



Llywodraeth Cymru
Welsh Government

Building Regulations Wales

Circular

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Status:	For information
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Title:	New Approved Document R/Part 9A – Physical infrastructure for high-speed electronic communications networks
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Issued by:	Francois Samuel: Head of Building Regulations
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Addressed to:	Please forward to:
Local Authority Chief Executives Welsh Local Government Association Association of Corporate Approved Inspectors Construction Industry Council Competent Persons Forum	Local Authority Building Control Officers Assembly Members

Summary:
This circular introduces Building Regulation amendments for a new Part 9A 'Physical infrastructure for high-speed electronic communications networks' and Approved Document R for Wales.

For further information contact:	
Paul Keepins - Building Regulations Welsh Government Offices Merthyr Tydfil - CF48 1UZ	Direct Line: 03000 628646 E-mail: enquiries.brconstruction@wales.gsi.gov.uk Website: http://gov.wales/topics/planning/buildingregs/

Link to Building (Amendment) (Wales) Regulations 2016
<http://www.legislation.gov.uk>

THE BUILDING ACT 1984

THE BUILDING REGULATIONS 2010

- **NEW PART 9A - Physical infrastructure for high speed electronic communications networks**
 - **NEW APPROVED DOCUMENT R – Physical infrastructure for high-speed electronic communications networks**
1. I am directed by Welsh Ministers to draw your attention to the Building (Amendment) (Wales) Regulations 2016 S.I. 2016/361 (W. 113) (“the amendment Regulations”), which were made on 10 March 2016. The amendment Regulations will come into force on 8 April 2016 and will apply to **Wales**.
 2. I am also directed by Welsh Ministers to draw your attention to the publication of the new Approved Document R.
 3. In accordance with section 14(7) of the Building Act 1984, the amendment Regulations were made after consultation with the Building Regulations Advisory Committee for Wales and with other bodies representative of the interests concerned.
 4. The purpose of this Circular is to:
 - draw attention to the amendments to the Building Regulations 2010 (“the Building Regulations”);
 - draw attention to the new Approved Document R.

APPLICATION OF THE AMENDMENT REGULATIONS

5. The changes made by the amendment Regulations do not apply in England or to excepted energy buildings in Wales.

AMENDMENTS TO THE BUILDING REGULATIONS 2010

6. Annex A to this circular set out in tabular form all the changes to the Building Regulations.

BUILDING REGULATIONS 2010

7. Regulation 2(5) inserts the new Part R in Schedule 1, which requires all new buildings and those subject to major renovation, to be equipped with physical infrastructure up to a point where connection can be made to high speed electronic communications networks. It also requires that multi-dwelling buildings should be equipped with an access point to that network.
8. New regulations 44A, 44B and 44C of the 2010 Regulations are inserted by regulation 2(4). New regulation 44A applies Part R to categories of building which would not otherwise be covered by the 2010 Regulations. New regulation 44B sets out exemptions from the requirements of Part R and 44C provides the interpretation of the new requirements.
9. Regulation 2 further amends the 2010 Regulations. Regulation 2(2) provides that the new Part R applies to buildings which would otherwise

be exempt as falling within class 1 (buildings controlled under other legislation) of Schedule 2 to the 2010 Regulations. Regulation 2(3) excludes new Part R from the power of the local authority under section 8(1) of the Building Act 1984 and regulation 11 of the 2010 Regulations to dispense with or relax requirements in the 2010 Regulations.

NEW APPROVED DOCUMENT R

10. Approved Documents provide statutory guidance regarding the requirements of the building Regulations. Approved Document R will apply to Building Regulation applications made/submitted after 31 December 2016.

TRANSITIONAL PROVISIONS

11. Regulation 3 of the amendment Regulations contains transitional provisions.

ENQUIRIES

12. Any enquiries on this Circular Letter should be addressed to:

Paul Keepins, Building Regulations, Welsh Government, Rhydycar,
Merthyr Tydfil, CF48 1UZ.

Telephone: 03000 628646

E mail Enquiries.brconstruction@wales.gsi.gov.uk

Yours faithfully

A handwritten signature in cursive script that reads "Francois Samuel".

Francois Samuel
Head of Building Regulations

Annex A

The Building (Amendment) (Wales) Regulations 2016 S.I. 2016/361 (W. 113)

The following table lists all the changes made by S.I. 2016/361 to the Building Regulations 2010:

S.I. 2010/2214 Regulation Number	S.I 2016/361 (W. 113) Regulation Number	Action
9	2(2)	<u>Exempt buildings and work</u> Provides that the new Part R applies to buildings which would otherwise be exempt as falling within class 1 (buildings controlled under other legislation) of Schedule 2 to the 2010 Regulations.
11(3)	2(3)	<u>Power to dispense with or relax requirements</u> Excludes new Part R from the power of the local authority under regulation 11(3) of the 2010 Regulations to dispense with or relax requirements in the 2010 Regulations.
New Part 9A	2(4)	<u>Application of paragraph R1 of Schedule 1 to educational buildings, buildings of statutory undertakers and Crown buildings</u> Inserts new regulation 44A which applies Part R to categories of building which would not otherwise be covered by the 2010 Regulations. <u>Exemptions from paragraph R1 of Schedule 1</u> Inserts new regulation 44B which sets out exemptions from the requirements of Part R. <u>Interpretation of Part R of Schedule 1</u> Inserts new regulation 44C providing interpretation of the requirements
Schedule 1	2 (5)	<u>Part R PHYSICAL INFRASTRUCTURE FOR HIGH SPEED ELECTRONIC COMMUNICATIONS NETWORKS</u> Inserts the new Part R in Schedule1 (requirements)
-	3	<u>Transitional Provisions.</u> Sets out the transitional provisions for the amendment regulations.

Publications

Approved Document R (2016) for Wales is available at:

<http://wales.gov.uk/topics/planning/buildingregs/publications/?lang=en>

The Building Regulations (Amendment) (Wales) Regulations 2016 S.I.

2016/361 (W. 113) are available at: <http://www.legislation.gov.uk/2016/361>