OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2016 Rhif 611 (Cy. 168)

ADEILADU AC ADEILADAU, CYMRU

Rheoliadau Rheoliadau Adeiladu etc. (Diwygio) (Cymru) 2016

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Adeiladu 2010 ("y Rheoliadau Adeiladu") a Rheoliadau Adeiladu (Arolygwyr Cymeradwy etc.) 2010 ("y Rheoliadau Arolygwyr Cymeradwy").

Mae rheoliad 2 yn diwygio'r Rheoliadau Adeiladu.

Mae rheoliad 2(2), (3), (4), (5)(b) ac (c), (6), (13)(e), (14)(e), (15)(e), (16) i (18), (19)(a)(i) ac (a)(ii), y diffiniad cyntaf, (19)(b), (20) ac (21), yn dirymu gofynion sy'n ymwneud â darparu tystysgrifau perfformiad ynni ar gyfer adeiladau newydd ac adeiladau penodol a addaswyd. Mae'r gofynion hynny wedi eu cydgrynhoi mewn diwygiadau a wnaed i Reoliadau Perfformiad Ynni Adeiladau (Cymru a Lloegr) 2012 gan Reoliadau Perfformiad Ynni Adeiladau (Cymru a Lloegr) (Diwygio) 2016.

Mae rheoliad 2(5)(a), (7) i (12), (13)(a) i (d), (14)(a) i (d), (15)(a) i (d) a (19)(a)(ii), yr ail ddiffiniad, yn diwygio ac yn atodi gweithrediad Erthyglau 3 (mabwysiadu methodoleg ar gyfer cyfrifo perfformiad ynni adeiladau) a 4 (gosod gofynion perfformiad ynni gofynnol) o Gyfarwyddeb Senedd Ewrop a'r Cyngor 2010/31/EU ar berfformiad ynni adeiladau (ail-lunio) (OJ Rhif L 153, 18.6.2010, t. 13).

Mae rheoliad 2(7) a (19)(a)(ii), yr ail ddiffiniad, yn diwygio ac yn atodi diffiniadau mewn perthynas â pherfformiad ynni adeiladau. Mae rheoliad 2(5)(a) yn cywiro hepgoriad sy'n ymwneud ag ardystio cydymffurfiad â'r Rheoliadau Adeiladu.

2016 No. 611 (W. 168)

BUILDING AND BUILDINGS, WALES

The Building Regulations &c. (Amendment) (Wales) Regulations 2016

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Building Regulations 2010 ("the Building Regulations") and the Building (Approved Inspectors etc.) Regulations 2010 ("the Approved Inspectors Regulations").

Regulation 2 amends the Building Regulations.

Regulation 2(2), (3), (4), (5)(b) and (c), (6), (13)(e), (14)(e), (15)(e), (16) to (18), (19)(a)(i) and (a)(ii), first definition, (19)(b), (20) and (21), revoke requirements relating to the provision of energy performance certificates for new and certain converted buildings. Those requirements have been consolidated in amendments made to the Energy Performance of Buildings (England and Wales) Regulations 2012 by the Energy Performance of Buildings (England and Wales) (Amendment) Regulations 2016.

Regulation 2(5)(a), (7) to (12), (13)(a) to (d), (14)(a) to (d), (15)(a) to (d) and (19)(a)(ii), second definition, amend and supplement the implementation of Articles 3 (adoption of a methodology for calculating the energy performance of buildings) and 4 (setting of minimum energy performance requirements) of Directive 2010/31/EU of the European Parliament and of the Council on the energy performance of buildings (recast) (OJ No L 153, 18.6.2010, p. 13).

Regulation 2(7) and (19)(a)(ii), second definition, amend and supplement definitions relating to the energy performance of buildings. Regulation 2(5)(a) corrects an omission concerning certification of compliance with the Building Regulations.

Mae rheoliad 2(8) i (12), (13)(a) i (d), (14)(a) i (d) a 15(a) i (d) yn egluro bod rhaid defnyddio methodolegau a gymeradwyir yn unol â rheoliad 24 o'r Rheoliadau Adeiladu er mwyn canfod perfformiad ynni adeiladau o dan y darpariaethau amrywiol yn y Rheoliadau Adeiladu.

Regulation 2(8) to (12), (13)(a) to (d), (14)(a) to (d) and 15(a) to (d) clarify that methodologies approved pursuant to regulation 24 of the Building Regulations must be used in determining the energy performance of buildings under the various provisions in the Building Regulations.

Mae rheoliad 2(22) yn diweddaru'r rhestr yn Atodlen 3 i'r Rheoliadau Adeiladu o'r personau a awdurdodwyd i ddyroddi tystysgrifau cydymffurfio â gofynion y Rheoliadau hynny ar gyfer eu gwaith eu hunain.

Regulation 2(22) updates the list in Schedule 3 to the Building Regulations of persons authorised to issue certificates of compliance with the requirements of those Regulations for their own work.

Mae rheoliad 3 yn diwygio'r Rheoliadau Arolygwyr Cymeradwy. Mae'n gwneud darpariaeth o ganlyniad i'r dirymiad yn rheoliad 2 o ofynion sy'n ymwneud â darparu tystysgrifau perfformiad ynni ar gyfer adeiladau newydd ac adeiladau penodol a addaswyd a'u cydgrynhoi yn Rheoliadau Perfformiad Ynni Adeiladau (Cymru a Lloegr) 2012.

Regulation 3 amends the Approved Inspectors Regulations. It makes provision consequential on the revocation in regulation 2 of requirements relating to the provision of energy performance certificates for new and certain converted buildings and their consolidation in the Energy Performance of Buildings (England and Wales) Regulations 2012.

Nid oes asesiad effaith wedi ei lunio ar gyfer y Rheoliadau hyn, gan na ragwelir unrhyw effaith ar y sector cyhoeddus, y sector preifat na'r sector gwirfoddol, neu y rhagwelir ychydig iawn o effaith ar y sectorau hynny.

No impact assessment has been produced for these Regulations as no impact, or minimal impact, on the public, private, or voluntary sectors is foreseen.

2016 Rhif 611 (Cy. 168)

ADEILADU AC ADEILADAU, CYMRU

Rheoliadau Rheoliadau Adeiladu etc. (Diwygio) (Cymru) 2016

Gwnaed	*25 Mai 2016*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*27 Mai 2016*
Yn dod i rym	*17 Mehefin 2016*

Mae Gweinidogion Cymru wedi eu dynodi(**1**) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(**2**) mewn perthynas â dylunio a chodi adeiladau, ac mewn perthynas â gwasanaethau, ffitiadau a chyfarpar a ddarperir yn yr adeiladau hynny neu mewn cysylltiad â hwy.

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir iddynt gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 a chan adrannau 1, 34, 35 a 47 o Ddeddf Adeiladu 1984 a pharagraffau 1, 2, 4, 4A, 7 a 10 o Atodlen 1 iddi(**3**), sydd bellach yn arferadwy ganddynt hwy(**4**), ar ôl ymgynghori â Phwyllgor Cynghori Cymru ar Reoliadau Adeiladu a'r cyrff eraill

(**1**) O.S. 2016/161.

(**2**) 1972 p. 68. Diwygiwyd adran 2(2) gan adran 27 o Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006 (p. 51) ac adran 3 o Ddeddf yr Undeb Ewropeaidd (Diwygio) 2008 (p. 7) a Rhan 1 o'r Atodlen iddi.

(**3**) 1984 p. 55. Diwygiwyd adran 1 gan adran 1 o Ddeddf Adeiladau Cynaliadwy a Diogel 2004 (p. 22) ("Deddf 2004"). Diwygiwyd adran 47(1) gan erthygl 3 o O.S. 1996/1905 ac adran 8 o Ddeddf 2004. Yn Atodlen 1, mewnosodwyd paragraff 4A gan adran 8 o Ddeddf 2004 a diwygiwyd paragraff 7 gan adran 3 o'r Ddeddf honno. Gwnaed diwygiadau eraill i baragraff 7 nad ydynt yn berthnasol i'r offeryn hwn.

(**4**) Cafodd y swyddogaethau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 1, 34, 35 a 47(1) o Ddeddf Adeiladu 1984 a pharagraffau 1, 2, 4, 4A, 7 a 10 o Atodlen 1 iddi, i'r graddau yr oeddent yn arferadwy o ran Cymru, eu trosglwyddo i Weinidogion Cymru gan Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) (Rhif 2) 2009 (O.S. 2009/3019), yn ddarostyngedig i erthyglau 3 a 4 o'r Gorchymyn hwnnw.

2016 No. 611 (W. 168)

BUILDING AND BUILDINGS, WALES

The Building Regulations &c. (Amendment) (Wales) Regulations 2016

Made	*25 May 2016*
Laid before the National Assembly for Wales	*27 May 2016*
Coming into force	*17 June 2016*

The Welsh Ministers are designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the design and construction of buildings, and in relation to services, fittings and equipment provided in or in connection with those buildings.

The Welsh Ministers, in exercise of the powers conferred on them by section 2(2) of the European Communities Act 1972 and by sections 1, 34, 35 and 47 of, and paragraphs 1, 2, 4, 4A, 7 and 10 of Schedule 1 to, the Building Act 1984(**3**), now exercisable by them(**4**), having consulted the Building Regulations Advisory

(**1**) S.I. 2016/161.

(**2**) 1972 c. 68. Section 2(2) was amended by section 27 of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3 of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7).

(**3**) 1984 c. 55. Section 1 was amended by section 1 of the Sustainable and Secure Buildings Act 2004 (c. 22) (the "2004 Act"). Section 47(1) was amended by article 3 of S.I. 1996/1905 and section 8 of the 2004 Act. In Schedule 1, paragraph 4A was inserted by section 8 of and paragraph 7 was amended by section 3 of the 2004 Act. There are other amendments to paragraph 7 that are not relevant to this instrument.

(**4**) The functions conferred on the Secretary of State by sections 1, 34, 35 and 47(1) of, and paragraphs 1, 2, 4, 4A, 7 and 10 of Schedule 1 to, the Building Act 1984 were, insofar as exercisable in relation to Wales, transferred to the Welsh Ministers by the Welsh Ministers (Transfer of Functions) (No. 2) Order 2009 (S.I. 2009/3019), subject to articles 3 and 4 of that Order.

hynny yr ymddengys iddynt hwy sy'n cynrychioli'r buddiannau o dan sylw yn unol ag adran 14(7) o Ddeddf Adeiladu 1984(**1**), yn gwneud y Rheoliadau a ganlyn.

Enwi, cymhwyso a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Rheoliadau Adeiladu etc. (Diwygio) (Cymru) 2016.

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

(3) Nid yw'r Rheoliadau hyn yn gymwys i "adeilad ynni a eithrir", ac mae i "adeilad ynni a eithrir" yr un ystyr ag a roddir i "excepted energy building" yn yr Atodlen i Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) (Rhif 2) 2009(**2**).

(4) Daw'r Rheoliadau hyn i rym ar 17 Mehefin 2016.

Diwygiadau i Reoliadau Adeiladu 2010

2.—(1) Mae Rheoliadau Adeiladu 2010(**3**) wedi eu diwygio yn unol â'r paragraffau a ganlyn.

(2) Yn rheoliad 2(1) (dehongli)—

(a) yn y diffiniad o "energy efficiency requirements" hepgorer "29 and"; a

(b) hepgorer y diffiniad o "energy performance certificate".

(3) Yn rheoliad 10(2) (esemptio Awdurdod yr Heddlu Metropolitanaidd rhag gofynion gweithdrefnol) hepgorer ", other than regulation 29,".

(4) Yn rheoliad 11(3) (pŵer i hepgor neu lacio gofynion) hepgorer ", 29 (with the exception of paragraphs 4(e), 9A, 10, 11 and 12), 29A".

(5) Yn rheoliad 17(2A) (tystysgrifau cwblhau)—

(a) yn lle is-baragraff (c) rhodder—

"(c) regulation 26A (primary energy consumption rates for new buildings),

(ca) regulation 26B (fabric performance values for new dwellings),";

(b) ar ddiwedd is-baragraff (e) hepgorer "and"; ac

(c) ar ddiwedd is-baragraff (f), yn lle "." rhodder—

Committee for Wales and such other bodies as appear to them to be representative of the interests concerned in accordance with section 14(7) of the Building Act 1984(**1**), make the following Regulations.

Title, application and commencement

1.—(1) The title of these Regulations is the Building Regulations &c. (Amendment) (Wales) Regulations 2016.

(2) These Regulations apply in relation to Wales.

(3) These Regulations do not apply to an "excepted energy building", and "excepted energy building" has the same meaning as in the Schedule to the Welsh Ministers (Transfer of Functions) (No. 2) Order 2009(**2**).

(4) These Regulations come into force on 17 June 2016.

Amendments to the Building Regulations 2010

2.—(1) The Building Regulations 2010(**3**) are amended in accordance with the following paragraphs.

(2) In regulation 2(1) (interpretation)—

(a) in the definition "energy efficiency requirements" omit "29 and"; and

(b) omit the definition "energy performance certificate".

(3) In regulation 10(2) (exemption of the Metropolitan Police Authority from procedural requirements) omit ", other than regulation 29,".

(4) In regulation 11(3) (power to dispense with or relax requirements) omit ", 29 (with the exception of paragraphs 4(e), 9A, 10, 11 and 12), 29A".

(5) In regulation 17(2A) (completion certificates)—

(a) for subparagraph (c) substitute—

"(c) regulation 26A (primary energy consumption rates for new buildings),

(ca) regulation 26B (fabric performance values for new dwellings),";

(b) at the end of subparagraph (e) omit "and"; and

(c) at the end of subparagraph (f) for "." substitute—

(**1**) 1984 p. 55. Mewnosodwyd adran 14(7) gan erthygl 8(5) o Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) (Rhif 2) 2009 (O.S. 2009/3019).
(**2**) O.S. 2009/3019.
(**3**) O.S. 2010/2214, yr offerynnau diwygio perthnasol yw O.S. 2013/747 (Cy. 89), O.S. 2013/2621 (Cy. 258), O.S. 2014/110 (Cy. 10), O.S. 2015/1486 (Cy. 165) ac O.S. 2016/361 (Cy. 113). Gwnaed offerynnau diwygio eraill nad ydynt yn berthnasol i'r offeryn hwn.

(**1**) 1984 c. 55. Section 14(7) was inserted by article 8(5) of the Welsh Ministers (Transfer of Functions) (No. 2) Order 2009 (S.I. 2009/3019).
(**2**) S.I. 2009/3019.
(**3**) S.I. 2010/2214, relevant amending instruments are S.I. 2013/747 (W. 89), S.I. 2013/2621 (W. 258), S.I. 2014/110 (W. 10), S.I. 2015/1486 (W. 165) and S.I. 2016/361 (W. 113). There are other amending instruments that are not relevant to this instrument.

“,

(g) regulation 7A (energy performance certificates on construction) of the Energy Performance of Buildings (England and Wales) Regulations 2012(**1**)”.

(6) Yn rheoliad 19(1) (goruchwylio gwaith adeiladu ac eithrio gan awdurdodau lleol) hepgorer “29 (energy performance certificates),”.

(7) Yn rheoliad 24(2) (methodoleg cyfrifo a mynegi perfformiad ynni)—

(a) yn y diffiniad o “asset rating” yn lle “a numerical indicator of” rhodder “an energy performance indicator determined from”; a

(b) yn lle’r diffiniad “operational rating” rhodder—

““operational rating” means an energy performance indicator determined from the amount of energy consumed during the occupation of a building over a period of time and the energy demand associated with a typical use of the building over that period.”

(8) Yn rheoliad 25 (gofynion perfformiad ynni gofynnol ar gyfer adeiladau newydd) yn lle “set” rhodder “calculated and expressed”.

(9) Yn rheoliad 25C (adeiladau newydd: gofynion perfformiad ynni gofynnol)—

(a) yn lle “may” rhodder “must”; a

(b) ar ôl “Welsh Ministers,” mewnosoder “calculated and expressed”.

(10) Yn rheoliad 26 (cyfraddau allyriadau CO2 ar gyfer adeiladau newydd) ar ôl “25” mewnosoder “, applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24”.

(11) Yn rheoliad 26A (cyfraddau defnyddio ynni crai ar gyfer adeiladau newydd) ar ôl “25C(a)” mewnosoder “, applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24”.

(12) Yn rheoliad 26B (gwerthoedd perfformiad adeiladwaith ar gyfer anheddau newydd) ar ôl “25C(b)” mewnosoder “, applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24”.

(13) Yn rheoliad 27 (cyfrifiadau cyfraddau allyriadau CO2)—

(**1**) O.S. 2012/3118, fel y'i diwygiwyd gan O.S. 2013/10; O.S. 2013/181; O.S. 2013/603; O.S. 2014/880; O.S. 2015/609; O.S. 2015/1681 ac O.S. 2016/284.

“,

(g) regulation 7A (energy performance certificates on construction) of the Energy Performance of Buildings (England and Wales) Regulations 2012(**1**)”.

(6) In regulation 19(1) (supervision of building work otherwise than by local authorities) omit “29 (energy performance certificates),”.

(7) In regulation 24(2) (methodology of calculation and expression of energy performance)—

(a) in the definition “asset rating” for “a numerical indicator of” substitute “an energy performance indicator determined from”; and

(b) for the definition “operational rating” substitute—

““operational rating” means an energy performance indicator determined from the amount of energy consumed during the occupation of a building over a period of time and the energy demand associated with a typical use of the building over that period.”

(8) In regulation 25 (minimum energy performance requirements for new buildings) for “set” substitute “calculated and expressed”.

(9) In regulation 25C (new buildings: minimum energy performance requirements)—

(a) for “may” substitute “must”; and

(b) after “Welsh Ministers,” insert “calculated and expressed”.

(10) In regulation 26 (CO2 emission rates for new buildings) after “25” insert “, applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24”.

(11) In regulation 26A (primary energy consumption rates for new buildings) after “25C(a)” insert “, applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24”.

(12) In regulation 26B (fabric performance values for new dwellings) after “25C(b)” insert “, applying the methodology of calculation and expression of the energy performance of buildings approved pursuant to regulation 24”.

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

(**1**) S.I. 2012/3118, as amended by S.I. 2013/10; S.I. 2013/181; S.I. 2013/603; S.I. 2014/880; S.I. 2015/609; S.I. 2015/1681 and S.I. 2016/284.

(a) ym mharagraff (2)(a) ar ôl "building" mewnosoder ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(b) ym mharagraff (2)(b) hepgorer "calculated", ac ar ôl "designed" mewnosoder ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(c) ym mharagraff (3)(a)(i) ar ôl "building" mewnosoder ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(d) ym mharagraff (3)(a)(ii) hepgorer "calculated", ac ar ôl "constructed" mewnosoder ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24"; ac

(e) ym mharagraff (4) yn lle "such certificates" rhodder "energy performance certificates".

(14) Yn rheoliad 27A (cyfrifiadau cyfradd defnyddio ynni crai)—

(a) ym mharagraff (2)(a) ar ôl "building" mewnosoder ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(b) ym mharagraff (2)(b) hepgorer "calculated", ac ar ôl "designed" mewnosoder ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(c) ym mharagraff (3)(a)(i) ar ôl "building" mewnosoder ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(d) ym mharagraff (3)(a)(ii) hepgorer "calculated", ac ar ôl "constructed" mewnosoder ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24"; ac

(e) ym mharagraff (4) yn lle "such certificates" rhodder "energy performance certificates".

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

(a) ym mharagraff (2)(a) ar ôl "dwelling" mewnosoder ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(b) ym mharagraff (2)(b) hepgorer "calculated", ac ar ôl "designed" mewnosoder ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(a) in paragraph (2)(a) after "building" insert ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(b) in paragraph (2)(b) omit "calculated", and after "designed" insert ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(c) in paragraph (3)(a)(i) after "building" insert ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(d) in paragraph (3)(a)(ii) omit "calculated", and after "constructed" insert ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24"; and

(e) in paragraph (4) for "such certificates" substitute "energy performance certificates".

(14) In regulation 27A (primary energy consumption rate calculations)—

(a) in paragraph (2)(a) after "building" insert ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(b) in paragraph (2)(b) omit "calculated", and after "designed" insert ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(c) in paragraph (3)(a)(i) after "building" insert ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(d) in paragraph (3)(a)(ii) omit "calculated", and after "constructed" insert ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24"; and

(e) in paragraph (4) for "such certificates" substitute "energy performance certificates".

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

(a) in paragraph (2)(a) after "dwelling" insert ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(b) in paragraph (2)(b) omit "calculated", and after "designed" insert ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(c) ym mharagraff (3)(a)(i) ar ôl "dwelling" mewnosoder ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(d) ym mharagraff (3)(a)(ii) hepgorer "calculated", ac ar ôl "constructed" mewnosoder ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24"; ac

(e) ym mharagraff (4) yn lle "such certificates" rhodder "energy performance certificates".

(16) Hepgorer rheoliad 29 (tystysgrifau perfformiad ynni) ac Atodlen 4A (gwybodaeth am y Fargen Werdd).

(17) Hepgorer rheoliadau 29A i 33.

(18) Yn rheoliad 34(1) (cymhwyso rheoliadau adeiladu i adeiladau addysgol, adeiladau ymgymerwyr statudol ac Adeiladau'r Goron) hepgorer ", 29 (apart from regulations 29(4)(e), 29(9A), 29(10), 29(11) and 29(12)), 29A".

(19) Yn rheoliad 35 (dehongli Rhan 6)—

(a) ym mharagraff (1)—

(i) yn y diffiniad o "energy assessor" yn lle "regulation 30" rhodder "regulation 22 (accreditation schemes) of the Energy Performance of Buildings (England and Wales) Regulations 2012";

(ii) ar ôl y diffiniad hwnnw mewnosoder y diffiniadau a ganlyn—

""energy performance certificate" means a certificate which complies with the requirements of regulation 9 (energy performance certificates) or 9A (energy performance certificates in respect of excluded buildings) of the Energy Performance of Buildings (England and Wales) Regulations 2012;

"energy performance of a building" means the calculated or measured amount of energy needed to meet the energy demand associated with a typical use of the building, which includes, inter alia, energy used for heating, cooling, ventilation, hot water and lighting;"; a

(b) hepgorer paragraff (2).

(20) Yn rheoliad 47 (torri rheoliadau penodol yn peidio â bod yn drosedd) hepgorer "29,".

(21) Yn rheoliad 48(1) (cyflwyno dogfennau yn electronig) hepgorer is-baragraffau (i) a (j).

(c) in paragraph (3)(a)(i) after "dwelling" insert ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24";

(d) in paragraph (3)(a)(ii) omit "calculated", and after "constructed" insert ", calculated and expressed in accordance with the methodology approved pursuant to regulation 24"; and

(e) in paragraph (4) for "such certificates" substitute "energy performance certificates".

(16) Omit regulation 29 (energy performance certificates) and Schedule 4A (Green Deal information).

(17) Omit regulations 29A to 33.

(18) In regulation 34(1) (application of building regulations to educational buildings, buildings of statutory undertakers and Crown Buildings) omit ", 29 (apart from regulations 29(4)(e), 29(9A), 29(10), 29(11) and 29(12)), 29A".

(19) In regulation 35 (interpretation of Part 6)—

(a) in paragraph (1)—

(i) in the definition "energy assessor" for "regulation 30" substitute "regulation 22 (accreditation schemes) of the Energy Performance of Buildings (England and Wales) Regulations 2012";

(ii) after that definition insert the following definitions—

""energy performance certificate" means a certificate which complies with the requirements of regulation 9 (energy performance certificates) or 9A (energy performance certificates in respect of excluded buildings) of the Energy Performance of Buildings (England and Wales) Regulations 2012;

"energy performance of a building" means the calculated or measured amount of energy needed to meet the energy demand associated with a typical use of the building, which includes, inter alia, energy used for heating, cooling, ventilation, hot water and lighting;"; and

(b) omit paragraph (2).

(20) In regulation 47 (contravention of certain regulations not to be an offence) omit "29,".

(21) In regulation 48(1) (electronic service of documents) omit subparagraphs (i) and (j).

(22) Yn Atodlen 3 (cynlluniau hunanardystio ac esemptiadau i'r gofyniad i roi hysbysiad adeiladu neu adneuo planiau llawn), yng ngholofn 2 o eitemau 8 a 10 hepgorer "BSI Assurance UK Limited,".

Diwygiadau i Reoliadau Adeiladu (Arolygwyr Cymeradwy etc.) 2010

3.—(1) Mae Rheoliadau Adeiladu (Arolygwyr Cymeradwy etc.) 2010(**1**) wedi eu diwygio yn unol â'r paragraffau a ganlyn.

(2) Yn rheoliad 8(1)(b) (swyddogaethau arolygwyr cymeradwy)—

(a) hepgorer "29,"; a

(b) ar ôl "Principal Regulations" mewnosoder "and regulation 7A (energy performance certificates on construction) of the Energy Performance of Buildings (England and Wales) Regulations 2012"(**2**).

(3) Yn rheoliad 20 (cymhwyso rheoliadau 20, 25A, etc.)—

(a) yn y pennawd, hepgorer "29,";

(b) ym mharagraff (1)—

(i) hepgorer "29 (energy performance certificates) ,"; a

(ii) ar ôl "Principal Regulations" mewnosoder "and regulation 7A (energy performance certificates on construction) of the Energy Performance of Buildings (England and Wales) Regulations 2012";

(c) hepgorer paragraff (3); a

(d) ar ôl paragraff (6) ychwaneger—

"(7) Regulation 7A(3) of the Energy Performance of Buildings (England and Wales) Regulations 2012 applies in relation to building work which is the subject of an initial notice as if after "work has been completed" there were inserted ", or, if earlier, the date in which in accordance with regulation 17 of the Building (Approved Inspectors etc.) Regulations 2010 the initial notice ceases to be in force."

(4) Yn rheoliad 32 (cyflwyno dogfennau yn electronig)—

(a) hepgorer paragraffau (e) ac (f); a

(b) ar ôl paragraff (k) ychwaneger—

(**1**) O.S. 2010/2215, fel y'i diwygiwyd gan O.S. 2013/747 (Cy. 89), O.S. 2013/2730 (Cy. 264), O.S. 2014/58 (Cy. 5) ac O.S. 2014/110 (Cy. 10).

(**2**) O.S. 2012/3118, fel y'i diwygiwyd gan O.S. 2013/10; O.S. 2013/181; O.S. 2013/603; O.S. 2014/880; O.S. 2015/609; O.S. 2015/1681; ac O.S. 2016/284.

(22) In Schedule 3 (self-certification schemes and exemptions from requirement to give building notice or deposit full plans), in column 2 of items 8 and 10 omit "BSI Assurance UK Limited,".

Amendments to the Building (Approved Inspectors etc.) Regulations 2010

3.—(1) The Building (Approved Inspectors etc.) Regulations 2010(**1**) are amended in accordance with the following paragraphs.

(2) In regulation 8(1)(b) (functions of approved inspectors)—

(a) omit "29,"; and

(b) after "Principal Regulations" insert "and regulation 7A (energy performance certificates on construction) of the Energy Performance of Buildings (England and Wales) Regulations 2012"(**2**).

(3) In regulation 20 (application of regulations 20, 25A, etc.)—

(a) in the heading, omit "29,";

(b) in paragraph (1)—

(i) omit "29 (energy performance certificates) ,"; and

(ii) after "Principal Regulations" insert "and regulation 7A (energy performance certificates on construction) of the Energy Performance of Buildings (England and Wales) Regulations 2012";

(c) omit paragraph (3); and

(d) after paragraph (6) add—

"(7) Regulation 7A(3) of the Energy Performance of Buildings (England and Wales) Regulations 2012 applies in relation to building work which is the subject of an initial notice as if after "work has been completed" there were inserted ", or, if earlier, the date in which in accordance with regulation 17 of the Building (Approved Inspectors etc.) Regulations 2010 the initial notice ceases to be in force."

(4) In regulation 32 (electronic service of documents)—

(a) omit paragraphs (e) and (f); and

(b) after paragraph (k) add—

(**1**) S.I. 2010/2215, as amended by S.I. 2013/747 (W. 89), S.I. 2013/2730 (W. 264), S.I. 2014/58 (W. 5) and S.I. 2014/110 (W. 10).

(**2**) S.I. 2012/3118, as amended by S.I. 2013/10; S.I. 2013/181; S.I. 2013/603; S.I. 2014/880; S.I. 2015/609; S.I. 2015/1681; and S.I. 2016/284.

"(l) an energy performance certificate under regulation 7A(2)(a) of the Energy Performance of Buildings (England and Wales) Regulations 2012 as applied by regulation 20;

(m) a notice under regulation 7A(2)(b) of the Energy Performance of Buildings (England and Wales) Regulations 2012 as applied by regulation 20."

"(l) an energy performance certificate under regulation 7A(2)(a) of the Energy Performance of Buildings (England and Wales) Regulations 2012 as applied by regulation 20;

(m) a notice under regulation 7A(2)(b) of the Energy Performance of Buildings (England and Wales) Regulations 2012 as applied by regulation 20."

Lesley Griffiths

Ysgrifennydd y Cabinet dros yr Amglylchedd a Materion Gwledig, un o Weinidogion Cymru
25 Mai 2016

Cabinet Secretary for Environment and Rural Affairs, one of the Welsh Ministers
25 May 2016

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