r gwaith yn cynnwys adeiladu draen neu garthffos breifat newydd, ddatganiad—

(i) ynghylch lleoliad bras unrhyw gysylltiad arfaethedig sydd i'w wneud i garthffos, neu

(ii) os nad oes cysylltiad i'w wneud i garthffos, ynghylch y cynigion ar gyfer gollyngiad y draen arfaethedig neu'r garthffos breifat gan gynnwys lleoliad unrhyw danc septig a system driniaeth eilaidd gysylltiedig, neu unrhyw system trin dŵr gwastraff neu unrhyw garthbwll;

(b) datganiad o unrhyw ddeddfiad lleol sy'n berthnasol i'r gwaith, ac o'r camau i'w cymryd i gydymffurfio ag ef;

(c) datganiad sy'n nodi—

(i) y dyddiad pan gynigir y bydd y gwaith yn cyrraedd y pwynt pan fydd i'w ystyried yn waith sydd wedi ei gychwyn yn unol â rheoliad 13B o Reoliadau 2024, a

(ii) pan nad yw'r gwaith yn golygu gwaith y mae rheoliad 13B(2) neu (3) o Reoliadau 2024 yn gymwys iddo, asesiad y cleient o ba bryd y mae goruchwyliaeth rheolaeth adeiladu yn ofynnol ar gyfer y gwaith arfaethedig.

5. Mae **(6)** yn datgan nad oes ganddo ef neu ganddi hi, ac ni fydd ganddo ef neu ganddi hi tra bo'r hysbysiad hwn mewn grym, unrhyw fuddiant proffesiynol neu ariannol **(7)** yn y gwaith a ddisgrifir.

6. [Bydd]/[Ni fydd] **(8)** yn ofynnol i'r cymeradwywr cofrestredig rheolaeth adeiladu ymgynghori â'r awdurdod tân ac achub gan reoliad 8 o Reoliadau 2024.

7. [Mae **(6)** yn ymrwymo i ymgynghori â'r awdurdod tân ac achub cyn rhoi tystysgrif blaniau yn unol ag adran 50 o Ddeddf Adeiladu 1984 neu dystysgrif derfynol yn unol ag adran 51 o Ddeddf Adeiladu 1984 mewn cysylltiad ag unrhyw ran o'r gwaith a ddisgrifir uchod.] **(9)**

8. [Bydd]/[Ni fydd] **(10)** yn ofynnol i'r cymeradwywr cofrestredig rheolaeth adeiladu ymgynghori â'r ymgymerwr carthffosiaeth gan reoliad 9 o Reoliadau 2024.

4. With this notice are the following documents, which are those relevant to the work described in this notice— **(5)**

(a) in the case of the erection or extension of a building, a plan to scale of not less than 1:1250 showing the boundaries and location of the site and where the work includes the construction of a new drain or private sewer, a statement—

(i) as to the approximate location of any proposed connection to be made to a sewer, or

(ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer including the location of any septic tank and associated secondary treatment system, or any wastewater treatment system or any cesspool;

(b) a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it;

(c) a statement setting out—

(i) the date when it is proposed the work will reach the point when it is to be regarded as commenced in accordance with regulation 13B of the 2024 Regulations, and

(ii) where the work does not consist of work to which regulation 13B(2) or (3) of the 2024 Regulations applies, the client's assessment of when building control oversight is required for the proposed work.

5. (6) declares that it does not, and will not while this notice is in force, have any professional or financial interest **(7)** in the works described.

6. The registered building control approver [will]/[will not] **(8)** be obliged to consult the fire and rescue authority by regulation 8 of the 2024 Regulations.

7. [**(6)** undertakes to consult the fire and rescue authority before giving a plans certificate in accordance with section 50 of the Building Act 1984 or final certificate in accordance with section 51 of the Building Act 1984 in respect of any of the work described above.] **(9)**

8. The registered building control approver [will]/[will not] **(10)** be obliged to consult the sewerage undertaker by regulation 9 of the 2024 Regulations.

9. [Mae **(6)** yn ymrwymo i ymgynghori â'r ymgymerwr carthffosiaeth cyn rhoi tystysgrif blaniau yn unol ag adran 50 o Ddeddf Adeiladu 1984 neu dystysgrif derfynol yn unol ag adran 51 o Ddeddf Adeiladu 1984 mewn cysylltiad ag unrhyw ran o'r gwaith a ddisgrifir uchod.] **(9)**

10. Mae **(6)** yn cadarnhau ei fod neu ei bod yn ymwybodol o'r rhwymedigaethau a osodir gan Ran 2 o Ddeddf Adeiladu 1984 a chan reoliad 4 o Reoliadau 2024.

11. Mae **(6)** yn cadarnhau ei fod neu ei bod yn gymeradwywr cofrestredig rheolaeth adeiladu at ddibenion Rhan 2 o Ddeddf Adeiladu 1984 a bod y gwaith a ddisgrifir yn yr hysbysiad hwn o fewn cwmpas ei gofrestriad neu ei chofrestriad.

12. Mae **(6)** yn cadarnhau [bod yr][y bydd yr][na fydd yr] adeilad y mae'r gwaith yn ymwneud ag ef yn adeilad GDT **(11)**.

13. [Mae **(6)** yn cadarnhau ei fod neu ei bod wedi cael cyngor gan **(12)**, arolygydd cofrestredig adeiladu sydd o fewn cwmpas ei gofrestriad neu ei chofrestriad mewn perthynas â'r gwaith a ddisgrifir yn yr hysbysiad hwn, cyn cyflwyno'r hysbysiad.] **(13)**

14. Mae **(6)** yn cadarnhau nad yw unrhyw ran o'r gwaith y mae'r hysbysiad hwn yn ymwneud ag ef yn waith adeilad risg uwch. (**14**)

9. [**(6)** undertakes to consult the sewerage undertaker before giving a plans certificate in accordance with section 50 of the Building Act 1984 or a final certificate in accordance with section 51 of the Building Act 1984 in respect of any of the work described above.] **(9)**

10. (6) confirms it is aware of the obligations imposed by Part 2 of the Building Act 1984 and by regulation 4 of the 2024 Regulations.

11. (6) confirms it is a registered building control approver for the purposes of Part 2 of the Building Act 1984 and the work described in this notice is within scope of its registration.

12. (6) confirms the building to which the work relates [is][will be][will not be] an FSO building (**11**).

13. [**(6)** confirms it has obtained advice from **(12)**, a registered building inspector that is within scope of their registration in relation to the work described in this notice, before submitting the notice.] **(13)**

14. (6) confirms that none of the work to which this notice relates is higher-risk building work. (**14**)

Llofnodwyd	Llofnodwyd	Signed	Signed
Ar ran **(6)**	Ar ran **(15)**	On behalf of **(6)**	On behalf of **(15)**
Dyddiad	Dyddiad	Date	Date

NODIADAU

(1): Enw a chyfeiriad yr awdurdod lleol.

(2): Lleoliad y gwaith a disgrifiad ohono, gan gynnwys defnydd unrhyw adeilad y mae'r gwaith yn ymwneud ag ef.

(3): Enw, cyfeiriad, rhif ffôn ac (os yw ar gael) gyfeiriad e-bost y cymeradwywr cofrestredig rheolaeth adeiladu.

(4): Enw, cyfeiriad, rhif ffôn ac (os yw ar gael) gyfeiriad e-bost y person sy'n bwriadu cynnal y gwaith, ac os nad y cleient yw'r person hwnnw hefyd enw, cyfeiriad, rhif ffôn ac (os yw ar gael) gyfeiriad e-bost y cleient.

NOTES

(1): Name and address of local authority.

(2): Location and description of the work, including the use of any building to which the work relates.

(3): Name, address, telephone number and (if available) email address of the registered building control approver.

(4): Name, address, telephone number and (if available) email address of the person intending to carry out the work, and if that person is not the client also the name, address, telephone number and (if available) email address of the client.

(5): Ni chaiff yr awdurdod lleol wrthod yr hysbysiad hwn ond ar seiliau a ragnodir gan Weinidogion Cymru. Mae'r rhain wedi eu nodi yn Atodlen 2 i Reoliadau 2024. Maent yn cynnwys methu â darparu dogfennau perthnasol. Felly, rhaid anfon y dogfennau a restrir ym mharagraff 4 o'r hysbysiad sy'n berthnasol i'r gwaith a ddisgrifir uchod gyda'r hysbysiad hwn. Dylid dileu unrhyw is-baragraff o baragraff 4 nad yw'n gymwys.

(5): The local authority may reject this notice only on grounds prescribed by the Welsh Ministers. These are set out in Schedule 2 to the 2024 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 4 of the notice relevant to the work described above must therefore be sent with this notice. Any sub-paragraph of paragraph 4 which does not apply should be deleted.

(6): Enw'r cymeradwywr cofrestredig rheolaeth adeiladu.

(6): Name of the registered building control approver.

(7): Mae i "buddiant proffesiynol neu ariannol" yr ystyr a roddir yn rheoliad 3 o Reoliadau 2024.

(7): "Professional or financial interest" has the meaning given in regulation 3 of the 2024 Regulations.

(8): Dilëwch pa un bynnag nad yw'n gymwys. Os yw'n ofynnol i'r arolygydd ymgynghori â'r awdurdod tân ac achub, rhaid gwneud y declarasiwn ym mharagraff 7.

(8): Delete whichever does not apply. If the inspector is obliged to consult the fire and rescue authority, the declaration in paragraph 7 must be made.

(9): Dilëwch y datganiad os nad yw'n gymwys.

(9): Delete the statement if it does not apply.

(10): Dilëwch pa un bynnag nad yw'n gymwys. Os yw'n ofynnol i'r arolygydd ymgynghori â'r ymgymerwr carthffosiaeth, rhaid gwneud y declarasiwn ym mharagraff 9.

(10): Delete whichever does not apply. If the inspector is obliged to consult the sewerage undertaker, the declaration in paragraph 9 must be made.

(11): Dilëwch pa un bynnag nad yw'n gymwys. Adeilad y mae neu y bydd Gorchymyn Diwygio Rheoleiddio (Diogelwch Tân) 2005 yn gymwys iddo.

(11): Delete whichever does not apply. A building to which the Regulatory Reform (Fire Safety) Order 2005 applies or will apply.

(12): Enw'r arolygydd cofrestredig adeiladu.

(12): Name of the registered building inspector.

(13): Dilëwch y datganiad hwn pan fo'r arolygydd cofrestredig adeiladu ei hun yn gymeradwywr cofrestredig rheolaeth adeiladu.

(13): Delete this statement where the registered building inspector is itself a registered building control approver.

(14): Diffinnir gwaith adeilad risg uwch gan adran 120I o Ddeddf Adeiladu 1984 i olygu "any work relating to a higher-risk building or a proposed higher-risk building". Diffinnir "adeilad risg uwch" gan Reoliadau Diogelwch Adeiladau (Disgrifiad o Adeilad Risg Uwch) (Cyfnod Dylunio ac Adeiladu) (Cymru) 2023.

(14): Higher-risk building work is defined by section 120I of the Building Act 1984 as meaning "any work relating to a higher-risk building or a proposed higher-risk building". "Higher-risk building" is defined by the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023.

(15): Enw'r person sy'n bwriadu cynnal y gwaith.

(15): Name of person intending to carry out the work.

Ffurflen 2(C)

Adran 51A o Ddeddf Adeiladu 1984

Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024 ("Rheoliadau 2024")

HYSBYSIAD DIWYGIO

I: **(1)**

1. Mae'r hysbysiad hwn yn diwygio'r hysbysiad cychwynnol y mae copi ohono yn mynd gyda'r hysbysiad hwn.

2. Mae'r hysbysiad hwn yn diwygio'r gwaith yn yr hysbysiad cychwynnol yn y modd a ganlyn: **(2)**

3. Daw'r dogfennau a ganlyn gyda'r hysbysiad hwn, sef y dogfennau hynny sy'n berthnasol i'r gwaith a ddisgrifir yn yr hysbysiad hwn— **(3)**

(a) copi o'r hysbysiad gwreiddiol;

(b) naill ai—

(i) datganiad i'r perwyl bod yr holl blaniau a gyflwynwyd gyda'r hysbysiad gwreiddiol yn parhau yr un fath, neu

(ii) yr holl blaniau diwygiedig, a datganiad i'r perwyl bod unrhyw blaniau nad ydynt wedi eu cynnwys yn parhau yr un fath; **(4)**

(c) yn achos codi neu estyn adeilad, blan i raddfa o ddim llai nag 1:1250 yn dangos ffiniau a lleoliad y safle a, phan fo'r gwaith yn cynnwys adeiladu draen neu garthffos breifat newydd, ddatganiad—

(i) ynghylch lleoliad bras unrhyw gysylltiad arfaethedig sydd i'w wneud i garthffos, neu

(ii) os nad oes cysylltiad i'w wneud i garthffos, ynghylch y cynigion ar gyfer gollyngiad y draen arfaethedig neu'r garthffos breifat, gan gynnwys lleoliad unrhyw danc septig a system driniaeth eilaidd gysylltiedig, neu unrhyw system trin dŵr gwastraff neu unrhyw garthbwll;

(d) datganiad o unrhyw ddeddfiad lleol sy'n berthnasol i'r gwaith, ac o'r camau i'w cymryd i gydymffurfio ag ef;

(e) datganiad sy'n nodi—

(i) y dyddiad pan gynigir y bydd y gwaith yn cyrraedd y pwynt pan fydd i'w ystyried yn waith sydd wedi ei gychwyn yn unol â rheoliad 13B o Reoliadau 2024, a

Form 2(W)

Section 51A of the Building Act 1984

The Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024 ("the 2024 Regulations")

AMENDMENT NOTICE

To: **(1)**

1. This notice amends the initial notice a copy of which accompanies this notice.

2. This notice amends the work in the initial notice in the following manner: **(2)**

3. With this notice are the following documents, which are those relevant to the work described in this notice— **(3)**

(a) a copy of the original notice;

(b) either—

(i) a statement to the effect that all plans submitted with the original notice remain unchanged, or

(ii) all amended plans, and a statement to the effect that any plans not included remain unchanged; **(4)**

(c) in the case of the erection or extension of a building, a plan to a scale of not less than 1:1250 showing the boundaries and location of the site and, where the work includes the construction of a new drain or private sewer, a statement—

(i) as to the approximate location of any proposed connection to be made to a sewer, or

(ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer including the location of any septic tank and associated secondary treatment system, or any wastewater treatment system or any cesspool;

(d) a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it;

(e) a statement setting out—

(i) the date when it is proposed the work will reach the point when it is to be regarded as commenced in accordance with regulation 13B of the 2024 Regulations, and

(ii) pan nad yw'r gwaith yn golygu gwaith y mae rheoliad 13B(2) a (3) o Reoliadau 2024 yn gymwys iddo, asesiad y cleient o ba bryd y mae goruchwyliaeth rheolaeth adeiladu yn ofynnol ar gyfer y gwaith arfaethedig.

(ii) where the work does not consist of work to which regulation 13B(2) and (3) of the 2024 Regulations applies, the client's assessment of when building control oversight is required for the proposed work.

4. Mae **(5)** yn datgan nad oes ganddo ef neu ganddi hi, ac ni fydd ganddo ef neu ganddi hi tra bo'r hysbysiad hwn mewn grym, unrhyw fuddiant proffesiynol neu ariannol **(6)** yn y gwaith a ddisgrifir.

4. (5) declares that it does not, and will not while this notice is in force, have any professional or financial interest **(6)** in the work described.

5. [Mae **(5)** yn cadarnhau ei fod wedi ei fodloni neu ei bod wedi ei bodloni bod planiau sy'n ymwneud â'r gwaith a ddisgrifir uchod wedi eu cyflwyno iddo neu iddi, ac nad ydynt yn ddiffygiol nac yn dangos gwaith a fyddai, pe bai'n cael ei gynnal yn unol â hwy, yn torri unrhyw ddarpariaeth yn y rheoliadau adeiladu.] **(7)**

5. [**(5)** confirms it is satisfied that plans relating to the work described above have been submitted to it, and that they neither are defective nor show work which, if carried out in accordance with them would contravene any provision of building regulations.] **(7)**

6. [Bydd]/[Ni fydd] **(8)** yn ofynnol i'r cymeradwywr cofrestredig rheolaeth adeiladu ymgynghori â'r awdurdod tân ac achub gan reoliad 8 o Reoliadau 2024.

6. The registered building control approver [will]/[will not] **(8)** be obliged to consult the fire and rescue authority by regulation 8 of the 2024 Regulations.

7. [Mae **(5)** yn ymrwymo i ymgynghori â'r awdurdod tân ac achub cyn rhoi tystysgrif blaniau yn unol ag adran 50 o Ddeddf Adeiladu 1984 neu dystysgrif derfynol yn unol ag adran 51 o Ddeddf Adeiladu 1984 mewn cysylltiad ag unrhyw ran o'r gwaith a ddisgrifir uchod.] **(7)**

7. [**(5)** undertakes to consult the fire and rescue authority before giving a plans certificate in accordance with section 50 of the Building Act 1984 or a final certificate in accordance with section 51 of the Building Act 1984 in respect of any of the work described above.] **(7)**

8. [Bydd]/[Ni fydd] **(9)** yn ofynnol i'r cymeradwywr cofrestredig rheolaeth adeiladu ymgynghori â'r ymgymerwr carthffosiaeth gan reoliad 9 o Reoliadau 2024.

8. The registered building control approver [will]/[will not] **(9)** be obliged to consult the sewerage undertaker by regulation 9 of the 2024 Regulations.

9. [Mae **(5)** yn ymrwymo i ymgynghori â'r ymgymerwr carthffosiaeth cyn rhoi tystysgrif blaniau yn unol ag adran 50 o Ddeddf Adeiladu 1984 neu dystysgrif derfynol yn unol ag adran 51 o Ddeddf Adeiladu 1984 mewn cysylltiad ag unrhyw ran o'r gwaith a ddisgrifir uchod.] **(7)**

9. [**(5)** undertakes to consult the sewerage undertaker before giving a plans certificate in accordance with section 50 of the Building Act 1984 or a final certificate in accordance with section 51 of the Building Act 1984 in respect of any of the work described above.] **(7)**

10. Mae **(5)** yn cadarnhau ei fod neu ei bod yn ymwybodol o'r rhwymedigaethau a osodir gan Ran 2 o Ddeddf Adeiladu 1984 a chan reoliad 4 o Reoliadau 2024.

10. (5) confirms it is aware of the obligations imposed by Part 2 of the Building Act 1984 and by regulation 4 of the 2024 Regulations.

11. Mae **(5)** cadarnhau ei fod neu ei bod yn gymeradwywr cofrestredig rheolaeth adeiladu at ddibenion Rhan 2 o Ddeddf Adeiladu 1984 a bod y gwaith a ddisgrifir yn yr hysbysiad hwn o fewn cwmpas ei gofrestriad neu ei chofrestriad.

11. (5) confirms it is a registered building control approver for the purposes of Part 2 of the Building Act 1984 and the work described in this notice is within the scope of its registration.

12. Mae **(5)** yn cadarnhau [bod yr][y bydd yr][nad yw yr][na fydd yr] **(4)** adeilad y mae'r gwaith yn ymwneud ag ef yn adeilad GDT **(10)**.

12. (5) confirms the building to which the work relates [is][will be][is not][will not be] **(4)** an FSO building **(10)**.

13. Mae **(5)** yn cadarnhau ei fod neu ei bod wedi cael cyngor gan **(11)**, arolygydd cofrestredig adeiladu sydd o fewn cwmpas ei gofrestriad neu ei chofrestriad mewn perthynas â'r gwaith a ddisgrifir yn yr hysbysiad hwn, cyn cyflwyno'r hysbysiad hwn. **(12)**

13. (5) confirms it has obtained advice from **(11)**, a registered building inspector that is within scope of their registration in relation to the work described in this notice, before submitting this notice. **(12)**

14. Mae **(5)** yn cadarnhau nad yw unrhyw ran o'r gwaith y mae'r hysbysiad hwn yn ymwneud ag ef yn waith adeilad risg uwch. **(13)**

14. (5) confirms that none of the work to which this notice relates is higher-risk building work. **(13)**

Llofnodwyd	Llofnodwyd	Signed	Signed
Ar ran **(5)**	Ar ran **(14)**	On behalf of **(5)**	On behalf of **(14)**
Dyddiad	Dyddiad	Date	Date

NODIADAU

(1): Enw a chyfeiriad yr awdurdod lleol.

(2): Lleoliad y gwaith newydd yn yr hysbysiad diwygio a disgrifiad ohono a sut mae'n diwygio'r gwaith a grybwyllir yn yr hysbysiad cychwynnol gan gynnwys defnydd unrhyw adeilad y mae'r gwaith newydd yn ymwneud ag ef.

(3): Ni chaiff yr awdurdod lleol wrthod yr hysbysiad hwn ond ar seiliau a ragnodir gan Weinidogion Cymru. Mae'r rhain wedi eu nodi ym mharagraffau 1 – 11 o Atodlen 2 i Reoliadau 2024. Maent yn cynnwys methu â darparu dogfennau perthnasol. Felly, rhaid anfon y dogfennau a restrir ym mharagraff 3 o'r hysbysiad sy'n berthnasol i'r gwaith a ddisgrifir uchod gyda'r hysbysiad hwn. Dylid dileu unrhyw is-baragraff o baragraff 3 nad yw'n gymwys.

(4): Dilëwch pa un bynnag nad yw'n gymwys.

(5): Enw'r cymeradwywr cofrestredig rheolaeth adeiladu.

(6): Mae i "buddiant proffesiynol neu ariannol" yr ystyr a roddir yn rheoliad 3 o Reoliadau 2024.

(7): Dilëwch y datganiad hwn os nad yw'n gymwys.

(8): Dilëwch pa un bynnag nad yw'n gymwys. Os yw'n ofynnol i'r cymeradwywr cofrestredig rheolaeth adeiladu ymgynghori â'r awdurdod tân ac achub, rhaid gwneud y declarasiwn ym mharagraff 7.

(9): Dilëwch pa un bynnag nad yw'n gymwys. Os yw'n ofynnol i'r cymeradwywr cofrestredig rheolaeth adeiladu ymgynghori â'r ymgymerwr carthffosiaeth, rhaid gwneud y declarasiwn ym mharagraff 9.

(10): Adeilad y mae neu y bydd Gorchymyn Diwygio Rheoleiddio (Diogelwch Tân) 2005 yn gymwys iddo.

(11): Enw'r arolygydd cofrestredig adeiladu.

NOTES

(1): Name and address of local authority

(2): Location and description of the new work in the amendment notice and how it amends the work mentioned in the initial notice including the use of any building to which the new work relates.

(3): The local authority may reject this notice only on grounds prescribed by the Welsh Ministers. These are set out in paragraphs 1 – 11 of Schedule 2 to the 2024 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 3 of the notice relevant to the work described above must therefore be sent with this notice. Any sub-paragraph of paragraph 3 which does not apply should be deleted.

(4): Delete whichever does not apply.

(5): Name of the registered building control approver.

(6): "Professional or financial interest" has the meaning given in regulation 3 of the 2024 Regulations.

(7): Delete this statement if it does not apply.

(8): Delete whichever does not apply. If the registered building control approver is obliged to consult the fire and rescue authority, the declaration in paragraph 7 must be made.

(9): Delete whichever does not apply. If the registered building control approver is obliged to consult the sewerage undertaker, the declaration in paragraph 9 must be made.

(10): A building to which the Regulatory Reform (Fire Safety) Order 2005 applies or will apply.

(11): Name of the registered building inspector.

(12): Dilëwch y datganiad hwn pan fo'r cymeradwywr cofrestredig rheolaeth adeiladu ei hun yn arolygydd cofrestredig adeiladu.

(13): Diffinnir gwaith adeilad risg uwch gan adran 120I o Ddeddf Adeiladu 1984 i olygu "any work relating to a higher-risk building or a proposed higher-risk building". Diffinnir "adeilad risg uwch" gan Reoliadau Diogelwch Adeiladau (Disgrifiad o Adeilad Risg Uwch) (Cyfnod Dylunio ac Adeiladu) (Cymru) 2023.

(14): Enw'r person sy'n cynnal y gwaith.

(12): Delete this statement where the registered building control approver is itself a registered building inspector.

(13): Higher-risk building work is defined by section 120I of the Building Act 1984 as meaning "any work relating to a higher-risk building or a proposed higher-risk building". "Higher-risk building" is defined by the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023.

(14): Name of the person carrying out the work.

Ffurflen 3(C)

Adran 50 o Ddeddf Adeiladu 1984

Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024 ("Rheoliadau 2024")

TYSTYSGRIF BLANIAU

1. Mae'r dystysgrif hon yn ymwneud â'r gwaith a ganlyn: **(1)**

2. Mae **(2)** drwy hyn yn cadarnhau ei fod neu ei bod yn gymeradwywr cofrestredig rheolaeth adeiladu at ddibenion Rhan 2 o Ddeddf Adeiladu 1984 a bod y gwaith a ddisgrifir yn y dystysgrif hon o fewn cwmpas ei gofrestriad neu ei chofrestriad ac mai'r gwaith uchod [yw'r cyfan]/[yw rhan] **(3)** o'r gwaith a ddisgrifir mewn hysbysiad cychwynnol a roddir ganddo neu ganddi ac arno'r dyddiad **(4)**.

3. Mae planiau'r gwaith a nodir uchod wedi eu cyflwyno i **(2)** ac mae'n cadarnhau ei fod wedi ei fodloni neu ei bod wedi ei bodloni nad yw'r planiau yn ddiffygiol nac yn dangos y byddai'r gwaith a gynhelir yn unol â hwy yn torri unrhyw ddarpariaeth yn y rheoliadau adeiladu.

4. Mae'r planiau y mae'r dystysgrif hon yn ymwneud â hwy yn dwyn y dyddiad a'r cyfeirnod a ganlyn: **(5)**

5. Mae **(2)** yn datgan nad oes ganddo ef neu ganddi hi, ac ni fydd ganddo ef neu ganddi hi tra bo'r hysbysiad hwn mewn grym, unrhyw fuddiant proffesiynol neu ariannol **(6)** yn y gwaith a ddisgrifir.

6. [Mae **(2)** yn cadarnhau ei fod neu ei bod wedi ymgynghori â'r awdurdod tân ac achub yn unol â rheoliad 8 o Reoliadau 2024.] **(7)**

7. [Mae **(2)** yn cadarnhau ei fod neu ei bod wedi ymgynghori â'r ymgymerwr carthffosiaeth yn unol â rheoliad 9 o Reoliadau 2024.] **(7)**

Form 3(W)

Section 50 of the Building Act 1984

The Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024 ("the 2024 Regulations")

PLANS CERTIFICATE

1. This certificate relates to the following work: **(1)**

2. (2) hereby confirms that it is a registered building control approver for the purposes of Part 2 of the Building Act 1984 and that the work described in this certificate is within the scope of its registration and that the above work is [the whole]/[part] **(3)** of the work described in an initial notice given by it and dated **(4)**.

3. Plans of the work specified above have been submitted to **(2)** and it confirms it is satisfied that the plans neither are defective nor show that work carried out in accordance with them would contravene any provision of building regulations.

4. The plans to which this certificate relates bear the following date and reference number: **(5)**

5. (2) declares that it does not, and will not while this notice is in force, have any professional or financial interest **(6)** in the works described.

6. [**(2)** confirms it has consulted the fire and rescue authority in accordance with regulation 8 of the 2024 Regulations.] **(7)**

7. [**(2)** confirms it consulted the sewerage undertaker in accordance with regulation 9 of the 2024 Regulations.] **(7)**

8. Mae **(2)** yn cadarnhau [bod yr][y bydd yr][nad yw yr][na fydd yr] **(3)** adeilad y mae'r gwaith yn ymwneud ag ef yn adeilad GDT **(8)**.

9. [Mae **(2)** yn cadarnhau ei fod neu ei bod wedi cael cyngor gan **(9)**, arolygydd cofrestredig adeiladu sydd o fewn cwmpas ei gofrestriad neu ei chofrestriad mewn perthynas â'r gwaith a ddisgrifir yn yr hysbysiad hwn, cyn cyflwyno'r hysbysiad hwn.] **(10)**

10. Mae **(2)** yn cadarnhau nad yw unrhyw ran o'r gwaith y mae'r hysbysiad hwn yn ymwneud ag ef yn waith adeilad risg uwch. **(11)**

Llofnodwyd

Ar ran **(2)**

Dyddiad

8. (2) confirms the building to which the work relates [is][will be][is not][will not be] **(3)** an FSO building **(8)**.

9. [**(2)** confirms it has obtained advice from **(9)**, a registered building inspector that is within scope oftheir registration in relation to the work described in this notice, before submitting this notice.] **(10)**

10. (2) confirms that none of the work to which this notice relates is higher-risk building work. **(11)**

Signed

On behalf of **(2)**

Date

NODIADAU

(1): Lleoliad y gwaith a disgrifiad ohono, gan gynnwys defnydd unrhyw adeilad y mae'r gwaith yn ymwneud ag ef.

(2): Enw'r cymeradwywr cofrestredig rheolaeth adeiladu.

(3): Dilëwch pa un bynnag nad yw'n gymwys.

(4): Rhowch y dyddiad.

(5): Rhowch y dyddiad a'r cyfeirnod.

(6): Mae i "buddiant proffesiynol neu ariannol" yr ystyr a roddir yn rheoliad 3 o Reoliadau 2024.

(7): Dilëwch y datganiad hwn os nad yw'n gymwys.

(8): Adeilad y mae neu y bydd Gorchymyn Diwygio Rheoleiddio (Diogelwch Tân) 2005 yn gymwys iddo.

(9): Enw'r arolygydd cofrestredig adeiladu.

(10): Dilëwch y datganiad hwn pan fo'r cymeradwywr cofrestredig rheolaeth adeiladu ei hun yn arolygydd cofrestredig adeiladu.

(11): Diffinnir gwaith adeilad risg uwch gan adran 120I o Ddeddf Adeiladu 1984 i olygu "any work relating to a higher-risk building or a proposed higher-risk building". Diffinnir "adeilad risg uwch" gan Reoliadau Diogelwch Adeiladau (Disgrifiad o Adeilad Risg Uwch) (Cyfnod Dylunio ac Adeiladu) (Cymru) 2023.

NOTES

(1): Location and description of the work, including the use of any building to which the work relates.

(2): Name of the registered building control approver.

(3): Delete whichever does not apply.

(4): Insert the date.

(5): Insert the date and reference number.

(6): "Professional or financial interest" has the meaning given in regulation 3 of the 2024 Regulations.

(7): Delete this statement if it does not apply.

(8): A building to which the Regulatory Reform (Fire Safety) Order 2005 applies or will apply.

(9): Name of the registered building inspector.

(10): Delete this statement where the registered building control approver is itself a registered building inspector.

(11): Higher-risk building work is defined by section 120I of the Building Act 1984 as meaning "any work relating to a higher-risk building or a proposed higher-risk building". "Higher-risk building" is defined by the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023.

Ffurflen 4(C)

Adrannau 47 a 50 o Ddeddf Adeiladu 1984

Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024 ("Rheoliadau 2024")

HYSBYSIAD CYCHWYNNOL A THYSTYSGRIF BLANIAU CYFUNOL

I: **(1)**

1. Mae'r hysbysiad hwn yn ymwneud â'r gwaith a ganlyn: **(2)**

2. Y cymeradwywr cofrestredig rheolaeth adeiladu mewn perthynas â'r gwaith yw: **(3)**

3. Y person sy'n bwriadu cynnal y gwaith yw: **(4)**

4. Daw'r dogfennau a ganlyn gyda'r hysbysiad hwn, sef y dogfennau hynny sy'n berthnasol i'r gwaith a ddisgrifir yn yr hysbysiad hwn— **(5)**

(a) yn achos codi neu estyn adeilad, blan i raddfa o ddim llai nag 1:1250 yn dangos ffiniau a lleoliad y safle a, phan fo'r gwaith yn cynnwys adeiladu draen neu garthffos breifat newydd, ddatganiad—

(i) ynghylch lleoliad bras unrhyw gysylltiad arfaethedig sydd i'w wneud i garthffos, neu

(ii) os nad oes cysylltiad i'w wneud i garthffos, ynghylch y cynigion ar gyfer gollyngiad y draen arfaethedig neu'r garthffos breifat, gan gynnwys lleoliad unrhyw danc septig a system driniaeth eilaidd gysylltiedig, neu unrhyw system trin dŵr gwastraff neu unrhyw garthbwll;

(b) datganiad o unrhyw ddeddfiad lleol sy'n berthnasol i'r gwaith, ac o'r camau i'w cymryd i gydymffurfio ag ef;

(c) datganiad sy'n nodi—

(i) y dyddiad y cynigir y bydd y gwaith yn cyrraedd y pwynt pan fydd i'w ystyried yn waith sydd wedi ei gychwyn yn unol â rheoliad 13B o Reoliadau 2024, a

(ii) pan nad yw'r gwaith yn golygu gwaith y mae rheoliad 13B(2) neu (3) o Reoliadau 2024 yn gymwys iddo, asesiad y cleient o ba bryd y mae goruchwyliaeth rheolaeth adeiladu yn ofynnol ar gyfer y gwaith arfaethedig.

Form 4(W)

Sections 47 and 50 of the Building Act 1984

The Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024 ("the 2024 Regulations")

COMBINED INITIAL NOTICE AND PLANS CERTIFICATE

To: **(1)**

1. This notice relates to the following work: **(2)**

2. The registered building control approver in relation to the work is: **(3)**

3. The person intending to carry out the work is: **(4)**

4. With this notice are the following documents, which are those relevant to the work described in this notice— **(5)**

(a) in the case of the erection or extension of a building, a plan to a scale of not less than 1:1250 showing the boundaries and location of the site and, where the work includes the construction of a new drain or private sewer, a statement—

(i) as to the approximate location of any proposed connection to be made to a sewer, or

(ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer, including the location of any septic tank and associated secondary treatment system, or any wastewater treatment system or any cesspool;

(b) a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it;

(c) a statement setting out—

(i) the date when it is proposed the work will reach the point when it is to be regarded as commenced in accordance with regulation 13B of the 2024 Regulations, and

(ii) where the work does not consist of work to which regulation 13B(2) or (3) of the 2024 Regulations applies, the client's assessment of when building control oversight is required for the proposed work.

5. Mae **(6)** yn datgan nad oes ganddo ef neu ganddi hi, ac ni fydd ganddo ef neu ganddi hi tra bo'r hysbysiad hwn mewn grym, unrhyw fuddiant proffesiynol neu ariannol **(7)** yn y gwaith a ddisgrifir.

5. (6) declares that it does not, and will not while this notice is in force, have any professional or financial interest **(7)** in the works described.

6. Mae **(6)** yn cadarnhau ei fod wedi ei fodloni neu ei bod wedi ei bodloni bod planiau sy'n ymwneud â'r gwaith a ddisgrifir uchod wedi eu cyflwyno iddo neu iddi, ac nad ydynt yn ddiffygiol nac yn dangos gwaith a fyddai, pe bai'n cael ei gynnal yn unol â hwy, yn torri unrhyw ddarpariaeth yn y rheoliadau adeiladu.

6. (6) confirms it is satisfied that plans relating to the work described above have been submitted to it, and that they neither are defective nor show work which, if carried out in accordance with them, would contravene any provision of building regulations.

7. Mae'r planiau y mae'r dystysgrif hon yn ymwneud â hwy yn dwyn y dyddiad a'r cyfeirnod a ganlyn. **(8)**

7. The plans to which this certificate relates bear the following date and reference number. **(8)**

8. [Mae'n]/[Nid yw'n] ofynnol i'r cymeradwywr cofrestredig rheolaeth adeiladu **(9)** ymgynghori â'r awdurdod tân ac achub gan reoliad 8 o Reoliadau 2024.

8. The registered building control approver [is]/[is not] **(9)** obliged to consult the fire and rescue authority by regulation 8 of the 2024 Regulations.

9. [Mae **(6)** yn cadarnhau ei fod neu ei bod wedi ymgynghori â'r awdurdod tân ac achub yn unol â rheoliad 8 o Reoliadau 2024.] **(9)**

9. [**(6)** confirms it has consulted the fire and rescue authority in accordance with regulation 8 of the 2024 Regulations.] **(9)**

10. [Mae **(6)** yn ymrwymo i ymgynghori â'r awdurdod tân ac achub cyn rhoi tystysgrif derfynol yn unol ag adran 51 o Ddeddf Adeiladu 1984 mewn cysylltiad ag unrhyw ran o'r gwaith a ddisgrifir uchod.] **(9)**

10. [**(6)** undertakes to consult the fire and rescue authority before giving a final certificate in accordance with section 51 of the Building Act 1984 in respect of any of the work described above.] **(9)**

11. [Mae'n]/[Nid yw'n] ofynnol i'r cymeradwywr cofrestredig rheolaeth adeiladu **(10)** ymgynghori â'r ymgymerwr carthffosiaeth gan reoliad 9 o Reoliadau 2024.

11. The registered building control approver [is]/[is not] **(10)** obliged to consult the sewerage undertaker by regulation 9 of the 2024 Regulations.

12. [Mae **(6)** yn cadarnhau ei fod neu ei bod wedi ymgynghori â'r ymgymerwr carthffosiaeth yn unol â rheoliad 9 o Reoliadau 2024.] **(10)**

12. [**(6)** confirms it has consulted the sewerage undertaker in accordance with regulation 9 of the 2024 Regulations.] **(10)**

13. [Mae **(6)** yn ymrwymo i ymgynghori â'r ymgymerwr carthffosiaeth cyn rhoi tystysgrif derfynol yn unol ag adran 51 o Ddeddf Adeiladu 1984 mewn cysylltiad ag unrhyw ran o'r gwaith a ddisgrifir uchod.] **(10)**

13. [**(6)** undertakes to consult the sewerage undertaker before giving a final certificate in accordance with section 51 of the Building Act 1984 in respect of any of the work described above.] **(10)**

14. Mae **(6)** yn cadarnhau ei fod neu ei bod yn ymwybodol o'r rhwymedigaethau a osodir gan Ran 2 o Ddeddf Adeiladu 1984 a chan reoliad 4 o Reoliadau 2024.

14. (6) confirms it is aware of the obligations imposed by Part 2 of the Building Act 1984 and by regulation 4 of the 2024 Regulations.

15. Mae **(6)** cadarnhau ei fod neu ei bod yn gymeradwywr rheolaeth adeiladu at ddibenion Rhan 2 o Ddeddf Adeiladu 1984 a bod y gwaith a ddisgrifir yn yr hysbysiad hwn o fewn cwmpas ei gofrestriad neu ei chofrestriad.

15. (6) confirms it is a building control approver for the purposes of Part 2 of the Building Act 1984 and the work described in this notice is within the scope of its registration.

16. Mae **(6)** yn cadarnhau [bod yr][y bydd yr][nad yw yr][na fydd yr] **(11)** adeilad y mae'r gwaith yn ymwneud ag ef yn adeilad GDT **(12)**.

16. (6) confirms the building to which the work relates [is][will be][is not][will not be] **(11)** an FSO building **(12)**.

17. [Mae **(6)** yn cadarnhau ei fod neu ei bod wedi cael cyngor gan **(13)**, arolygydd cofrestredig adeiladu sydd o fewn cwmpas ei gofrestriad neu ei chofrestriad mewn perthynas â'r gwaith a ddisgrifir yn yr hysbysiad hwn, cyn cyflwyno'r hysbysiad hwn.] **(14)**

17. [**(6)** confirms it has obtained advice from **(13)**, a registered building inspector that is within the scope their registration in relation to the work described in this notice, before submitting this notice.] **(14)**

18. Mae **(6)** yn cadarnhau nad yw unrhyw ran o'r gwaith y mae'r hysbysiad hwn yn ymwneud ag ef yn waith adeilad risg uwch. **(15)**

18. (6) confirms that none of the work to which this notice relates is higher-risk building work. **(15)**

Llofnodwyd	Llofnodwyd
Ar ran **(6)**	Ar ran **(16)**
Dyddiad	Dyddiad

Signed	Signed
On behalf of **(6)**	On behalf of **(16)**
Date	Date

NODIADAU

(1): Enw a chyfeiriad yr awdurdod lleol.

(2): Lleoliad y gwaith a disgrifiad ohono, gan gynnwys defnydd unrhyw adeilad y mae'r gwaith yn ymwneud ag ef.

(3): Enw, cyfeiriad, rhif ffôn ac (os yw ar gael) gyfeiriad e-bost y cymeradwywr cofrestredig rheolaeth adeiladu.

(4): Enw, cyfeiriad, rhif ffôn ac (os yw ar gael) gyfeiriad e-bost y person sy'n bwriadu cynnal y gwaith, ac os nad y cleient yw'r person hwnnw hefyd enw, cyfeiriad, rhif ffôn ac (os yw ar gael) gyfeiriad e-bost y cleient.

(5): Ni chaiff yr awdurdod lleol wrthod yr hysbysiad hwn ond ar seiliau a ragnodir gan Weinidogion Cymru. Mae'r rhain wedi eu nodi yn Atodlenni 2 a 3 i Reoliadau 2024. Maent yn cynnwys methu â darparu dogfennau perthnasol. Felly, rhaid anfon y dogfennau a restrir ym mharagraff 4 o'r hysbysiad sy'n berthnasol i'r gwaith a ddisgrifir uchod gyda'r hysbysiad hwn. Dylid dileu unrhyw is-baragraff o baragraff 4 nad yw'n gymwys.

(6): Enw'r cymeradwywr cofrestredig rheolaeth adeiladu.

(7): Mae i "buddiant proffesiynol neu ariannol" yr ystyr a roddir yn rheoliad 3 o Reoliadau 2024.

(8): Rhowch y dyddiad a'r cyfeirnod.

(9): Dilëwch pa un bynnag nad yw'n gymwys. Os yw'n ofynnol i'r cymeradwywr cofrestredig rheolaeth adeiladu ymgynghori â'r awdurdod tân ac achub, rhaid gwneud y declarasiwn naill ai ym mharagraff 9 neu ym mharagraff 10.

NOTES

(1): Name and address of local authority.

(2): Location and description of the work, including the use of any building to which the work relates.

(3): Name, address, telephone number and (if available) email address of the registered building control approver.

(4): Name, address, telephone number and (if available) email address of the person intending to carry out the work, and if that person is not the client also the name, address, telephone number and (if available) email address of the client.

(5): The local authority may reject this notice only on grounds prescribed by the Welsh Ministers. These are set out in Schedules 2 and 3 to the 2024 Regulations. They include failure to provide relevant documents. The documents listed in paragraph 4 of the notice relevant to the work described above must therefore be sent with this notice. Any sub-paragraph of paragraph 4 which does not apply should be deleted.

(6): Name of the registered building control approver.

(7): "Professional or financial interest" has the meaning given in regulation 3 of the 2024 Regulations.

(8): Insert the date and reference number.

(9): Delete whichever does not apply. If the registered building control approver is obliged to consult the fire and rescue authority, the declaration either in paragraph 9 or 10 must be made.

(10): Dilëwch pa un bynnag nad yw'n gymwys. Os yw'n ofynnol i'r cymeradwywr cofrestredig rheolaeth adeiladu ymgynghori â'r ymgymerwr carthffosiaeth, rhaid gwneud y declarasiwn naill ai ym mharagraff 12 neu ym mharagraff 13.

(11): Dilëwch pa un bynnag nad yw'n gymwys.

(12): Adeilad y mae neu y bydd Gorchymyn Diwygio Rheoleiddio (Diogelwch Tân) 2005 yn gymwys iddo.

(13): Enw'r arolygydd cofrestredig adeiladu.

(14): Dilëwch y datganiad hwn pan fo'r cymeradwywr cofrestredig rheolaeth adeiladu ei hun yn arolygydd cofrestredig adeiladu.

(15): Diffinnir gwaith adeilad risg uwch gan adran 120I o Ddeddf Adeiladu 1984 i olygu "any work relating to a higher-risk building or a proposed higher-risk building". Disgrifir "adeiladau risg uwch" gan Reoliadau Diogelwch Adeiladau (Disgrifiad o Adeilad Risg Uwch) (Cyfnod Dylunio ac Adeiladu) (Cymru) 2023.

(16): Enw'r person sy'n bwriadu cynnal y gwaith.

(10): Delete whichever does not apply. If the registered building control approver is obliged to consult the sewerage undertaker, the declaration either in paragraph 12 or 13 must be made.

(11): Delete whichever does not apply.

(12): A building to which the Regulatory Reform (Fire Safety) Order 2005 applies or will apply.

(13): Name of the registered building inspector.

(14): Delete this statement where the registered building control approver is itself a registered building inspector.

(15): Higher-risk building work is defined by section 120I of the Building Act 1984 as meaning "any work relating to a higher-risk building or a proposed higher-risk building". "Higher-risk buildings" are described by the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023.

(16): Name of the person intending to carry out the work.

Ffurflen 5(C)

Adran 51 o Ddeddf Adeiladu 1984

Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024 ("Rheoliadau 2024")

TYSTYSGRIF DERFYNOL

1. Mae'r dystysgrif hon yn ymwneud â'r gwaith a ganlyn: **(1)**

2. Mae **(2)** yn gymeradwywr cofrestredig rheolaeth adeiladu at ddiben Rhan 2 o Ddeddf Adeiladu 1984 ac mae'r gwaith a ddisgrifir yn y dystysgrif hon o fewn cwmpas ei gofrestriad neu ei chofrestriad a'r gwaith uchod oedd [y cyfan]/[rhan] **(3)** o'r gwaith a ddisgrifir mewn hysbysiad cychwynnol a roddwyd ganddo neu ganddi ac arno ddyddiad **(4)** [ac a ddiwygiwyd ar **(4)(5)]**.

3. Yn ddarostyngedig i'r hyn a ddywedir ym mharagraff 4 isod, mae'r gwaith a ddisgrifir uchod wedi ei gwblhau ac mae **(2)** wedi cyflawni'r swyddogaethau a aseiniwyd iddo neu iddi gan reoliad 4 o Reoliadau 2024.

4. [Mae tystysgrifau terfynol bellach wedi eu dyroddi mewn cysylltiad â'r holl waith a ddisgrifir yn yr hysbysiad cychwynnol y cyfeirir ato ym mharagraff 2 uchod.] **(5)**

Form 5(W)

Section 51 of the Building Act 1984

The Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024 ("the 2024 Regulations")

FINAL CERTIFICATE

1. This certificate relates to the following work: **(1)**

2. (2) is a registered building control approver for the purpose of Part 2 of the Building Act 1984 and the work described in this certificate is within the scope of its registration and the work described above was [the whole]/[part] **(3)** of the work described in an initial notice given by it and dated **(4)** [and amended on **(4)(5)]**.

3. Subject to what is said in paragraph 4 below, the work described above has been completed and **(2)** has performed the functions assigned to it by regulation 4 of the 2024 Regulations.

4. [Final certificates have now been issued in respect of all the work described in the initial notice referred to in paragraph 2 above.] **(5)**

5. [Mae **(2)** yn cadarnhau bod y person sy'n cynnal y gwaith wedi ei hysbysu i'r perwyl bod yr wybodaeth diogelwch tân wedi ei rhoi i'r person cyfrifol fel sy'n ofynnol gan reoliad 38 o Reoliadau Adeiladu 2010.] **(5)**

5. [**(2)** confirms the person carrying out the work has notified it to the effect that the fire safety information has been given to the responsible person as required by regulation 38 of the Building Regulations 2010.] **(5)**

6. [Mae **(2)** yn cadarnhau ei fod neu ei bod wedi ymgynghori â'r awdurdod tân ac achub yn unol â rheoliad 8 o Reoliadau 2024.] **(5)**

6. [**(2)** confirms it has consulted with the fire and rescue authority in accordance with regulation 8 of the 2024 Regulations.] **(5)**

7. [Mae **(2)** yn cadarnhau ei fod neu ei bod wedi ymgynghori â'r ymgymerwr carthffosiaeth yn unol â rheoliad 9 o Reoliadau 2024.] **(5)**

7. [**(2)** confirms it has consulted with the sewerage undertaker in accordance with regulation 9 of the 2024 Regulations.] **(5)**

8. Ni fu gan **(2)** unrhyw fuddiant proffesiynol neu ariannol yn y gwaith a ddisgrifir uchod ers rhoi'r hysbysiad cychwynnol a ddisgrifir ym mharagraff 2 uchod **(6)**.

8. (2) has had no professional or financial interest in the work described above since giving the initial notice described in paragraph 2 above **(6)**.

9. Mae **(2)** drwy hyn yn cadarnhau ei fod wedi cael datganiad oddi wrth y cleient ar gyfer y gwaith a ddisgrifir yn y dystysgrif derfynol hon, sy'n unol â rheoliad 13D(1)(d) o Reoliadau 2024.

9. (2) hereby confirms it has received a statement, from the client for the work described in this final certificate, which is in accordance with regulation 13D(1)(d) of the 2024 Regulations.

10. Mae **(2)** [drwy hyn yn cadarnhau ei fod wedi cael datganiad oddi wrth, neu ynghylch, pob prif gontractwr (neu unig gontractwr) ar gyfer y gwaith, ac oddi wrth, neu ynghylch, pob prif ddylunydd (neu unig ddylunydd neu ddylunydd arweiniol) ar gyfer y gwaith a ddisgrifir yn y dystysgrif derfynol hon, sy'n unol â rheoliad 13D o Reoliadau 2024].

10. (2) [hereby confirms it has received a statement, from, or regarding, each principal contractor (or sole contractor) for the work and from, or regarding, each principal designer (or sole or lead designer) for the work described in this final certificate, which is in accordance with regulation 13D of the 2024 Regulations].

11. Mae **(2)** yn cadarnhau nad yw unrhyw ran o'r gwaith y mae'r hysbysiad hwn yn ymwneud ag ef yn waith adeilad risg uwch. **(7)**

11. (2) confirms that none of the work to which this notice relates is higher-risk building work. **(7)**

12. [Mae **(2)** yn cadarnhau ei fod neu ei bod wedi cael cyngor gan **(8)**, arolygydd cofrestredig adeiladu sydd o fewn cwmpas ei gofrestriad neu ei chofrestriad mewn perthynas â'r gwaith a ddisgrifir yn yr hysbysiad hwn, cyn cyflwyno'r hysbysiad hwn.] **(9)**

12. [**(2)** confirms it has obtained advice from **(8)**, a registered building inspector that is within the scope of their registration in relation to the work described in this notice, before submitting this notice.] **(9)**

13. Mae'r dystysgrif hon yn dystiolaeth (ond nid yn dystiolaeth derfynol) y cydymffurfiwyd â'r gofynion a nodwyd yn y dystysgrif.

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

Llofnodwyd

Signed

Ar ran **(2)**

On behalf of **(2)**

Dyddiad

Date

NODIADAU

NOTES

(1): Lleoliad y gwaith a disgrifiad ohono, gan gynnwys defnydd unrhyw adeilad y mae'r gwaith yn ymwneud ag ef.

(1): Location and description of the work, including the use of any building to which the work relates.

(2): Enw'r cymeradwywr cofrestredig rheolaeth adeiladu.

(2): Name of the registered building control approver.

(3): Dilëwch pa un bynnag nad yw'n gymwys.

(4): Rhowch y dyddiad.

(5): Dilëwch y datganiad hwn os nad yw'n gymwys.

(6): Mae i "buddiant proffesiynol neu ariannol" yr ystyr a roddir yn rheoliad 3 o Reoliadau 2024.

(7): Diffinnir gwaith adeilad risg uwch gan adran 120I o Ddeddf Adeiladu i olygu "any work relating to a higher-risk building or a proposed higher-risk building". Disgrifir "adeiladau risg uwch" gan Reoliadau Diogelwch Adeiladau (Disgrifiad o Adeilad Risg Uwch) (Cyfnod Dylunio ac Adeiladu) (Cymru) 2023.

(8): Enw'r arolygydd cofrestredig adeiladu.

(9): Dilëwch y datganiad hwn pan fo'r cymeradwywr cofrestredig rheolaeth adeiladu ei hun yn arolygydd cofrestredig adeiladu.

(3): Delete whichever does not apply.

(4): Insert date.

(5): Delete this statement if it does not apply.

(6): "Professional or financial interest" has the meaning given in regulation 3 of the 2024Regulations.

(7): Higher-risk building work is defined by section 120I of the Building Act 1984 as meaning "any work relating to a higher-risk building or a proposed higher-risk building". "Higher-risk buildings" are described by the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023.

(8): Name of the registered building inspector.

(9): Delete this statement where the registered building control approver is itself a registered building inspector.

Ffurflen 6(C)

Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024

HYSBYSIAD O HYSBYSIAD NEU DYSTYSGRIF ANNILYS

I: (**1**)

1. Mae gennyf awdurdod i lofnodi'r hysbysiad hwn gan (**2**).

2. Mae'r hysbysiad hwn yn ymwneud â'r [hysbysiad cychwynnol][hysbysiad diwygio][dystysgrif blaniau][dystysgrif derfynol](**3**) honedig a ddaeth i law ar (**4**).

3. Mae'r awdurdod lleol wedi ei fodloni bod [yr hysbysiad][y dystysgrif](**3**) honedig yn annilys oherwydd [bod y cyfan neu ran o'r gwaith y mae'n ymwneud ag ef yn waith adeilad risg uwch](**5**) [bod y cyfan neu ran o'r gwaith y mae'n ymwneud ag ef y tu allan i gwmpas cofrestriad y cymeradwywr cofrestredig rheolaeth adeiladu](**6**) [y'i rhoddwyd gan dorri adran 53D(5) o Ddeddf Adeiladu 1984]**(7).**

4. [Gall hawl i apelio fod ar gael o dan adran 101A o Ddeddf Adeiladu 1984 pan fo awdurdod lleol yn gwrthod ystyried hysbysiad cychwynnol neu hysbysiad diwygio ar y sail bod y cyfan neu ran o'r gwaith y mae'r hysbysiad yn ymwneud ag ef yn waith adeilad risg uwch.](**5**)

Form 6(W)

The Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024 ("the 2024 Regulations")

NOTICE OF INVALID NOTICE OR CERTIFICATE

To: (**1**)

1. I am authorised to sign this notice by (**2**).

2. This notice relates to the purported [initial notice][amendment notice][plans certificate][final certificate](**3**) received on (**4**).

3. The local authority is satisfied the purported [notice][certificate](**3**) is invalid because [all or part of the work to which it relates is higher-risk building work](**5**) [all or part of the work to which it relates is outside the scope of the registration of the registered building control approver](**6**) [it was given in breach of section 53D(5) of the Building Act 1984]**(7)**.

4. [A right of appeal may be available under section 101A of the Building Act 1984 where a local authority refuses to consider an initial notice or an amendment notice on the ground that all or part of the work to which the notice relates is higher-risk building work.](**5**)

Llofnod

Dyddiad

NODIADAU

(1): Rhowch enw a chyfeiriad y person y rhoddir yr hysbysiad iddo. Rhaid ei roi i'r cymeradwywr a roddodd yr hysbysiad neu'r dystysgrif a hefyd i'r person sy'n bwriadu cynnal y gwaith (ac os nad y cleient yw'r person hwnnw, hefyd i'r cleient).

(2): Rhowch enw a chyfeiriad yr awdurdod lleol.

(3): Dilëwch pa un bynnag nad yw'n gymwys.

(4): Rhowch y dyddiad y daeth yr hysbysiad neu'r dystysgrif i law'r awdurdod lleol.

(5): Dilëwch os nad yw rheoliad 6A(1) o Reoliadau 2024 yn gymwys i'r hysbysiad neu'r dystysgrif honedig.

(6): Dilëwch os nad yw rheoliad 6A(3) o Reoliadau 2024 yn gymwys i'r hysbysiad neu'r dystysgrif honedig.

(7): Dilëwch os nad yw rheoliad 6A(4) o Reoliadau 2024 yn gymwys i'r hysbysiad neu'r dystysgrif honedig.

Signature

Date

NOTES

(1): Insert the name and address of the person to whom the notice is given. It must be given to the approver who gave the notice or certificate and also to the person intending to carry out the work (and if that person is not the client, also to the client).

(2): Insert name and address of the local authority.

(3): Delete whichever does not apply.

(4): Insert date the notice or certificate was received by the local authority.

(5): Delete if regulation 6A(1) of the 2024 Regulations does not apply to the purported notice or certificate.

(6): Delete if regulation 6A(3) of the 2024 Regulations does not apply to the purported notice or certificate.

(7): Delete if regulation 6A(4) of the 2024 Regulations does not apply to the purported notice or certificate.

Ffurflen 13(C)

Adran 52A(1) o Ddeddf Adeiladu 1984

Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024

HYSBYSIAD CANSLO GAN GYMERADWYWR COFRESTREDIG RHEOLAETH ADEILADU PAN FO GWAITH WEDI DOD YN WAITH ADEILAD RISG UWCH

I: **(1)**

1. Rhoddwyd hysbysiad cychwynnol dyddiedig **(2)** mewn perthynas â'r gwaith.

2. Mae'r hysbysiad hwn yn ymwneud [â'r rhan a ganlyn]/[â'r cyfan] **(3)** o'r gwaith hwnnw: **(4)**

3. Fi yw'r cymeradwywr cofrestredig rheolaeth adeiladu mewn perthynas â'r hysbysiad cychwynnol y cyfeirir ato ym mharagraff 1.

4. Rwy'n canslo drwy hyn [y rhan o'r hysbysiad cychwynnol sy'n ymwneud â gwaith adeilad risg uwch y cyfeirir ato ym mharagraff 2]/[yr hysbysiad cychwynnol] **(3)**.

Form 13(W)

Section 52A(1) of the Building Act 1984

The Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024

NOTICE OF CANCELLATION BY REGISTERED BUILDING CONTROL APPROVER WHERE WORK HAS BECOME HIGHER-RISK BUILDING WORK

To: **(1)**

1. An initial notice dated **(2)** has been given in relation to the work.

2. This notice relates to [the following part of]/[all of] **(3)** that work: **(4)**

3. I am the registered building control approver in relation to the initial notice referred to in paragraph 1.

4. I hereby cancel [the part of the initial notice which relates to higher-risk building work referred to in paragraph 2]/[the initial notice] **(3)**.

Llofnod

Ar ran **(5)**

Dyddiad

NODIADAU

(1): Rhowch enw a chyfeiriad y person y rhoddir yr hysbysiad iddo. Rhaid ei roi i'r awdurdod lleol a'r person sy'n cynnal neu'n bwriadu cynnal y gwaith (ac os nad y cleient yw'r person hwnnw, hefyd i'r cleient).

(2): Rhowch y dyddiad.

(3): Dilëwch pa un bynnag nad yw'n gymwys.

(4): Lleoliad y gwaith adeilad risg uwch a disgrifiad ohono. Diffinnir gwaith adeilad risg uwch gan adran 120I o Ddeddf Adeiladu 1984 i olygu "any work relating to a higher-risk building or a proposed higher-risk building". Disgrifir "adeiladau risg uwch" gan Reoliadau Diogelwch Adeiladau (Disgrifiad o Adeilad Risg Uwch) (Cyfnod Dylunio ac Adeiladu) (Cymru) 2023.

(5): Enw'r cymeradwywr cofrestredig rheolaeth adeiladu.

Signature

On behalf of **(5)**

Date

NOTES

(1): Insert the name and address of the person to whom the notice is given. It must be given to the local authority and the person carrying out or intending to carry out the work (and if that person is not the client, also to the client).

(2): Insert date.

(3): Delete whichever does not apply.

(4): Location and description of the higher-risk building work. Higher-risk building work is defined by section 120I of the Building Act 1984 as meaning "any work relating to a higher-risk building or a proposed higher-risk building". "Higher-risk buildings" are described by the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023.

(5): Name of the registered building control approver.

Ffurflen 14(C)

Adran 52A(2) o Ddeddf Adeiladu 1984

Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024

HYSBYSIAD CANSLO GAN BERSON SY'N BWRIADU CYNNAL Y GWAITH PAN FO GWAITH YN DOD YN WAITH ADEILAD RISG UWCH

I: **(1)**

1. Rhoddwyd hysbysiad cychwynnol dyddiedig **(2)** mewn perthynas â'r gwaith.

2. Mae'r hysbysiad hwn yn ymwneud [â'r rhan a ganlyn]/[â'r cyfan] **(3)** o'r gwaith hwnnw: **(4)**

3. Fi yw'r person sy'n [cynnal]/[bwriadu cynnal] **(3)** y gwaith o dan yr hysbysiad cychwynnol y cyfeirir ato ym mharagraff 1.

4. Rwy'n canslo drwy hyn [y rhan o'r hysbysiad cychwynnol sy'n ymwneud â gwaith adeilad risg uwch y cyfeirir ato ym mharagraff 2]/[yr hysbysiad cychwynnol] **(3)**.

Form 14(W)

Section 52A(2) of the Building Act 1984

The Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024")

NOTICE OF CANCELLATION BY PERSON INTENDING TO CARRY OUT THE WORK WHEN WORK BECOMES HIGHER-RISK BUILDING WORK

To: **(1)**

1. An initial notice dated **(2)** has been given in relation to the work.

2. This notice relates to [the following part of]/[all of] **(3)** that work: **(4)**

3. I am the person [carrying out]/[intending to carry out] **(3)** the work under the initial notice referred to in paragraph 1.

4. I hereby cancel [the part of the initial notice which relates to higher-risk building work referred to in paragraph 2]/[the initial notice] **(3)**.

Llofnod

Llofnodwyd gan **(5)**

Dyddiad

NODIADAU

(1): Rhowch enw a chyfeiriad y person y rhoddir yr hysbysiad iddo. Rhaid ei roi i'r awdurdod lleol a'r cymeradwywr cofrestredig rheolaeth adeiladu (ac os nad y person sy'n cynnal y gwaith yw'r cleient, hefyd i'r cleient).

(2): Rhowch y dyddiad.

(3): Dilëwch pa un bynnag nad yw'n gymwys.

(4): Lleoliad y gwaith adeilad risg uwch a disgrifiad ohono. Diffinnir gwaith adeilad risg uwch gan adran 120I o Ddeddf Adeiladu 1984 i olygu "any work relating to a higher-risk building or a proposed higher-risk building". Disgrifir "adeiladau risg uwch" gan Reoliadau Diogelwch Adeiladau (Disgrifiad o Adeilad Risg Uwch) (Cyfnod Dylunio ac Adeiladu) (Cymru) 2023.

(5): Enw'r person sy'n cynnal neu'n bwriadu cynnal y gwaith.

Signature

Signed by **(5)**

Date

NOTES

(1): Insert the name and address of the person to whom the notice is given. It must be given to the local authority and the registered building control approver (and if the person carrying out the work is not the client, also to the client).

(2): Insert date.

(3): Delete whichever does not apply.

(4): Location and description of the higher-risk building work. Higher-risk building work is defined by section 120I of the Building Act 1984 as meaning "any work relating to a higher-risk building or a proposed higher-risk building". "Higher-risk buildings" are described by the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023.

(5): Name of the person carrying out or intending to carry out the work.

Ffurflen 15(C)

Adran 52A(4) o Ddeddf Adeiladu 1984

Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024

HYSBYSIAD CANSLO GAN AWDURDOD LLEOL WAITH PAN FO GWAITH WEDI DOD YN WAITH ADEILAD RISG UWCH

I: **(1)**

1. Derbyniodd yr awdurdod lleol hysbysiad cychwynnol ar **(2)** mewn perthynas â'r gwaith.

2. Mae'r hysbysiad hwn yn ymwneud [â'r rhan a ganlyn]/[â'r cyfan] **(3)** o'r gwaith hwnnw: **(4)**

3. Mae gennyf awdurdod i lofnodi'r hysbysiad hwn gan yr awdurdod lleol a ganlyn **(5)**:

4. Mae'n ymddangos i'r awdurdod lleol fod y gwaith y cyfeirir ato ym mharagraff 2 wedi dod yn waith adeilad risg uwch ac mae'r awdurdod lleol drwy hyn yn canslo [y rhan o'r hysbysiad cychwynnol sy'n ymwneud â gwaith adeilad risg uwch y cyfeirir ato ym mharagraff 2]/[yr hysbysiad cychwynnol] **(3)**.

Form 15(W)

Section 52A(4) of the Building Act 1984

The Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024

NOTICE OF CANCELLATION BY LOCAL AUTHORITY OF WORK WHERE WORK HAS BECOME HIGHER-RISK BUILDING WORK

To: **(1)**

1. The local authority accepted an initial notice on **(2)** in relation to the work.

2. This notice relates to [the following part of]/[all of] **(3)** that work: **(4)**

3. I am authorised to sign this notice by the following local authority **(5)**:

4. It appears to the local authority that the work referred to in paragraph 2 has become higher-risk building work and the local authority hereby cancels [the part of the initial notice which relates to higher-risk building work referred to in paragraph 2]/[the initial notice] **(3)**.

Llofnod

Dyddiad

NODIADAU

(1): Rhowch enw a chyfeiriad y person y rhoddir yr hysbysiad iddo. Rhaid ei roi i'r cymeradwywr cofrestredig rheolaeth adeiladu a'r person a ddangosir yn yr hysbysiad cychwynnol fel y person sy'n bwriadu cynnal y gwaith (ac os nad y cleient yw'r person hwnnw, hefyd i'r cleient).

(2): Rhowch y dyddiad.

(3): Dilëwch pa un bynnag nad yw'n gymwys.

(4): Lleoliad y gwaith adeilad risg uwch a disgrifiad ohono. Diffinnir gwaith adeilad risg uwch gan adran 120I o Ddeddf Adeiladu 1984 i olygu "any work relating to a higher-risk building or a proposed higher-risk building". Disgrifir "adeiladau risg uwch" gan Reoliadau Diogelwch Adeiladau (Disgrifiad o Adeilad Risg Uwch) (Cyfnod Dylunio ac Adeiladu) (Cymru) 2023.

(5): Enw a chyfeiriad yr awdurdod lleol.

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Saul Nassé, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd y Brenin ar gyfer Cymru.

Signature

Date

NOTES

(1): Insert the name and address of the person to whom the notice is given. It must be given to the registered building control approver and the person shown in the initial notice as the person intending to carry out the work (and if that person is not the client, also to the client).

(2): Insert date.

(3): Delete whichever does not apply.

(4): Location and description of the higher-risk building work. Higher-risk building work is defined by section 120I of the Building Act 1984 as meaning "any work relating to a higher-risk building or a proposed higher-risk building". "Higher-risk buildings" are described by the Building Safety (Description of Higher-Risk Building) (Design and Construction Phase) (Wales) Regulations 2023.

(5): Name and address of the local authority.

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