OFFERYNNAU STATUDOL CYMRU

2026 Rhif 55

Rheoliadau Deddf Diogelwch Adeiladau 2022 (Diwygiadau Canlyniadol) (Cymru) 2026

Gwnaed	*25 Chwefror 2026*
Yn dod i rym	*1 Gorffennaf 2026*

WELSH STATUTORY INSTRUMENTS

2026 No. 55

The Building Safety Act 2022 (Consequential Amendments) (Wales) Regulations 2026

Made	*25 February 2026*
Coming into force	*1 July 2026*

£8.90

O F F E R Y N N A U S T A T U D O L C Y M R U

2026 Rhif 55

ADEILADU AC ADEILADAU, CYMRU

Rheoliadau Deddf Diogelwch Adeiladau 2022 (Diwygiadau Canlyniadol) (Cymru) 2026

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gwneud diwygiadau i ddeddfwriaeth sy'n ganlyniadol ar Ran 3 o Ddeddf Diogelwch Adeiladau 2022 ("Deddf 2022").

Mae rheoliadau 2 i 8 yn gwneud diwygiadau canlyniadol i Ddeddf Sir De Morgannwg 1976, Deddf Priffyrdd 1980, Deddf Cyngor Sir Clwyd 1985, Deddf Gorllewin Morgannwg 1987, Deddf Dyfed 1987, Deddf Cyngor Sir Morgannwg Ganol 1987 a Deddf Aer Glân 1993.

Mae'r diwygiadau hyn yn ganlyniadol ar ddiddymu adran 16 o Ddeddf Adeiladu 1984 ("Deddf 1984"), a oedd yn darparu ar gyfer adneuo planiau ar gyfer gwaith arfaethedig gydag awdurdodau lleol, gan baragraff 20 o Atodlen 5 i Ddeddf 2022. Mae adran 33 o Ddeddf 2022 yn diwygio Deddf 1984 i ddarparu ar gyfer gwneud ceisiadau am gymeradwyaeth rheolaeth adeiladu yn hytrach nag adneuo planiau. Ar y cyfan, mae'r diwygiadau a wneir gan reoliadau 2 i 8 yn rhoi cyfeiriad at wneud cais am gymeradwyaeth rheolaeth adeiladu yn lle cyfeiriad at adneuo planiau.

Mae rheoliadau 9 i 12 yn gwneud diwygiadau canlyniadol i Orchymyn Diwygio Rheoleiddio (Diogelwch Tân) 2005, Rheoliadau Ardoll Seilwaith Cymunedol 2010, Rheoliadau Deddf Diogelwch Adeiladau 2022 (Cychwyn Rhif 4, Darpariaethau Trosiannol a Darpariaethau Arbed) (Cymru) 2024 a Rheoliadau Adeiladu (Gweithgareddau a Swyddogaethau Cyfyngedig) (Cymru) 2024.

Mae rheoliad 13 yn gwneud darpariaethau trosiannol i sicrhau nad yw'r diwygiadau a wneir gan y Rheoliadau hyn yn effeithio ar waith adeiladu y caiff hysbysiad ei roi ar ei gyfer, neu y caiff planiau eu hadneuo ar ei gyfer, cyn i'r Rheoliadau hyn ddod i rym.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol

cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

2026 Rhif 55

ADEILADU AC ADEILADAU, CYMRU

Rheoliadau Deddf Diogelwch Adeiladau 2022 (Diwygiadau Canlyniadol) (Cymru) 2026

Gwnaed	*25 Chwefror 2026*
Yn dod i rym	*1 Gorffennaf 2026*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adran 167(1) i (3) o Ddeddf Diogelwch Adeiladau 2022(**1**), yn gwneud y Rheoliadau a ganlyn.

Yn unol â gweithdrefn gymeradwyo'r Senedd a gymhwysir gan adran 167(5) o Ddeddf Diogelwch Adeiladau 2022, gosodwyd drafft o'r offeryn statudol Cymreig hwn gerbron Senedd Cymru ac fe'i cymeradwywyd ganddi drwy benderfyniad(**2**).

Enwi, dod i rym a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Diogelwch Adeiladau 2022 (Diwygiadau Canlyniadol) (Cymru) 2026.

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

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

Diwygio Deddf Sir De Morgannwg 1976

2.—(1) Mae Deddf Sir De Morgannwg 1976(**3**) wedi ei diwygio fel a ganlyn.

(2) Yn adran 2(2) (dehongli), yn y lle priodol yn nhrefn yr wyddor mewnosoder—

> ""*application for building control approval*" means an application in accordance with regulations for building control approval (as defined in paragraph 1B of Schedule 1 to the Building Act 1984);".

(3) Yn adran 27(8) (diogelwch standiau)—

(a) ar ôl "plans," mewnosoder "applications,";

(b) ar ôl "deposited" mewnosoder "or made".

(**1**) 2022 p. 30.

(**2**) Mae adran 167(5) o Ddeddf Diogelwch Adeiladau 2022 yn darparu na chaniateir gwneud offeryn statudol sy'n cynnwys rheoliadau o dan adran 167 sy'n diwygio neu'n diddymu darpariaeth a wnaed gan Ddeddf, neu gan Ddeddf neu Fesur gan Senedd Cymru, oni bai bod drafft o'r offeryn wedi ei osod gerbron Senedd Cymru ac wedi ei gymeradwyo ganddi drwy benderfyniad. Mae paragraff 3 o Atodlen 1A i Ddeddf Deddfwriaeth (Cymru) 2019 (dccc 4) (fel y'i mewnosodwyd gan adran 1(3) o Ddeddf Deddfwriaeth (Gweithdrefn, Cyhoeddi a Diddymiadau) (Cymru) 2025 (dsc 3)) yn darparu bod hyn i'w ddarllen fel pe bai'n darparu i'r is-ddeddfwriaeth fod yn ddarostyngedig i weithdrefn gymeradwyo'r Senedd y cyfeirir ati yn adran 37C o'r Ddeddf honno.

(**3**) 1976 p. 35, a ddiwygiwyd gan O.S. 2005/1541.

(4) Yn adran 48 (mannau parcio tanddaearol)—

(a) yn is-adran (1)—

(i) yn lle "plans of any proposed work deposited with" rhodder "an application for building control approval for any proposed work made to";

(ii) yn lle "include" rhodder "includes";

(iii) yn lle "reject the plans" rhodder "reject the application";

(b) yn is-adran (3), yn lle "plans of any underground parking place have been passed" rhodder "an application for building control approval for any underground parking place has been granted".

(5) Yn adran 49(1) (darpariaeth bellach o ran mannau parcio tanddaearol), yn lle "plans are not deposited with" rhodder "an application for building control approval is not made to".

Diwygio Deddf Priffyrdd 1980

3.—(1) Mae Deddf Priffyrdd 1980(**4**) wedi ei diwygio fel a ganlyn.

(2) Yn adran 203(2)(b)(i) (dehongli Rhan XI), yn lle "deposited with respect to that building either" rhodder "with respect to that building which accompany an application for building control approval".

(3) Mae'r diffiniad o "application for building control approval" yn adran 203(3) yn gymwys o ran Cymru.

(4) Yn adran 203(3), ar ôl y diffiniad o "application for building control approval" mewnosoder—

""building control authority" means the local authority as stated in section 121A of the Building Act 1984;".

(5) Yn adran 219(1)(a) (taliadau i'w gwneud gan berchnogion adeiladau newydd mewn cysylltiad â gwaith stryd), yn lle is-baragraffau (i) a (ii) rhodder "for which an application for building control approval must be made, and".

(6) Yn adran 220 (penderfynu ar atebolrwydd am daliadau a swm taliadau)—

(a) yn is-adran (1)—

(i) yn lle "passing of any required plans relating to the erection of a building in Wales deposited with them" rhodder "granting of any required application for building control approval relating to the erection of a building in Wales";

(ii) yn lle "with", yn yr ail le y mae'n digwydd, rhodder "the granting of such an application by";

(iii) yn lle "plans were deposited" rhodder "application for building control approval was made";

(iv) hepgorer yr ail frawddeg;

(b) yn lle is-adran (2A) rhodder—

"(2A) Where a Welsh council grants an application for building control approval that relates to the erection of a building in Wales in an area in which the advance payments code is in force, but which is treated as being within the area of a street works authority other than that Welsh council, the Welsh council must, in any case

(**4**) 1980 p. 66; diwygiwyd adran 203(2) gan Ddeddf Cynllunio (Darpariaethau Canlyniadol) 1990 (p. 11) ac O.S. 2023/908.

to which section 219 may be applicable, within one week from the date of granting the application inform the street works authority that the application has been granted."

(7) Yn adran 223 (penderfyniad yn peidio â chael effaith pan na fwrir ymlaen â phlaniau)—

(a) yn is-adran (1)—

(i) yn lle "occasion of the deposit of plans" rhodder "granting of an application for building control approval";

(ii) yn lle paragraff (a) rhodder—

"(a) by virtue of section 32 of the Building Act 1984 the approval is treated as not having been given, or";

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

(b) yn is-adran (5)—

(i) ym mharagraff (a), yn lle "notifies the local authority" rhodder "gives notice";

(ii) yn lle paragraff (b) rhodder—

"(b) subsequently notice is given by the owner of the land that they intend to proceed with the building in accordance with the approval given under the application for building control approval as originally made,";

(c) yn is-adran (6)—

(i) yn lle paragraff (a) rhodder—

"(a) the lapse, under section 32 of the Building Act 1984, of a building control approval relating to the erection of a building,";

(ii) ym mharagraff (c), yn lle "plans as originally deposited" rhodder "application for building control approval as originally made".

Diwygio Deddf Cyngor Sir Clwyd 1985

4.—(1) Mae Deddf Cyngor Sir Clwyd 1985(**5**) wedi ei diwygio fel a ganlyn.

(2) Yn adran 2(1) (dehongli), yn y lle priodol yn nhrefn yr wyddor mewnosoder—

""*application for building control approval*" means an application in accordance with regulations for building control approval (as defined in paragraph 1B of Schedule 1 to the Building Act 1984);".

(3) Yn adran 19 (mannau parcio: gofynion diogelwch)—

(a) yn is-adran (2)—

(i) ym mharagraff (a), yn lle "plans of any proposed work are deposited with" rhodder "an application for building control approval for any proposed work is made to";

(ii) ym mharagraff (b), yn lle "plans show" rhodder "application shows";

(iii) yn y geiriau ar ôl paragraff (b)—

(aa) yn lle "plans" rhodder "application";

(bb) yn lle "consent", y tro cyntaf y mae'n digwydd, rhodder "grant the application for building control approval in relation";

(**5**) 1985 p. 44; diwygiwyd adran 2 gan Ddeddf Dedfrydu 2020 (p. 17) ac O.S. 2017/1285.

(cc) yn lle “consent”, yr ail dro y mae’n digwydd, rhodder “grant of the application”;

(b) yn is-adran (3), yn lle “plans may be passed” rhodder “an application for building control approval may be granted”;

(c) yn is-adran (4), hepgorer “Section 16(6) to (8) and” a “notice of rejection or passing of plans and”;

(d) yn is-adran (5), yn lle “plans” rhodder “an application for building control approval”;

(e) yn is-adran (6), yn lle “plans have been passed” rhodder “an application for building control approval has been granted”;

(f) yn is-adran (7)—

(i) ym mharagraff (b), ar ôl “written particulars deposited” mewnosoder “or applications for building control approval made”;

(ii) ym mharagraff (c)—

(aa) yn lle “plans of the work consisting of, or including, the parking place has been deposited” rhodder “an application for building control approval of the work consisting of, or including, the parking place had been made”;

(bb) yn lle “given their consent” rhodder “granted the application”;

(g) yn is-adran (12)—

(i) ym mharagraff (a)—

(aa) yn lle “deposit of such plans as are” rhodder “the application”;

(bb) ar ôl “subsection (2) above” mewnosoder “has been made”;

(ii) ym mharagraff (b), yn lle “plans in respect of any building have been passed” rhodder “an application for building control approval in respect of any building has been granted”.

(4) Yn adran 20 (mynediad ar gyfer y frigâd dân)—

(a) yn is-adran (1)—

(i) yn lle “plans for the erection or extension of a building are deposited with” rhodder “an application for building control approval for the erection or extension of a building is made to”;

(ii) yn lle “reject the plans” rhodder “reject the application”;

(iii) yn lle “plans show” rhodder “application shows”;

(b) yn is-adran (3), hepgorer “Section 16(6) and (7) and” a “notice of rejection or passing of plans and”;

(c) yn is-adran (4), yn lle “plans” rhodder “an application for building control approval”.

(5) Yn adran 25 (rhagofalon tân mewn adeiladau mawr penodol)—

(a) yn is-adran (2)—

(i) ym mharagraff (a)—

(aa) yn lle “plans and particulars are deposited with” rhodder “an application for building control approval is made to”;

(bb) yn lle “may reject the plans and particulars” rhodder “may reject the application”;

(ii) ym mharagraff (b), yn lle "approving or disapproving any such plans and particulars" rhodder "granting or rejecting such an application for building control approval";

(iii) ym mharagraff (c), yn lle "plans and particulars" rhodder "an application for building control approval";

(b) yn is-adran (3)—

(i) ym mharagraff (a)—

(aa) yn lle "submitting plans and particulars" rhodder "making an application for building control approval";

(bb) yn lle "deposit with the district council particulars showing" rhodder "include details of";

(ii) ym mharagraff (b)—

(aa) yn is-baragraff (i), yn lle "approve the particulars" rhodder "grant the application";

(bb) yn is-baragraff (ii), yn lle "approve them" rhodder "grant it";

(c) yn is-adran (4), hepgorer "Section 16(6) to (8) and" a "notice of rejection or passing of plans and";

(d) yn is-adran (5), yn lle "plans" rhodder "an application".

(6) Yn adran 28 (rhagofalon tân mewn adeiladau uchel)—

(a) yn is-adran (1)—

(i) ym mharagraff (a), yn lle "plans are deposited with" rhodder "an application for building control approval is made to";

(ii) ym mharagraff (b), yn lle "plans show" rhodder "application shows";

(iii) yn y geiriau ar ôl paragraff (b)—

(aa) yn lle "plans" rhodder "application";

(bb) yn lle "consent", y tro cyntaf y mae'n digwydd, rhodder "grant the application for building control approval in relation";

(cc) yn lle "consent", yr ail dro y mae'n digwydd, rhodder "grant of the application";

(b) yn is-adran (2), yn lle "plans may be passed" rhodder "applications for building control approval may be granted";

(c) yn is-adran (4), hepgorer "Section 16(6) to (8) and" a "notice of rejection or passing of plans and";

(d) yn is-adran (5), yn lle "plans" rhodder "an application".

Diwygio Deddf Gorllewin Morgannwg 1987

5.—(1) Mae Deddf Gorllewin Morgannwg 1987(**6**) wedi ei diwygio fel a ganlyn.

(2) Yn adran 2 (dehongli), yn y lle priodol yn nhrefn yr wyddor mewnosoder—

""*application for building control approval*" means an application in accordance with regulations for building control approval (as defined in paragraph 1B of Schedule 1 to the Building Act 1984);".

(**6**) 1987 p. 8.

(3) Hepgorer adran 22 (cymeradwyaeth planiau i beidio â chael effaith ar ôl ysbaid benodol).

(4) Yn adran 23(2) (selerau ac ystafelloedd sy'n dueddol o gael llifogydd)—

(a) yn lle "upon deposit with the local authority of plans of" rhodder "when an application for building control approval is made to the local authority for";

(b) yn lle "plans were deposited" rhodder "application was made".

(5) Yn adran 28(2) (draeniau ar wahân ar gyfer dŵr budr a dŵr wyneb)—

(a) yn lle paragraff (a) rhodder—

"(a) Where an application for building control approval—

(i) for a building,

(ii) for an extension of a building, or

(iii) for an alteration of a building which shows that it is intended to provide in the building five or more additional water closets;

is in accordance with building regulations made to the district council, the district council may, notwithstanding any provision in building regulations as to the granting or rejection of an application for building control approval, reject the application, unless the application shows that the building or the extension or the building as proposed to be altered (as the case may be) will be provided with a separate system of drainage; and where an application for building control approval for an alteration of a building already provided with a separate system of drainage is so made, the district council may reject the application unless it shows that such a system will continue to be provided.";

(b) yn lle paragraff (b) rhodder—

"(b) Section 36(2) to (6) of the Building Act 1984 has effect as if this section were a section of Part 1 of that Act."

(6) Yn adran 43 (mannau parcio: gofynion diogelwch)—

(a) yn is-adran (2)—

(i) ym mharagraff (a)—

(aa) yn lle "plans of any proposed work are" rhodder "an application for building control approval for any proposed work is";

(bb) yn lle "deposited with" rhodder "made to";

(ii) ym mharagraff (b), yn lle "plans show" rhodder "application shows";

(iii) yn y geiriau ar ôl paragraff (b)—

(aa) yn lle "plans" rhodder "application";

(bb) yn lle "consent", y tro cyntaf y mae'n digwydd, rhodder "grant the application for building control approval in relation";

(cc) yn lle "consent", yr ail dro y mae'n digwydd, rhodder "grant of the application";

(b) yn is-adran (3), yn lle "plans may be passed" rhodder "the application may be granted";

(c) yn is-adran (4), hepgorer "Section 16(6), (7), (8) and (12) and" a "notice of rejection or passing of plans and";

(d) yn is-adran (5), yn lle "plans" rhodder "an application";

(e) yn is-adran (7)(c)—

(i) yn lle “plans of” rhodder “an application for building control approval for”;

(ii) yn lle “deposited” rhodder “made”;

(iii) yn lle “given their consent” rhodder “granted the application for building control approval”;

(f) yn is-adran (12)—

(i) ym mharagraff (a), yn lle “deposit of such plans as are” rhodder “the application”;

(ii) ym mharagraff (b), yn lle “plans in respect of any building have been passed” rhodder “an application for building control approval in respect of any building has been granted”.

(7) Yn adran 71(2) (arwynebedd ystafelloedd cyfanheddol)—

(a) ym mharagraff (a)—

(i) yn lle “plans of a dwelling are” rhodder “an application for building control approval for a dwelling is”;

(ii) yn lle “deposited with” rhodder “made to”;

(iii) yn lle “anything in section 16 of the Building Act 1984” rhodder “any provision in the building regulations as to the granting or rejection of an application for building control approval”;

(iv) yn lle “plans unless the plans show” rhodder “application unless the application shows”;

(b) ym mharagraff (b)—

(i) yn lle “plans”, y tro cyntaf y mae’n digwydd, rhodder “application”;

(ii) yn lle “the notice to be given under section 16(6) of the said Act of 1984” rhodder “the notice of rejection of an application for building control approval given in accordance with building regulations”;

(iii) yn lle “plans have” rhodder “application has”;

(c) yn lle paragraff (c) rhodder—

“(c) Section 36(2) to (6) of the Building Act 1984 has effect as if this section were a section of Part 1 of that Act.”

Diwygio Deddf Dyfed 1987

6.—(1) Mae Deddf Dyfed 1987(**7**) wedi ei diwygio fel a ganlyn.

(2) Yn adran 2(1) (dehongli), yn y lle priodol yn nhrefn yr wyddor mewnosoder—

““*application for building control approval*” means an application in accordance with regulations for building control approval (as defined in paragraph 1B of Schedule 1 to the Building Act 1984);”.

(3) Yn adran 47 (mannau parcio: gofynion diogelwch)—

(a) yn is-adran (2)—

(i) ym mharagraff (a)—

(aa) yn lle “plans of any proposed work are” rhodder “an application for building control approval for any proposed work is”;

(**7**) 1987 p. 24; diwygiwyd adran 2 gan O.S. 2017/1285.

(bb) yn lle “deposited with” rhodder “made to”;

(ii) ym mharagraff (b), yn lle “plans show” rhodder “application shows”;

(iii) yn y geiriau ar ôl paragraff (b)—

(aa) yn lle “plans” rhodder “application”;

(bb) yn lle “consent”, y tro cyntaf y mae’n digwydd, rhodder “grant the application for building control approval in relation”;

(cc) yn lle “consent”, yr ail dro y mae’n digwydd, rhodder “grant of the application”;

(b) yn is-adran (3), yn lle “plans may be passed” rhodder “an application for building control approval may be granted”;

(c) yn is-adran (4), hepgorer “Section 16 and” a “notice of rejection or passing of plans and”;

(d) yn is-adran (5), yn lle “plans” rhodder “an application for building control approval”;

(e) yn is-adran (7)(c)—

(i) yn lle “plans of” rhodder “an application for building control approval for”;

(ii) yn lle “deposited or given” rhodder “made”;

(iii) yn lle “given their consent” rhodder “granted the application”;

(f) yn is-adran (12)—

(i) ym mharagraff (a), yn lle “deposit of such plans as are” rhodder “the application”;

(ii) ym mharagraff (b), yn lle “plans in respect of any building have been passed” rhodder “an application for building control approval in respect of any building has been granted”.

Diwygio Deddf Cyngor Sir Morgannwg Ganol 1987

7.—(1) Mae Deddf Cyngor Sir Morgannwg Ganol 1987(**8**) wedi ei diwygio fel a ganlyn.

(2) Yn adran 2(1) (dehongli), yn y lle priodol yn nhrefn yr wyddor mewnosoder—

““*application for building control approval*” means an application in accordance with regulations for building control approval (as defined in paragraph 1B of Schedule 1 to the Building Act 1984);”.

(3) Yn adran 9 (mynediad ar gyfer y frigâd dân)—

(a) yn is-adran (1)—

(i) yn lle “plans for the erection or extension of a building are deposited with” rhodder “an application for building control approval for the erection or extension of a building is made to”;

(ii) yn lle “reject the plans” rhodder “reject the application”;

(iii) yn lle “plans show” rhodder “application shows”;

(b) yn is-adran (3), hepgorer “16 and”;

(c) yn is-adran (4), yn lle “plans” rhodder “an application for building control approval”.

(**8**) 1987 p. 7; diwygiwyd adran 2 gan O.S. 2017/1285.

Diwygio Deddf Aer Glân 1993

8.—(1) Mae Deddf Aer Glân 1993(**9**) wedi ei diwygio fel a ganlyn.

(2) Yn adran 16 (uchder simneiau eraill)—

(a) yn is-adran (4A)—

(i) yn y geiriau agoriadol, ar ôl "England" mewnosoder "and Wales";

(ii) ym mharagraff (b), ar ôl "be read as" mewnosoder "in relation to England" ac ar ôl "regulator" mewnosoder "and in relation to Wales as a reference to the building control authority";

(b) yn is-adran (4B), ar ôl y diffiniad o "building control approval" mewnosoder—

""building control authority" means the local authority as stated in section 121A of the Building Act 1984;".

(3) Mae'r diffiniad o "application for building control approval" yn adran 16(4B) o Ddeddf Aer Glân 1993 yn gymwys o ran Cymru.

Diwygio Gorchymyn Diwygio Rheoleiddio (Diogelwch Tân) 2005

9.—(1) Mae Gorchymyn Diwygio Rheoleiddio (Diogelwch Tân) 2005(**10**) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 22A(3) (darparu gwybodaeth i berson cyfrifol newydd), ar ôl is-baragraff (ea) mewnosoder—

"(eb) any information given under regulation 37 or 38 of the Building (Higher-Risk Buildings Procedures) (Wales) Regulations 2025(**11**) (fire safety information);".

Diwygio Rheoliadau Ardoll Seilwaith Cymunedol 2010

10.—(1) Mae Rheoliadau Ardoll Seilwaith Cymunedol 2010(**12**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1) (dehongli), yn y diffiniad o "compliance certificate"—

(a) yn y geiriau o flaen paragraff (a), hepgorer "either";

(b) ar ôl paragraff (aa) mewnosoder—

"(ab) regulation 43 (completion certificate applications: decisions) of the Building (Higher-Risk Buildings Procedures) (Wales) Regulations 2025; or".

Diwygio Rheoliadau Deddf Diogelwch Adeiladau 2022 (Cychwyn Rhif 4, Darpariaethau Trosiannol a Darpariaethau Arbed) (Cymru) 2024

11.—(1) Mae Rheoliadau Deddf Diogelwch Adeiladau 2022 (Cychwyn Rhif 4, Darpariaethau Trosiannol a Darpariaethau Arbed) (Cymru) 2024(**13**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 11 (darpariaeth drosiannol: gwaith adeilad risg uwch newydd)—

(**9**) 1993 p. 11.
(**10**) O.S. 2005/1541. Mewnosodwyd erthygl 22A gan adran 156(8) o Ddeddf Diogelwch Adeiladau 2022 (p. 30).
(**11**) O.S. 2025/1321 (Cy. 216).
(**12**) O.S. 2010/948. Mewnosodwyd y diffiniad o "compliance certificate" gan O.S. 2014/385; mae diwygiadau eraill i reoliad 2 nad ydynt yn berthnasol i'r Rheoliadau hyn.
(**13**) O.S. 2024/207 (Cy. 39).

(a) ym mharagraff (1), yn lle “awdurdod lleol” rhodder “awdurdod rheolaeth adeiladu”;

(b) ar ôl paragraff (3) mewnosoder—

“(4) Ym mharagraff (1), ystyr “awdurdod rheolaeth adeiladu” yw'r awdurdod lleol fel y nodir “local authority” yn adran 121A o Ddeddf Adeiladu 1984.”

Diwygio Rheoliadau Adeiladu (Gweithgareddau a Swyddogaethau Cyfyngedig) (Cymru) 2024

12.—(1) Mae Rheoliadau Adeiladu (Gweithgareddau a Swyddogaethau Cyfyngedig) (Cymru) 2024(**14**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 3(1) (awdurdodau rheolaeth adeiladu: gweithgareddau a swyddogaethau cyfyngedig), yn lle “awdurdod lleol”, ym mhob lle y mae'n digwydd, rhodder “awdurdod rheolaeth adeiladu”.

Darpariaeth drosiannol

13.—(1) Nid yw'r diwygiadau a wneir gan y Rheoliadau hyn yn gymwys mewn perthynas ag unrhyw waith adeiladu y cafodd hysbysiad ei roi i awdurdod lleol ar ei gyfer, neu y cafodd planiau llawn eu hadneuo gydag awdurdod lleol ar ei gyfer, cyn 1 Gorffennaf 2026.

(2) Yn y rheoliad hwn—

(a) mae i “gwaith adeiladu” a “planiau llawn” yr ystyron a roddir i “building work” a “full plans” yn rheoliad 2 o Reoliadau Adeiladu 2010(**15**);

(b) ystyr “hysbysiad” yw hysbysiad adeiladu a roddir o dan reoliad 12 o Reoliadau Adeiladu 2010 neu hysbysiad cychwynnol a roddir o dan adran 47 o Ddeddf Adeiladu 1984.

Rebecca Evans
Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio, un o Weinidogion Cymru
25 Chwefror 2026

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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.

(**14**) O.S. 2024/238 (Cy. 48).
(**15**) O.S. 2010/2214.

WELSH STATUTORY INSTRUMENTS

2026 No. 55

BUILDING AND BUILDINGS, WALES

The Building Safety Act 2022 (Consequential Amendments) (Wales) Regulations 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to legislation which are consequential on Part 3 of the Building Safety Act 2022 ("the 2022 Act").

Regulations 2 to 8 make consequential amendments to the County of South Glamorgan Act 1976, the Highways Act 1980, the Clwyd County Council Act 1985, the West Glamorgan Act 1987, the Dyfed Act 1987, the Mid Glamorgan County Council Act 1987 and the Clean Air Act 1993.

These amendments are consequential on the repeal by paragraph 20 of Schedule 5 to the 2022 Act of section 16 of the Building Act 1984 ("the 1984 Act"), which provided for the deposit of plans for proposed work with local authorities. Section 33 of the 2022 Act amends the 1984 Act to provide for the making of applications for building control approval instead of depositing of plans. For the most part the amendments made by regulations 2 to 8 replace a reference to deposit of plans with a reference to the making of an application for building control approval.

Regulations 9 to 12 make consequential amendments to the Regulatory Reform (Fire Safety) Order 2005, the Community Infrastructure Levy Regulations 2010, the Building Safety Act 2022 (Commencement No. 4, Transitional and Saving Provisions) (Wales) Regulations 2024 and the Building (Restricted Activities and Functions) (Wales) Regulations 2024.

Regulation 13 makes transitional provisions to ensure the amendments made by these Regulations do not affect building work for which a notice is given, or plans are deposited, before these Regulations come into force.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not

considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

2026 No. 55

BUILDING AND BUILDINGS, WALES

The Building Safety Act 2022 (Consequential Amendments) (Wales) Regulations 2026

Made	*25 February 2026*
Coming into force	*1 July 2026*

The Welsh Ministers, in exercise of the powers conferred by section 167(1) to (3) of the Building Safety Act 2022(**1**), make the following Regulations.

In accordance with the Senedd approval procedure applied by section 167(5) of the Building Safety Act 2022, a draft of this Welsh statutory instrument was laid before, and approved by resolution of, Senedd Cymru(**2**).

Title, coming into force and application

1.—(1) The title of these Regulations is the Building Safety Act 2022 (Consequential Amendments) (Wales) Regulations 2026.

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

(3) These Regulations apply in relation to Wales.

Amendments to the County of South Glamorgan Act 1976

2.—(1) The County of South Glamorgan Act 1976(**3**) is amended as follows.

(2) In section 2(2) (interpretation), at the appropriate place in alphabetical order insert—

> ""*application for building control approval*" means an application in accordance with regulations for building control approval (as defined in paragraph 1B of Schedule 1 to the Building Act 1984);".

(3) In section 27(8) (safety of stands)—

(a) after "plans," insert "applications,";

(**1**) 2022 c. 30.

(**2**) Section 167(5) of the Building Safety Act 2022 provides that a statutory instrument containing regulations under section 167 that amend or repeal provision made by an Act, or by an Act or Measure of Senedd Cymru, may not be made unless a draft of the instrument has been laid before and approved by a resolution of Senedd Cymru. Paragraph 3 of Schedule 1A to the Legislation Wales Act 2019 (anaw 4) (as inserted by section 1(3) of the Legislation (Procedure, Publication and Repeals) (Wales) Act 2025 (asc 3)) provides that this is to be read as if it provided for the subordinate legislation to be subject to the Senedd approval procedure referred to in section 37C of that Act.

(**3**) 1976 c. 35, amended by S.I. 2005/1541.

(b) after “deposited” insert “or made”.

(4) In section 48 (underground parking places)—

(a) in subsection (1)—

(i) for “plans of any proposed work deposited with” substitute “an application for building control approval for any proposed work made to”;

(ii) for “include” substitute “includes”;

(iii) for “reject the plans” substitute “reject the application”;

(b) in subsection (3), for “plans of any underground parking place have been passed” substitute “an application for building control approval for any underground parking place has been granted”.

(5) In section 49(1) (further provision as to underground parking places), for “plans are not deposited with” substitute “an application for building control approval is not made to”.

Amendments to the Highways Act 1980

3.—(1) The Highways Act 1980(**4**) is amended as follows.

(2) In section 203(2)(b)(i) (interpretation of Part XI), for “deposited with respect to that building either” substitute “with respect to that building which accompany an application for building control approval”.

(3) The definition of “application for building control approval” in section 203(3) applies in relation to Wales.

(4) In section 203(3), after the definition of “application for building control approval” insert—

““building control authority” means the local authority as stated in section 121A of the Building Act 1984;”.

(5) In section 219(1)(a) (payments to be made by owners of new buildings in respect of street works), for sub-paragraphs (i) and (ii) substitute “for which an application for building control approval must be made, and”.

(6) In section 220 (determination of liability for, and amount of, payments)—

(a) in subsection (1)—

(i) for “passing of any required plans relating to the erection of a building in Wales deposited with them” substitute “granting of any required application for building control approval relating to the erection of a building in Wales”;

(ii) for “with”, in the second place it occurs, substitute “the granting of such an application by”;

(iii) for “plans were deposited” substitute “application for building control approval was made”;

(iv) omit the second sentence;

(b) for subsection (2A) substitute—

“(2A) Where a Welsh council grants an application for building control approval that relates to the erection of a building in Wales in an area in which the advance payments code is in force, but which is treated as being within the area of a street

(**4**) 1980 c. 66; section 203(2) was amended by the Planning (Consequential Provisions) Act 1990 (c. 11) and S.I. 2023/908.

works authority other than that Welsh council, the Welsh council must, in any case to which section 219 may be applicable, within one week from the date of granting the application inform the street works authority that the application has been granted."

(7) In section 223 (determination to cease to have effect when plans not proceeded with)—

(a) in subsection (1)—

(i) for "occasion of the deposit of plans" substitute "granting of an application for building control approval";

(ii) for paragraph (a) substitute—

"(a) by virtue of section 32 of the Building Act 1984 the approval is treated as not having been given, or";

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

(b) in subsection (5)—

(i) in paragraph (a), for "notifies the local authority" substitute "gives notice";

(ii) for paragraph (b) substitute—

"(b) subsequently notice is given by the owner of the land that they intend to proceed with the building in accordance with the approval given under the application for building control approval as originally made,";

(c) in subsection (6)—

(i) for paragraph (a) substitute—

"(a) the lapse, under section 32 of the Building Act 1984, of a building control approval relating to the erection of a building,";

(ii) in paragraph (c), for "plans as originally deposited" substitute "application for building control approval as originally made".

Amendments to the Clwyd County Council Act 1985

4.—(1) The Clwyd County Council Act 1985(**5**) is amended as follows.

(2) In section 2(1) (interpretation), at the appropriate place in alphabetical order insert—

""*application for building control approval*" means an application in accordance with regulations for building control approval (as defined in paragraph 1B of Schedule 1 to the Building Act 1984);".

(3) In section 19 (parking places: safety requirements)—

(a) in subsection (2)—

(i) in paragraph (a), for "plans of any proposed work are deposited with" substitute "an application for building control approval for any proposed work is made to";

(ii) in paragraph (b), for "plans show" substitute "application shows";

(iii) in the words after paragraph (b)—

(aa) for "plans" substitute "application";

(**5**) 1985 c. 44; section 2 was amended by the Sentencing Act 2020 (c. 17) and S.I. 2017/1285.

(bb) for “consent”, the first time it occurs, substitute “grant the application for building control approval in relation”;

(cc) for “consent”, the second time it occurs, substitute “grant of the application”;

(b) in subsection (3), for “plans may be passed” substitute “an application for building control approval may be granted”;

(c) in subsection (4), omit “Section 16(6) to (8) and” and “notice of rejection or passing of plans and”;

(d) in subsection (5), for “plans” substitute “an application for building control approval”;

(e) in subsection (6), for “plans have been passed” substitute “an application for building control approval has been granted”;

(f) in subsection (7)—

(i) in paragraph (b), after “written particulars deposited” insert “or applications for building control approval made”;

(ii) in paragraph (c)—

(aa) for “plans of the work consisting of, or including, the parking place has been deposited” substitute “an application for building control approval of the work consisting of, or including, the parking place had been made”;

(bb) for “given their consent” substitute “granted the application”;

(g) in subsection (12)—

(i) in paragraph (a)—

(aa) for “deposit of such plans as are” substitute “the application”;

(bb) after “subsection (2) above” insert “has been made”;

(ii) in paragraph (b), for “plans in respect of any building have been passed” substitute “an application for building control approval in respect of any building has been granted”.

(4) In section 20 (access for fire brigade)—

(a) in subsection (1)—

(i) for “plans for the erection or extension of a building are deposited with” substitute “an application for building control approval for the erection or extension of a building is made to”;

(ii) for “reject the plans” substitute “reject the application”;

(iii) for “plans show” substitute “application shows”;

(b) in subsection (3), omit “Section 16(6) and (7) and” and “notice of rejection or passing of plans and”;

(c) in subsection (4), for “plans” substitute “an application for building control approval”.

(5) In section 25 (fire precautions in certain large buildings)—

(a) in subsection (2)—

(i) in paragraph (a)—

(aa) for “plans and particulars are deposited with” substitute “an application for building control approval is made to”;

(bb) for "may reject the plans and particulars" substitute "may reject the application";

(ii) in paragraph (b), for "approving or disapproving any such plans and particulars" substitute "granting or rejecting such an application for building control approval";

(iii) in paragraph (c), for "plans and particulars" substitute "an application for building control approval";

(b) in subsection (3)—

(i) in paragraph (a)—

(aa) for "submitting plans and particulars" substitute "making an application for building control approval";

(bb) for "deposit with the district council particulars showing" substitute "include details of";

(ii) in paragraph (b)—

(aa) in sub-paragraph (i), for "approve the particulars" substitute "grant the application";

(bb) in sub-paragraph (ii), for "approve them" substitute "grant it";

(c) in subsection (4), omit "Section 16(6) to (8) and" and "notice of rejection or passing of plans and";

(d) in subsection (5), for "plans" substitute "an application".

(6) In section 28 (fire precautions in high buildings)—

(a) in subsection (1)—

(i) in paragraph (a), for "plans are deposited with" substitute "an application for building control approval is made to";

(ii) in paragraph (b), for "plans show" substitute "application shows";

(iii) in the words after paragraph (b)—

(aa) for "plans" substitute "application";

(bb) for "consent", the first time it occurs, substitute "grant the application for building control approval in relation";

(cc) for "consent", the second time it occurs, substitute "grant of the application";

(b) in subsection (2), for "plans may be passed" substitute "applications for building control approval may be granted";

(c) in subsection (4), omit "Section 16(6) to (8) and" and "notice of rejection or passing of plans and";

(d) in subsection (5), for "plans" substitute "an application".

Amendments to the West Glamorgan Act 1987

5.—(1) The West Glamorgan Act 1987(**6**) is amended as follows.

(2) In section 2 (interpretation), at the appropriate place in alphabetical order insert—

(**6**) 1987 c. 8.

""*application for building control approval*" means an application in accordance with regulations for building control approval (as defined in paragraph 1B of Schedule 1 to the Building Act 1984);".

(3) Omit section 22 (approval of plans to be of no effect after certain interval).

(4) In section 23(2) (cellars and rooms liable to flood)—

(a) for "upon deposit with the local authority of plans of" substitute "when an application for building control approval is made to the local authority for";

(b) for "plans were deposited" substitute "application was made".

(5) In section 28(2) (separate drains for foul water and surface water)—

(a) for paragraph (a) substitute—

"(a) Where an application for building control approval—

(i) for a building,

(ii) for an extension of a building, or

(iii) for an alteration of a building which shows that it is intended to provide in the building five or more additional water closets;

is in accordance with building regulations made to the district council, the district council may, notwithstanding any provision in building regulations as to the granting or rejection of an application for building control approval, reject the application, unless the application shows that the building or the extension or the building as proposed to be altered (as the case may be) will be provided with a separate system of drainage; and where an application for building control approval for an alteration of a building already provided with a separate system of drainage is so made, the district council may reject the application unless it shows that such a system will continue to be provided.";

(b) for paragraph (b) substitute—

"(b) Section 36(2) to (6) of the Building Act 1984 has effect as if this section were a section of Part 1 of that Act."

(6) In section 43 (parking places: safety requirements)—

(a) in subsection (2)—

(i) in paragraph (a)—

(aa) for "plans of any proposed work are" substitute "an application for building control approval for any proposed work is";

(bb) for "deposited with" substitute "made to";

(ii) in paragraph (b), for "plans show" substitute "application shows";

(iii) in the words after paragraph (b)—

(aa) for "plans" substitute "application";

(bb) for "consent", the first time it occurs, substitute "grant the application for building control approval in relation";

(cc) for "consent", the second time it occurs, substitute "grant of the application";

(b) in subsection (3), for "plans may be passed" substitute "the application may be granted";

(c) in subsection (4), omit "Section 16(6), (7), (8) and (12) and" and "notice of rejection or passing of plans and";

(d) in subsection (5), for "plans" substitute "an application";

(e) in subsection (7)(c)—

(i) for "plans of" substitute "an application for building control approval for";

(ii) for "deposited" substitute "made";

(iii) for "given their consent" substitute "granted the application for building control approval";

(f) in subsection (12)—

(i) in paragraph (a), for "deposit of such plans as are" substitute "the application";

(ii) in paragraph (b), for "plans in respect of any building have been passed" substitute "an application for building control approval in respect of any building has been granted".

(7) In section 71(2) (area of habitable rooms)—

(a) in paragraph (a)—

(i) for "plans of a dwelling are" substitute "an application for building control approval for a dwelling is";

(ii) for "deposited with" substitute "made to";

(iii) for "anything in section 16 of the Building Act 1984" substitute "any provision in the building regulations as to the granting or rejection of an application for building control approval";

(iv) for "plans unless the plans show" substitute "application unless the application shows";

(b) in paragraph (b)—

(i) for "plans", the first time it occurs, substitute "application";

(ii) for "the notice to be given under section 16(6) of the said Act of 1984" substitute "the notice of rejection of an application for building control approval given in accordance with building regulations";

(iii) for "plans have" substitute "application has";

(c) for paragraph (c) substitute—

"(c) Section 36(2) to (6) of the Building Act 1984 has effect as if this section were a section of Part 1 of that Act."

Amendments to the Dyfed Act 1987

6.—(1) The Dyfed Act 1987(**7**) is amended as follows.

(2) In section 2(1) (interpretation), at the appropriate place in alphabetical order insert—

""*application for building control approval*" means an application in accordance with regulations for building control approval (as defined in paragraph 1B of Schedule 1 to the Building Act 1984);".

(3) In section 47 (parking places: safety requirements)—

(a) in subsection (2)—

(**7**) 1987 c. 24; section 2 was amended by S.I. 2017/1285.

(i) in paragraph (a)—

(aa) for “plans of any proposed work are” substitute “an application for building control approval for any proposed work is”;

(bb) for “deposited with” substitute “made to”;

(ii) in paragraph (b), for “plans show” substitute "application shows”;

(iii) in the words after paragraph (b)—

(aa) for “plans” substitute “application”;

(bb) for “consent”, the first time it occurs, substitute “grant the application for building control approval in relation”;

(cc) for “consent”, the second time it occurs, substitute “grant of the application”;

(b) in subsection (3), for “plans may be passed” substitute “an application for building control approval may be granted”;

(c) in subsection (4), omit “Section 16 and” and “notice of rejection or passing of plans and”;

(d) in subsection (5), for “plans” substitute “an application for building control approval”;

(e) in subsection (7)(c)—

(i) for “plans of” substitute “an application for building control approval for”;

(ii) for “deposited or given” substitute “made”;

(iii) for “given their consent” substitute “granted the application”;

(f) in subsection (12)—

(i) in paragraph (a), for “deposit of such plans as are” substitute “the application”;

(ii) in paragraph (b), for “plans in respect of any building have been passed” substitute “an application for building control approval in respect of any building has been granted”.

Amendments to the Mid Glamorgan County Council Act 1987

7.—(1) The Mid Glamorgan County Council Act 1987(**8**) is amended as follows.

(2) In section 2(1) (interpretation), at the appropriate place in alphabetical order insert—

““*application for building control approval*” means an application in accordance with regulations for building control approval (as defined in paragraph 1B of Schedule 1 to the Building Act 1984);”.

(3) In section 9 (access for fire brigade)—

(a) in subsection (1)—

(i) for “plans for the erection or extension of a building are deposited with” substitute “an application for building control approval for the erection or extension of a building is made to”;

(ii) for “reject the plans” substitute “reject the application”;

(iii) for “plans show” substitute “application shows”;

(b) in subsection (3), omit “16 and”;

(**8**) 1987 c. 7; section 2 was amended by S.I. 2017/1285.

(c) in subsection (4), for “plans” substitute “an application for building control approval”.

Amendments to the Clean Air Act 1993

8.—(1) The Clean Air Act 1993(**9**) is amended as follows.

(2) In section 16 (height of other chimneys)—

(a) in subsection (4A)—

(i) in the opening words, after “England” insert “and Wales”;

(ii) in paragraph (b), after “be read as” insert “in relation to England” and after “regulator” insert “and in relation to Wales as a reference to the building control authority”;

(b) in subsection (4B), after the definition of “application for building control approval” insert—

““building control authority” means the local authority as stated in section 121A of the Building Act 1984;”.

(3) The definition of “application for building control approval” in section 16(4B) of the Clean Air Act 1993 applies in relation to Wales.

Amendment to the Regulatory Reform (Fire Safety) Order 2005

9.—(1) The Regulatory Reform (Fire Safety) Order 2005(**10**) is amended as follows.

(2) In article 22A(3) (provision of information to new responsible person), after sub-paragraph (ea) insert—

“(eb) any information given under regulation 37 or 38 of the Building (Higher-Risk Buildings Procedures) (Wales) Regulations 2025(**11**) (fire safety information);”.

Amendments to the Community Infrastructure Levy Regulations 2010

10.—(1) The Community Infrastructure Levy Regulations 2010(**12**) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “compliance certificate”—

(a) in the words before paragraph (a), omit “either”;

(b) after paragraph (aa) insert—

“(ab) regulation 43 (completion certificate applications: decisions) of the Building (Higher-Risk Buildings Procedures) (Wales) Regulations 2025; or”.

(**9**) 1993 c. 11.
(**10**) S.I. 2005/1541. Article 22A was inserted by section 156(8) of the Building Safety 2022 Act (c. 30).
(**11**) S.I. 2025/1321 (W. 216).
(**12**) S.I. 2010/948. The definition of “compliance certificate” was inserted by S.I. 2014/385; there are other amendments to regulation 2 not relevant to these Regulations.

Amendments to the Building Safety Act 2022 (Commencement No. 4, Transitional and Saving Provisions) (Wales) Regulations 2024

11.—(1) The Building Safety Act 2022 (Commencement No. 4, Transitional and Saving Provisions) (Wales) Regulations 2024(**13**) are amended as follows.

(2) In regulation 11 (transitional provision: new higher-risk building work)—

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

(b) after paragraph (3) insert—

"(4) In paragraph (1), "building control authority" means the local authority as stated in section 121A of the Building Act 1984."

Amendments to the Building (Restricted Activities and Functions) (Wales) Regulations 2024

12.—(1) The Building (Restricted Activities and Functions) (Wales) Regulations 2024(**14**) are amended as follows.

(2) In regulation 3(1) (building control authorities: restricted activities and functions), for "a local authority", in each place it occurs, substitute "a building control authority".

Transitional provision

13.—(1) The amendments made by these Regulations do not apply in relation to any building work for which a notice was given to or full plans were deposited with a local authority before 1 July 2026.

(2) In this regulation—

(a) "building work" and "full plans" have the meanings given in regulation 2 of the Building Regulations 2010(**15**);

(b) "notice" means a building notice given under regulation 12 of the Building Regulations 2010 or an initial notice given under section 47 of the Building Act 1984.

Rebecca Evans
Cabinet Secretary for Economy, Energy and Planning, one of the Welsh Ministers
25 February 2026

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(**13**) S.I. 2024/207 (W. 39).
(**14**) S.I. 2024/238 (W. 48).
(**15**) S.I. 2010/2214.

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