OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2025 Rhif 377 (Cy. 74)

2025 No. 377 (W. 74)

ADEILADU AC ADEILADAU, CYMRU

BUILDING AND BUILDINGS, WALES

Rheoliadau Adeiladu etc. (Diwygio) (Cymru) 2025

The Building etc. (Amendment) (Wales) Regulations 2025

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Adeiladu 2010 ("Rheoliadau Adeiladu") fel y maent yn gymwys o ran Cymru, a Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024 ("Rheoliadau Cymeradwywyr"). Mae'r diwygiadau a wneir gan y Rheoliadau hyn yn gosod gofynion newydd ar gyfer seilwaith digidol a chysylltedd mewn anheddau sy'n cael eu hadeiladu o'r newydd.

Mae rheoliad 3 yn gwneud darpariaeth drosiannol nad yw'r gofynion newydd yn gymwys odani.

Mae rheoliad 4(2) yn mewnosod rheoliadau newydd 44ZAA i 44ZC yn y Rheoliadau Adeiladu. Mae'r diwygiadau hyn yn ei gwneud yn ofynnol i berson sy'n codi annedd newydd gyflwyno i'r awdurdod lleol, cyn cychwyn ar waith adeiladu, fanylion unrhyw gysylltiad â rhwydwaith cyfathrebu electronig cyhoeddus sydd i'w ddarparu ar gyfer yr annedd honno, ynghyd ag unrhyw dystiolaeth sy'n ategu ei ddibyniaeth ar yr esemptiadau a nodir yn rheoliadau 44ZB a 44ZC, sy'n addasu neu'n eithrio'r gofynion newydd mewn achosion penodol.

Mae rheoliad 4(4) yn mewnosod paragraffau newydd RA1 ac RA2 yn Atodlen 1 i'r Rheoliadau Adeiladu. Mae'r paragraffau hynny yn cynnwys gofynion newydd sy'n ymwneud â darparu, o fewn anheddau sy'n cael eu hadeiladu o'r newydd, "gigabit-ready physical infrastructure" a chysylltiad â "gigabit-capable public electronic communications network" (y diffinnir y termau hynny yn rheoliad 44C o'r Rheoliadau Adeiladu, fel y mae wedi ei ddiwygiwyd gan reoliad 4(3) o'r Rheoliadau hyn).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Building Regulations 2010 ("Building Regulations") as they apply in relation to Wales, and the Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024 ("Approvers Regulations"). The amendments made by these Regulations impose new requirements for digital infrastructure and connectivity in newly built dwellings.

Regulation 3 makes transitional provision under which the new requirements do not apply.

Regulation 4(2) inserts new regulations 44ZAA to 44ZC into the Building Regulations. These amendments require a person who is erecting a new dwelling to submit to the local authority, prior to commencement of building work, particulars of any connection to a public electronic communications network to be provided for that dwelling, alongside any evidence which supports their reliance on the exemptions set out in regulations 44ZB and 44ZC, which modify or exclude the new requirements in certain cases.

Regulation 4(4) inserts new paragraphs RA1 and RA2 into Schedule 1 to the Building Regulations. Those paragraphs contain new requirements relating to the provision, within newly built dwellings, of "gigabit-ready physical infrastructure" and a connection to a "gigabit-capable public electronic communications network" (those terms being defined in regulation 44C of the Building Regulations, as amended by regulation 4(3) of these Regulations).

Mae rheoliad 5 yn cynnwys diwygiadau cysylltiedig i'r Rheoliadau Cymeradwywyr.

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

Mae Dogfen Gymeradwy R Cyfrol 1, rhifyn 2025, yn cynnwys canllawiau ymarferol ar fodloni'r gofynion newydd sydd wedi eu mewnosod yn y Rheoliadau Adeiladu gan yr offeryn hwn. Mae'r Dogfennau Cymeradwy wedi eu cyhoeddi gan Weinidogion Cymru a gellir eu gweld ar www.llyw.cymru.

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

Regulation 5 contains related amendments to the Approvers Regulations.

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

Approved Document R Volume 1 2025 edition contains practical guidance on meeting the new requirements inserted into the Building Regulations by this instrument. The Approved Documents are published by the Welsh Ministers and may be accessed at www.gov.wales.

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

2025 Rhif 377 (Cy. 74)

ADEILADU AC ADEILADAU, CYMRU

Rheoliadau Adeiladu etc. (Diwygio) (Cymru) 2025

Gwnaed	*21 Mawrth 2025*
Gosodwyd gerbron Senedd Cymru	*25 Mawrth 2025*
Yn dod i rym	*1 Gorffennaf 2025*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir iddynt(**1**) gan adrannau 1, 3(1), 34 a 47(1) o Ddeddf Adeiladu 1984(**2**) a pharagraffau 7, 8 a 10 o Atodlen 1 iddi.

Mae Gweinidogion Cymru wedi ymgynghori â Phwyllgor Cynghori Cymru ar Reoliadau Adeiladu ac ag unrhyw berson arall y mae Gweinidogion Cymru yn ystyried ei fod yn briodol, yn unol ag adran 14(7) o Ddeddf Adeiladu 1984(**3**).

2025 No. 377 (W. 74)

BUILDING AND BUILDINGS, WALES

The Building etc. (Amendment) (Wales) Regulations 2025

Made	*21 March 2025*
Laid before Senedd Cymru	*25 March 2025*
Coming into force	*1 July 2025*

The Welsh Ministers make these Regulations in exercise of the powers conferred on them(**1**) by sections 1, 3(1), 34 and 47(1) of, and paragraphs 7, 8 and 10 of Schedule 1 to, the Building Act 1984(**2**).

The Welsh Ministers have consulted the Building Regulations Advisory Committee for Wales and any other person that the Welsh Ministers consider appropriate, in accordance with section 14(7) of the Building Act 1984(**3**).

(**1**) Cafodd y swyddogaethau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 1, 3(1), 34 a 47(1) o Ddeddf Adeiladu 1984 (p.55), a pharagraffau 7, 8 a 10 o Atodlen 1 iddi, eu trosglwyddo i Weinidogion Cymru, i'r graddau y maent yn arferadwy o ran Cymru, gan Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) (Rhif 2) 2009 (O.S. 2009/3019) ("Gorchymyn 2009") a chan adran 54 o Ddeddf Cymru 2017 (p. 4).

(**2**) Diwygiwyd adran 1 gan adran 1 o Ddeddf Adeiladau Cynaliadwy a Diogel 2004 (p. 22) ("Deddf 2004"), a chan baragraff 2 o Atodlen 5 i Ddeddf Diogelwch Adeiladau 2022 (p. 30) ("Deddf 2022"). Diwygiwyd adran 47(1) gan adran 8(2) o Ddeddf 2004. Mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn. Mae offerynnau diwygio mewn perthynas â pharagraffau 7 ac 8 o Atodlen 1 ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn. Amnewidiwyd paragraff 10 o Atodlen 1 gan baragraff 83(8) o Atodlen 5 i Ddeddf 2022. Ar gyfer y diffiniadau o "appropriate national authority" a "prescribed" gweler adran 126 o Ddeddf Adeiladu 1984.

(**3**) Diwygiwyd adran 14(7) gan Orchymyn 2009, a chan baragraff 17(3) o Atodlen 5 i Ddeddf 2022.

(**1**) The functions conferred on the Secretary of State by sections 1, 3(1), 34 and 47(1) of, and paragraphs 7, 8, and 10 of Schedule 1 to, the Building Act 1984 (c.55) were transferred to the Welsh Ministers, as far as they are exercisable in relation to Wales, by the Welsh Ministers (Transfer of Functions) (No. 2) Order 2009 (S.I. 2009/3019) ("the 2009 Order") and by section 54 of the Wales Act 2017 (c.4).

(**2**) Section 1 was amended by section 1 of the Sustainable and Secure Buildings Act 2004 (c. 22) ("the 2004 Act") and by paragraph 2 of Schedule 5 to the Building Safety Act 2022 (c. 30) ("the 2022 Act"). Section 47(1) was amended by section 8(2) of the 2004 Act. There are other amending instruments, but none are relevant to these Regulations. There are amending instruments in relation to paragraphs 7 and 8 of Schedule 1 but none are relevant to these Regulations. Paragraph 10 of Schedule 1 was substituted by paragraph 83(8) of Schedule 5 to the 2022 Act. For the definitions of "appropriate national authority" and "prescribed" see section 126 of the Building Act 1984.

(**3**) Section 14(7) was amended by the 2009 Order, and by paragraph 17(3) of Schedule 5 to the 2022 Act.

Enwi, cymhwyso a dod i rym

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

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

(3) Daw'r Rheoliadau hyn i rym ar 1 Gorffennaf 2025.

Dehongli

2. Yn y Rheoliadau hyn—

ystyr "awdurdod lleol" ("*local authority*") yw cyngor sir neu gyngor bwrdeistref sirol yng Nghymru;

mae i "gwaith adeiladu" yr ystyr a roddir i "building work" gan reoliad 3(1) o'r Rheoliadau Adeiladu;

mae i "hysbysiad adeiladu" yr ystyr a roddir i "building notice" gan reoliad 2 o'r Rheoliadau Adeiladu;

mae i "hysbysiad cychwynnol" yr ystyr a roddir i "initial notice" gan adran 47(1)(a) o Ddeddf Adeiladu 1984;

mae i "planiau llawn" yr ystyr a roddir i "full plans" gan reoliad 2 o'r Rheoliadau Adeiladu;

ystyr "Rheoliadau Adeiladu" ("*Building Regulations*") yw Rheoliadau Adeiladu 2010(**1**);

ystyr "Rheoliadau Cymeradwywyr" ("*Approvers Regulations*") yw Rheoliadau Adeiladu (Cymeradwywyr Cofrestredig Rheolaeth Adeiladu etc.) (Cymru) 2024(**2**).

Darpariaeth drosiannol

3.—(1) Nid yw'r diwygiadau a wneir gan reoliadau 4 a 5 o'r Rheoliadau hyn yn gymwys mewn perthynas â gwaith yr hysbyswyd amdano yn flaenorol os yw—

(a) wedi dechrau cyn y diwrnod y mae'r Rheoliadau hyn yn dod i rym, neu

(b) yn dechrau o fewn y cyfnod o 12 mis sy'n dechrau â'r diwrnod hwnnw.

Title, application and coming into force

1.—(1) The title of these Regulations is the Building etc. (Amendment) (Wales) Regulations 2025.

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force on 1 July 2025.

Interpretation

2. In these Regulations—

"Approvers Regulations" ("*Rheoliadau Cymeradwywyr*") means the Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024(**1**);

"building notice" ("*hysbysiad adeiladu*") has the meaning given by regulation 2 of the Building Regulations;

"Building Regulations" ("*Rheoliadau Adeiladu*") means the Building Regulations 2010(**2**);

"building work" ("*gwaith adeiladu*") has the meaning given by regulation 3(1) of the Building Regulations;

"full plans" ("*planiau llawn*") has the meaning given by regulation 2 of the Building Regulations;

"initial notice" ("*hysbysiad cychwynnol*") has the meaning given by section 47(1)(a) of the Building Act 1984;

"local authority" ("*awdurdod lleol*") means a county council or county borough council in Wales.

Transitional provision

3.—(1) The amendments made by regulations 4 and 5 of these Regulations do not apply in relation to previously notified work if it—

(a) has started before the day on which these Regulations come into force, or

(b) is started within the period of 12 months beginning with that day.

(**1**) O.S. 2010/2214, fel y'i diwygiwyd mewn perthynas ag adeiladau yng Nghymru gan O.S. 2013/747 (Cy. 89), O.S. 2016/361 (Cy. 113), O.S. 2016/490, O.S. 2016/611 (Cy. 168), O.S. 2018/558 (Cy. 97) ac O.S. 2022/993 (Cy. 210). Mae offerynnau diwygio eraill, ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(**2**) O.S. 2024/1268. Mae'r Rheoliadau hyn yn dirymu ac yn disodli Rheoliadau Adeiladu (Arolygwyr Cymeradwy etc.) 2010 (O.S. 2010/2215) o ran Cymru.

(**1**) S.I. 2024/1268. These Regulations revoke and replace the Building (Approved Inspectors etc.) Regulations 2010 (S.I. 2010/2215) in relation to Wales.

(**2**) S.I. 2010/2214, as amended in relation to buildings in Wales by S.I. 2013/747 (W. 89), S.I. 2016/361 (W. 113), S.I. 2016/490, S.I. 2016/611 (W. 168), S.I. 2018/558 (W. 97) and S.I. 2022/993 (W. 210). There are other amending instruments, but none are relevant to these Regulations.

(2) Ym mharagraff (1), ystyr "gwaith yr hysbyswyd amdano yn flaenorol" yw gwaith adeiladu y mae, mewn cysylltiad ag ef—

(a) hysbysiad adeiladu neu hysbysiad cychwynnol wedi ei roi i awdurdod lleol cyn y diwrnod y mae'r Rheoliadau hyn yn dod i rym, neu

(b) planiau llawn wedi eu hadneuo gydag awdurdod lleol cyn y diwrnod hwnnw.

Diwygio'r Rheoliadau Adeiladu

4.—(1) Mae'r Rheoliadau Adeiladu wedi eu diwygio fel a ganlyn.

(2) Yn Rhan 9A(**1**)—

(a) yn lle'r pennawd rhodder "Infrastructure for electronic communications";

(b) o flaen rheoliad 44A mewnosoder—

"Particulars of connection to public electronic communications network

44ZAA.—(1) This regulation applies to building work consisting of the erection of a dwelling or a building that is to contain one or more dwellings.

(2) Not later than the day before the work described in paragraph (1) starts, the person carrying out that work shall supply to the local authority—

(a) particulars of any public electronic communications network in relation to which a connection is to be provided,

(b) if an exemption in regulation 44ZB is proposed to be relied on, evidence in support of the exemption, and

(c) if regulation 44ZC is proposed to be relied on—

(i) evidence of the matters mentioned in regulation 44ZC(6)(a) and (b), and

(ii) if paragraph RA1(1)(c)(i) or (ii) of Schedule 1 is also proposed to be relied on, evidence of the steps taken to establish whether, and if so where, a distribution point for a gigabit-capable public electronic communications network (as defined by regulation 44C) is likely to be installed, in a location

(**1**) Mewnosodwyd Rhan 9A (rheoliadau 44A i 44C), mewn perthynas ag adeiladau yng Nghymru, gan O.S. 2016/361 (Cy. 113).

(2) In paragraph (1), "previously notified work" means building work in respect of which—

(a) a building notice or an initial notice has been given to a local authority before the day on which these Regulations come into force, or

(b) full plans have been deposited with a local authority before that day.

Amendment to the Building Regulations

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

(2) In Part 9A(**1**)—

(a) for the heading substitute "Infrastructure for electronic communications";

(b) before regulation 44A insert—

"Particulars of connection to public electronic communications network

44ZAA.—(1) This regulation applies to building work consisting of the erection of a dwelling or a building that is to contain one or more dwellings.

(2) Not later than the day before the work described in paragraph (1) starts, the person carrying out that work shall supply to the local authority—

(a) particulars of any public electronic communications network in relation to which a connection is to be provided,

(b) if an exemption in regulation 44ZB is proposed to be relied on, evidence in support of the exemption, and

(c) if regulation 44ZC is proposed to be relied on—

(i) evidence of the matters mentioned in regulation 44ZC(6)(a) and (b), and

(ii) if paragraph RA1(1)(c)(i) or (ii) of Schedule 1 is also proposed to be relied on, evidence of the steps taken to establish whether, and if so where, a distribution point for a gigabit-capable public electronic communications network (as defined by regulation 44C) is likely to be installed, in a location

(**1**) Part 9A (regulations 44A to 44C) was inserted, in relation to buildings in Wales, by S.I. 2016/361 (W. 113).

relevant for the purposes of paragraph RA1(1)(c), within the period of 2 years beginning with the day on which the notice is given.

Exemptions from paragraphs RA1 and RA2 of Schedule 1

44ZB.—(1**)** The requirements of paragraphs RA1 and RA2 of Schedule 1 (gigabit-ready physical infrastructure and connection to gigabit-capable network) do not apply to buildings—

(a) to be occupied by the Ministry of Defence or the armed forces of the Crown, or

(b) to be otherwise occupied for purposes connected to national security.

(2) The requirements of paragraph RA1 of Schedule 1 do not apply in relation to a building if all the following conditions are met—

(a) the building is situated in an area that is isolated from public electronic communications networks of any of the kinds mentioned in regulation 44ZC(2) or (3),

(b) paragraph RA2 of that Schedule does not apply because the case falls within regulation 44ZC(4), and

(c) the prospect of a connection with a network of any of the kinds mentioned in regulation 44ZC(2) or (3) is considered too remote to justify equipping the building with gigabit-ready physical infrastructure or an access point.

Cases in which paragraph RA2 of Schedule 1 modified or excluded

44ZC.—(1**)** The requirement in paragraph RA2 of Schedule 1 has effect subject to paragraphs (2) to (4).

(2) Where a person carrying out building work of the kind described in the second column of paragraph RA1 of Schedule 1 ("the developer")—

(a) is unable to secure the provision of a connection with a gigabit-capable public electronic communications network for a cost not exceeding the cost cap, but

relevant for the purposes of paragraph RA1(1)(c), within the period of 2 years beginning with the day on which the notice is given.

Exemptions from paragraphs RA1 and RA2 of Schedule 1

44ZB.—(1**)** The requirements of paragraphs RA1 and RA2 of Schedule 1 (gigabit-ready physical infrastructure and connection to gigabit-capable network) do not apply to buildings—

(a) to be occupied by the Ministry of Defence or the armed forces of the Crown, or

(b) to be otherwise occupied for purposes connected to national security.

(2) The requirements of paragraph RA1 of Schedule 1 do not apply in relation to a building if all the following conditions are met—

(a) the building is situated in an area that is isolated from public electronic communications networks of any of the kinds mentioned in regulation 44ZC(2) or (3),

(b) paragraph RA2 of that Schedule does not apply because the case falls within regulation 44ZC(4), and

(c) the prospect of a connection with a network of any of the kinds mentioned in regulation 44ZC(2) or (3) is considered too remote to justify equipping the building with gigabit-ready physical infrastructure or an access point.

Cases in which paragraph RA2 of Schedule 1 modified or excluded

44ZC.—(1**)** The requirement in paragraph RA2 of Schedule 1 has effect subject to paragraphs (2) to (4).

(2) Where a person carrying out building work of the kind described in the second column of paragraph RA1 of Schedule 1 ("the developer")—

(a) is unable to secure the provision of a connection with a gigabit-capable public electronic communications network for a cost not exceeding the cost cap, but

(b) is able to secure the provision of a connection with a high-speed public electronic communications network for such a cost,

paragraph RA2 of Schedule 1 is to be read as requiring the provision of a connection with a high-speed public electronic communications network.

(3) Where the developer—

(a) is unable to secure the provision of a connection with a high-speed public electronic communications network for a cost not exceeding the cost cap, but

(b) is able to secure the provision of a connection with a USO-standard public electronic communications network for such a cost,

paragraph RA2 of Schedule 1 is to be read as requiring the provision of a connection with a USO-standard public electronic communications network.

(4) Where the developer is unable to secure the provision of a connection with a USO-standard public electronic communications network for a cost not exceeding the cost cap, paragraph RA2 of Schedule 1 does not apply.

(5) In paragraphs (2) to (4)—

"high-speed public electronic communications network" means a public electronic communications network that is a high-speed electronic communication network;

"USO-standard public electronic communications network" means a public electronic communications network that provides at least the minimum download speed for the time being specified by virtue of section 65(2B)(a) of the Communications Act 2003(**1**) in the universal service order (as defined by section 151(1) of that Act).

(6) The developer is to be treated as being able to secure the provision of a connection mentioned in any of paragraphs (2) to (4) for a cost not exceeding the cost cap unless—

(a) the developer has invited at least two suitable providers to make, before the end of the 30th day after the date of the invitation, an offer to provide a connection of the kind mentioned in the paragraph in question, and

(**1**) 2003 p. 21. Mewnosodwyd adran 65(2B) gan adran 1(4) o Ddeddf yr Economi Ddigidol 2017 (p. 30) ac fe'i diwygiwyd gan O.S. 2020/1419.

(b) is able to secure the provision of a connection with a high-speed public electronic communications network for such a cost,

paragraph RA2 of Schedule 1 is to be read as requiring the provision of a connection with a high-speed public electronic communications network.

(3) Where the developer—

(a) is unable to secure the provision of a connection with a high-speed public electronic communications network for a cost not exceeding the cost cap, but

(b) is able to secure the provision of a connection with a USO-standard public electronic communications network for such a cost,

paragraph RA2 of Schedule 1 is to be read as requiring the provision of a connection with a USO-standard public electronic communications network.

(4) Where the developer is unable to secure the provision of a connection with a USO-standard public electronic communications network for a cost not exceeding the cost cap, paragraph RA2 of Schedule 1 does not apply.

(5) In paragraphs (2) to (4)—

"high-speed public electronic communications network" means a public electronic communications network that is a high-speed electronic communications network;

"USO-standard public electronic communications network" means a public electronic communications network that provides at least the minimum download speed for the time being specified by virtue of section 65(2B)(a) of the Communications Act 2003(**1**) in the universal service order (as defined by section 151(1) of that Act).

(6) The developer is to be treated as being able to secure the provision of a connection mentioned in any of paragraphs (2) to (4) for a cost not exceeding the cost cap unless—

(a) the developer has invited at least two suitable providers to make, before the end of the 30th day after the date of the invitation, an offer to provide a connection of the kind mentioned in the paragraph in question, and

(**1**) 2003 c. 21. Section 65(2B) was inserted by section 1(4) of the Digital Economy Act 2017 (c. 30) and amended by S.I. 2020/1419.

(b) none of those providers has before that time offered to provide that connection free of charge or at a cost not exceeding the cost cap.

(7) The cost cap is £2,000 in respect of each dwelling.

(8) In calculating the cost to the developer of securing the provision of a connection—

(a) there is to be included value added tax;

(b) there is to be excluded—

(i) the cost to the developer of installing gigabit-ready physical infrastructure in accordance with paragraph RA1 of Schedule 1,

(ii) administrative costs of the developer, and

(iii) the cost to an end-user (as defined by section 151(1) of the Communications Act 2003) of the provision of a public electronic communications service.

(9) In paragraph (6)(a) "suitable provider" means the provider of a public electronic communications network whom the developer reasonably considers to be likely to be able to provide the connection referred to."

(3) Yn rheoliad 44C (dehongli Rhan R o Atodlen 1)(**1**)—

(a) yn y pennawd, ar ôl "of", yn y lle cyntaf y mae'n digwydd mewnosoder "Part 9A and of";

(b) yn y geiriau agoriadol, ar ôl "In" mewnosoder "this Part and in";

(c) yn y diffiniad o "access point", ar ôl "infrastructure" mewnosoder ", or as the case requires the gigabit-ready physical infrastructure,";

(d) ar ôl y diffiniad o "access point" mewnosoder—

""gigabit-capable electronic communications network" means an electronic communications network that is capable of delivering broadband access services at download speeds of at least 1,000 Mbps;

(**1**) Mewnosodwyd rheoliad 44C, mewn perthynas ag adeiladau yng Nghymru, gan O.S. 2016/361 (Cy. 113).

(b) none of those providers has before that time offered to provide that connection free of charge or at a cost not exceeding the cost cap.

(7) The cost cap is £2,000 in respect of each dwelling.

(8) In calculating the cost to the developer of securing the provision of a connection—

(a) there is to be included value added tax;

(b) there is to be excluded—

(i) the cost to the developer of installing gigabit-ready physical infrastructure in accordance with paragraph RA1 of Schedule 1,

(ii) administrative costs of the developer, and

(iii) the cost to an end-user (as defined by section 151(1) of the Communications Act 2003) of the provision of a public electronic communications service.

(9) In paragraph (6)(a) "suitable provider" means the provider of a public electronic communications network whom the developer reasonably considers to be likely to be able to provide the connection referred to."

(3) In regulation 44C (interpretation of Part R of Schedule 1)(**1**)—

(a) in the heading, after "of", in the first place where it occurs insert "Part 9A and of";

(b) in the opening words, after "In" insert "this Part and in";

(c) in the definition of "access point", after "infrastructure" insert ", or as the case requires the gigabit-ready physical infrastructure,";

(d) after the definition of "access point" insert—

""gigabit-capable electronic communications network" means an electronic communications network that is capable of delivering broadband access services at download speeds of at least 1,000 Mbps;

(**1**) Regulation 44C was inserted, in relation to buildings in Wales, by S.I. 2016/361 (W. 113).

"gigabit-capable public electronic communications network" means a public electronic communications network that is a gigabit-capable electronic communications network;

"gigabit-ready physical infrastructure" means physical infrastructure or installations, including elements under joint ownership, intended to host wired or wireless gigabit-capable public electronic communications networks;";

(e) ar ôl y diffiniad o "network termination point" mewnosoder—

""public electronic communications network" has the meaning given by section 151(1) of the Communications Act 2003."

(4) Yn Atodlen 1 (gofynion), yn Rhan R (seilwaith ffisegol ar gyfer rhwydweithiau cyfathrebu electronig cyflym(**1**))—

(a) yn lle'r pennawd rhodder "Infrastructure for electronic communications";

(b) o flaen paragraff R1 mewnosoder—

"**Gigabit-ready physical infrastructure**

RA1.—(1) Building work must be carried out so as to ensure that each dwelling or building that consists of one or more dwellings is equipped with gigabit-ready physical infrastructure that extends from a network termination point for gigabit capable public electronic communications networks and reaches—	Requirements RA1 and RA2 apply to the erection of a dwelling or of a building that contains one or more dwellings.
(a) a distribution point, or	
(b) where the person carrying out the building work ("the developer") has no right to install gigabit-ready physical infrastructure in land in which it would have to be installed if it were to reach a distribution point, as close as is reasonably practicable to a distribution point, or	

(**1**) Mewnosodwyd Rhan R o Atodlen 1, mewn perthynas ag adeiladau yng Nghymru, gan O.S. 2016/361 (Cy. 113).

"gigabit-capable public electronic communications network" means a public electronic communications network that is a gigabit-capable electronic communications network;

"gigabit-ready physical infrastructure" means physical infrastructure or installations, including elements under joint ownership, intended to host wired or wireless gigabit-capable public electronic communications networks;";

(e) after the definition of "network termination point" insert—

""public electronic communications network" has the meaning given by section 151(1) of the Communications Act 2003."

(4) In Schedule 1 (requirements), in Part R (physical infrastructure for high-speed electronic communications networks(**1**))—

(a) for the heading substitute "Infrastructure for electronic communications";

(b) before paragraph R1 insert—

"**Gigabit-ready physical infrastructure**

RA1.—(1) Building work must be carried out so as to ensure that each dwelling or building that consists of one or more dwellings is equipped with gigabit-ready physical infrastructure that extends from a network termination point for gigabit capable public electronic communications networks and reaches—	Requirements RA1 and RA2 apply to the erection of a dwelling or of a building that contains one or more dwellings.
(a) a distribution point, or	
(b) where the person carrying out the building work ("the developer") has no right to install gigabit-ready physical infrastructure in land in which it would have to be installed if it were to reach a distribution point, as close as is reasonably practicable to a distribution point, or	

(**1**) Part R of Schedule 1 was inserted, in relation to buildings in Wales, by S.I. 2016/361 (W. 113).

(c) where the developer has no such right and requirement RA2 is excluded or modified by regulation 44ZC, and would be so excluded or modified even if the gigabit-ready physical infrastructure were required to reach as close as is reasonably practicable to a distribution point—

(i) as close as is reasonably practicable to a location at which a distribution point is likely to be installed within the relevant 2-year period (a "likely future location"), or

(ii) where there is no likely future location that is closer to the building than the closest distribution point already installed, an access point for gigabit-capable public electronic communications networks, or

(d) where the developer has no right to install gigabit-ready physical infrastructure in land beyond the building, an access point for gigabit-capable public electronic communications networks.

(c) where the developer has no such right and requirement RA2 is excluded or modified by regulation 44ZC, and would be so excluded or modified even if the gigabit-ready physical infrastructure were required to reach as close as is reasonably practicable to a distribution point—

(i) as close as is reasonably practicable to a location at which a distribution point is likely to be installed within the relevant 2-year period (a "likely future location"), or

(ii) where there is no likely future location that is closer to the building than the closest distribution point already installed, an access point for gigabit-capable public electronic communications networks, or

(d) where the developer has no right to install gigabit-ready physical infrastructure in land beyond the building, an access point for gigabit-capable public electronic communications networks.

(2) Where the work concerns a building containing more than one dwelling, the work must be carried out so as to ensure that the building is equipped in addition with a common access point for gigabit-capable public electronic communications networks.

(3) In this paragraph—

"distribution point" means a distribution point for a gigabit-capable public electronic communications network;

"the relevant 2-year period" means the period of 2 years beginning with the earlier of the following—

(a) the day on which a building notice, initial notice or public body's notice relating to work to which this paragraph applies is given, or

(b) the day on which full plans relating to building work to which this paragraph applies are deposited.

Connection to gigabit-capable network

RA2. Each dwelling must in addition be provided with a connection to a gigabit-capable public electronic communications network."

(c) ym mharagraff R1—

(i) yn lle'r pennawd rhodder "High-speed ready in-building physical infrastructure";

(ii) yn yr ail golofn, ar ôl "work" mewnosoder ", other than building work to which paragraph RA1 applies,".

(2) Where the work concerns a building containing more than one dwelling, the work must be carried out so as to ensure that the building is equipped in addition with a common access point for gigabit-capable public electronic communications networks.

(3) In this paragraph—

"distribution point" means a distribution point for a gigabit-capable public electronic communications network;

"the relevant 2-year period" means the period of 2 years beginning with the earlier of the following—

(a) the day on which a building notice, initial notice or public body's notice relating to work to which this paragraph applies is given, or

(b) the day on which full plans relating to building work to which this paragraph applies are deposited.

Connection to gigabit-capable network

RA2. Each dwelling must in addition be provided with a connection to a gigabit-capable public electronic communications network."

(c) in paragraph R1—

(i) for the heading substitute "High-speed ready in-building physical infrastructure";

(ii) in the second column, after "work" insert ", other than building work to which paragraph RA1 applies,".

Diwygio'r Rheoliadau Cymeradwywyr

5.—(1) Mae'r Rheoliadau Cymeradwywyr wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 4 (swyddogaethau cymeradwywyr)—

(a) ar ddiwedd paragraff (2)(a)(xxviii), hepgorer "a", a

(b) ar ôl paragraff (2)(a)(xxix) mewnosoder—

"(xxx) rheoliad 44ZAA (manylion cysylltiad â rhwydwaith cyfathrebu electronig cyhoeddus), a".

(3) Yn rheoliad 5(2) (addasu Rheoliadau 2010 etc.)—

(a) ar ôl y geiriau "44 (comisiynu)" rhodder "," yn lle "a", a

(b) ar ôl y geiriau "44ZA (comisiynu mewn cysylltiad â system ar gyfer cynhyrchu trydan ar y safle)" mewnosoder "a 44ZAA (manylion cysylltiad â rhwydwaith cyfathrebu electronig cyhoeddus)".

Amendment to the Approvers Regulations

5.—(1) The Approvers Regulations are amended as follows.

(2) In regulation 4 (functions of approvers)—

(a) at the end of paragraph (2)(a)(xxviii) omit "and", and

(b) after paragraph (2)(a)(xxix) insert—

"(xxx) regulation 44ZAA (particulars of connection to public electronic communications network), and".

(3) In regulation 5(2) (modification of the 2010 Regulations etc.)—

(a) after the words "44 (commissioning)" replace "and" with ",", and

(b) after the words "44ZA (commissioning in respect of a system for on-site electricity generation)" insert "and 44ZAA (particulars of connection to public electronic communications network)".

Rebecca Evans

Ysgrifennydd y Cabinet dros y Economi, Ynni a Chynllunio, un o Weinidogion Cymru
21 Mawrth 2025

Cabinet Secretary for Economy, Energy and Planning, one of the Welsh Ministers
21 March 2025

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