OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2013 Rhif 2727 (Cy. 262) (C. 109)

2013 No. 2727 (W. 262) (C. 109)

ADEILADU AC ADEILADAU, CYMRU

BUILDING AND BUILDINGS, WALES

Gorchymyn Mesur Diogelwch Tân Domestig (Cymru) 2011 (Cychwyn Rhif 1) 2013

The Domestic Fire Safety (Wales) Measure 2011 (Commencement No. 1) Order 2013

NODYN ESBONIADOL

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

Hwn yw'r gorchymyn cychwyn cyntaf sydd wedi ei wneud o dan Fesur Diogelwch Tân Domestig (Cymru) 2011. Daw ag adran 1 o'r Mesur i rym yn llawn mewn dau gam.

Daw adran 1 i rym ar 30 Ebrill 2014 mewn perthynas â chartrefi gofal, cartrefi plant, neuaddau preswyl, mathau penodol o hostelau a thai preswyl ac ar 1 Ionawr 2016 mewn perthynas â thai annedd a fflatiau. Ni chaiff adran 1 ei chychwyn mewn perthynas â mathau penodol o adeilad, gweler Erthygl 2(3).

Mae adran 1 yn ei gwneud yn ofynnol i ddarparu system llethu tân awtomatig i breswylfeydd pan gânt eu cwblhau neu eu meddiannu gyntaf fel preswylfa. Mae adran 1 yn rhoi pŵer i Weinidogion Cymru ragnodi'r gofynion y mae'n ofynnol i system llethu tân awtomatig gydymffurfio â hwy.

EXPLANATORY NOTE

(This note is not part of the Order)

This is the first commencement order made under the Domestic Fire Safety (Wales) Measure 2011. It brings section 1 of the Measure fully into force in two stages.

Section 1 comes into force on 30 April 2014 in relation to care homes, children's homes, halls of residence, certain types of hostels and boarding houses and on 1 January 2016 in relation to dwelling-houses and flats. Section 1 is not commenced in relation to certain types of building, see Article 2(3).

Section 1 requires residences to be provided with an automatic fire suppression system when they are completed or when they are first occupied as a residence. Section 1 confers power on the Welsh Ministers to prescribe the requirements with which an automatic fire suppression system must comply.

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Gwnaed *22 Hydref 2013*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adrannau 8(1) a 9(3) o Fesur Diogelwch Tân Domestig (Cymru) 2011(**1**), yn gwneud y Gorchymyn a ganlyn:

Enwi a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Mesur Diogelwch Tân Domestig (Cymru) 2011 (Cychwyn Rhif 1) 2013.

(2) Yn y Gorchymyn hwn —

mae i "adeilad ynni a eithrir" yr ystyr a roddir i "*excepted energy building"* yn yr Atodlen i Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) (Rhif 2) 2009(**2**); ac

ystyr "y Mesur" *("the Measure")* yw Mesur Diogelwch Tân Domestig (Cymru) 2011.

Diwrnod Penodedig

2.—(1) Daw darpariaethau canlynol y Mesur i rym ar y diwrnod penodedig yn ddarostyngedig i baragraff (3)—

(a) adrannau 1(1) i (3);

(b) adran 1(4) at bob diben arall; ac

(c) adran 1(5).

(2) Y diwrnod penodedig yw—

(a) 30 Ebrill 2014 mewn perthynas ag:

(**1**) 2011 mccc 3
(**2**) O.S. 2009/3019.

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BUILDING AND BUILDINGS, WALES

The Domestic Fire Safety (Wales) Measure 2011 (Commencement No. 1) Order 2013

Made *22 October 2013*

The Welsh Ministers, in exercise of the powers conferred on them by sections 8(1) and 9(3) of the Domestic Fire Safety (Wales) Measure 2011(**1**), make the following Order:

Title and interpretation

1.—(1) The title of this Order is the Domestic Fire Safety (Wales) Measure 2011 (Commencement No. 1) Order 2013.

(2) In this Order—

"excepted energy building" ("*adeilad ynni a eithrir*") has the meaning given in the Schedule to the Welsh Ministers (Transfer of Functions) (No. 2) Order 2009(**2**); and

"the Measure" ("*y Mesur*") means the Domestic Fire Safety (Wales) Measure 2011.

Appointed Day

2.—(1) The following provisions of the Measure come into force on the appointed day subject to paragraph (3)—

(a) sections 1(1) to (3);

(b) section 1(4) for all remaining purposes; and

(c) section 1(5).

(2) The appointed day is—

(a) 30 April 2014 in relation to:

(**1**) 2011 nawm 3
(**2**) S.I. 2009/3019.

(i) cartrefi gofal;

(ii) cartrefi plant;

(iii) neuaddau preswyl;

(iv) ystafelloedd at ddibenion preswyl; a

(b) 1 Ionawr 2016 mewn perthynas ag:

(i) tai annedd;

(ii) fflatiau.

(3) Nid yw paragraff (1) yn cychwyn darpariaethau'r Mesur mewn perthynas ag adeiladau sydd—

(a) yn rhestredig yn unol ag adran 1 o Ddeddf Cynllunio (Adeiladau Rhestredig ac Ardaloedd Cadwraeth) 1990(**1**);

(b) mewn ardal gadwraeth a ddynodwyd yn unol ag adran 69 o'r Ddeddf honno;

(c) wedi eu cynnwys yn y gofrestr o henebion a gynhelir o dan adran 1 o Ddeddf Henebion a Mannau Archaeolegol 1979(**2**);

(d) adeiladau ynni a eithrir; nac

(e) adeiladau dros dro, hynny yw adeiladau sydd ag amser defnyddio a gynlluniwyd o ddwy flynedd neu lai.

(i) care homes;

(ii) children's homes;

(iii) halls of residence;

(iv) rooms for residential purposes; and

(b) 1 January 2016 in relation to:

(i) dwelling-houses;

(ii) flats.

(3) Paragraph (1) does not commence provisions of the Measure in relation to buildings which are—

(a) listed in accordance with section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990(**1**);

(b) in a conservation area designated in accordance with section 69 of that Act;

(c) included in the schedule of monuments maintained under section 1 of the Ancient Monuments and Archaeological Areas Act 1979(**2**);

(d) excepted energy buildings; or

(e) temporary buildings that is to say buildings with a planned time of use of two years or less.

Carl Sargeant

Y Gweinidog Tai ac Adfywio, un o Weinidogion Cymru

22 Hydref 2013

Minister for Housing and Regeneration, one of the Welsh Ministers

22 October 2013

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(**1**) 1990 (p.9).
(**2**) 1979 (p.46). Diwygiwyd adran 1 gan Atodlen 4 i Ddeddf Treftadaeth Genedlaethol 1983 (p.47).

(**1**) 1990 (c. 9).
(**2**) 1979 (c. 46). Section 1 was amended by Schedule 4 to the National Heritage Act 1983 (c. 47).

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