



# Domestic Fire Safety (Wales) Measure 2011

2011 nawm 3

## 6 Interpretation

(1) In this Measure—

- “the 1984 Act” (“Deddf 1984”) means the Building Act 1984 (c. 55),
- “the Assembly” (“y Cynulliad”) means the National Assembly for Wales,
- “authorised officer” (“swyddog awdurdodedig”) means an officer of a local authority authorised in writing by that authority, either generally or specially, to act in matters of a specified kind or in a specified matter,
- “building regulations” (“rheoliadau adeiladu”) means regulations made under section 1 of the 1984 Act,
- “building work” (“gwaith adeiladu”) means the erection, extension or alteration of a building,
- [<sup>F1</sup> “dwelling-house” (“*ty annedd*”) has the meaning given in regulation 2(1) of the Building Regulations 2010
- “flat” (“*fflat*”) has the meaning given in regulation 2(1) of the Building Regulations 2010 ]
- “initial notice” (“hysbysiad cychwynnol”) has the same meanings as in Part 2 of the 1984 Act,
- “local authority” (“awdurdod lleol”) means a county council or county borough council in Wales,
- “owner” (“perchennog”) has the same meaning as in the 1984 Act,
- “prescribed” (“rhagnodwyd”) means prescribed by regulations made by the Welsh Ministers,
- “proper officer” (“swyddog priodol”), in relation to a purpose and to a local authority, means an officer appointed for that purpose by that authority,
- “public body's notice” (“hysbysiad corff cyhoeddus”) has the same meaning as in Part 2 of the 1984 Act, and
- “residence” (“preswylfa”) means any—
- (a) dwelling-house,

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- (b) flat,
- [<sup>F2</sup>(c) place in Wales at which a care home service within the meaning of the Regulation and Inspection of Social Care (Wales) Act 2016 is provided wholly or mainly to persons aged 18 or over,]
- [<sup>F3</sup>(d) hall of residence;]
- [<sup>F3</sup>(e) a room or suite of rooms, which is not a dwelling-house or a flat and which is used by one or more persons to live and sleep and includes a room in a hostel or a boarding house, but does not include—
  - (i) a room in an hotel;
  - (ii) a room in a hostel provided for temporary accommodation to those who are ordinarily resident elsewhere;
  - (iii) a room in a hospital or other similar establishment used for patient accommodation;
  - (iv) rooms in a prison or young offender institution;
  - (v) premises for the accommodation of persons remanded on bail;
  - (vi) premises for the accommodation of persons who may be required to reside there by a probation order, <sup>F4</sup>...]
- [<sup>F5</sup>(ea) premises at which a secure accommodation service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2) is provided, or;]
- [<sup>F6</sup>(f) place at which a care home service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 is provided wholly or mainly to children, but not—
  - (i) an institution within the further education sector as defined by section 91(3) of the Further and Higher Education Act 1992;
  - (ii) a place at which accommodation is provided for the purposes of—
    - (aa) a holiday;
    - (bb) a leisure, recreational, sporting, cultural or educational activity;
 unless a child is accommodated there for more than 28 days in any 12 month period; and]

where a building contains one or more residences, includes any part of that building intended to be used by those occupying that residence or those residences for purposes ancillary to that occupation in common with one another or with other users of the building.

[<sup>F7</sup>(1A) In subsection (1), “child” means a person under the age of 18.]

- (2) Subject to subsection (3), the Welsh Ministers may, by order, amend the definition of “residence” in subsection (1) by—
  - (a) adding a class of residential premises, or
  - (b) amending the description of an existing class of residential premises.
- (3) In subsection (2), “ residential premises ” (“ mangroedd preswyl ”) has the same meaning as in—
  - (a) paragraph 7 of Part 1 of Schedule 7 to the Government of Wales Act 2006 (c. 32), when in force, or,
  - (b) until then, Matter 11.1 in Part 1 of Schedule 5 to that Act.

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### Textual Amendments

- F1** Words in s. 6(1) inserted (30.4.2014) by [The Domestic Fire Safety \(Definition of Residence\) \(Wales\) Order 2013 \(No. 2723\)](#) , arts. 1(2) , **2(2)**
- F2** Words in s. 6(1) substituted (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/195\)](#), regs. 2(1), **44(2)(a)**
- F3** Words in s. 6(1) substituted (30.4.2014) by [The Domestic Fire Safety \(Definition of Residence\) \(Wales\) Order 2013 \(No. 2723\)](#) , arts. 1(2) , **2(3)(a)**
- F4** Word in s. 6(1) omitted (2.4.2018) by virtue of [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/195\)](#), regs. 2(1), **44(2)(b)**
- F5** Words in s. 6(1) inserted (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/195\)](#), regs. 2(1), **44(2)(c)**
- F6** Words in s. 6(1) substituted (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/195\)](#), regs. 2(1), **44(2)(d)**
- F7** S. 6(1A) inserted (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/195\)](#), regs. 2(1), **44(3)**

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