

Statutory Instruments with Clear Reports

13 June 2022

SL(6)202 – [The Building \(Amendment\) \(Wales\) Regulations 2022](#)

Procedure: Made Negative

The Building (Amendment) (Wales) Regulations 2022 (“the Regulations”) are made by the Welsh Ministers in exercise of the powers conferred on the Secretary of State by sections 1, 34 and 47(1) of, and paragraphs 1, 2, 4, 4A, 7, 8 and 10 of Schedule 1 to, the Building Act 1984. These powers are now exercisable by the Welsh Ministers, who have also consulted the Building Regulations Advisory 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.

The Regulations amend the Building Regulations 2010 (“the Building Regulations”) and the Building (Approved Inspectors etc.) Regulations 2010 (“the Approved Inspectors Regulations”) as they apply in relation to Wales. The amendments made by the Regulations apply the new metric for the measurement of energy efficiency in the form of a target primary energy rate to new dwellings. Previously, primary energy consumption rates applied to buildings other than dwellings.

The amendments also introduce new energy efficiency ratings to new buildings, and introduce a new regulation for on-site electricity generation and in relation to overheating (in particular by virtue of the insertion of paragraph L2 into Part L of Schedule 1 to the Building Regulations and a new Part O). These Regulations also amend the application of Part F relating to mechanical ventilation air flow testing.

Amendments are made to the Approved Inspectors Regulations in consequence of these changes. These Regulations also make transitional provision for building work on a particular building where the building work has been started in accordance with a relevant notification provision, provided that the building work on that building has already commenced, or is started within 12 months of the Regulations coming into force.

Schedule 3 to the Building Regulations is amended to reflect changes to bodies participating in self certification schemes. The Building Act 1984 gives the Secretary of State the power to approve and issue documents containing practical guidance with respect to the requirements contained in the Building Regulations. That power is exercisable by the Welsh Ministers insofar as it applies to Wales.



Approved Document L Volume 1, 2022 edition, Approved Document F Volume 1, 2022 edition and Approved Document O, 2022 edition contain practical guidance on meeting the new requirements inserted into the Building Regulations by the Regulations. The Approved Documents are published by the Welsh Ministers and may be accessed at www.gov.wales.

There is a 6 month time period between making the Regulations and their coming into force date of 23 November 2022 to allow industry adequate time to prepare for the new requirements.

Parent Act: Building Act 1984

Date Made: 20 May 2022

Date Laid: 24 May 2022

Coming into force date: 24 May 2022



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee