



Argraffwyd yr Offeryn Statudol hwn yn lle'r OS sy'n dwyn yr un teitl ac fe'i dyroddir yn rhad ac am ddim i bawb y mae'n hysbys ei fod wedi cael yr Offeryn Statudol hwnnwgan fod y fersiwn wreiddiol wedi ei hargraffu â'r rhif anghywir.

This Statutory Instrument has been printed in substitution of the SI of the same title and is being issued free of charge to all known recipients of that Statutory Instrument as the original was printed with the incorrect number.

OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2013 Rhif 2723 (Cy. 261)

2013 No. 2723 (W. 261)

**ADEILADU AC ADEILADAU,
CYMRU**

**BUILDING AND BUILDINGS,
WALES**

**Gorchymyn Diogelwch Tân
Domestig (Diffinio Preswylfa)
(Cymru) 2013**

**The Domestic Fire Safety
(Definition of Residence) (Wales)
Order 2013**

NODYN ESBONIADOL

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

EXPLANATORY NOTE

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn diwygio'r disgrifiad o ddosbarthiadau o fangreoedd preswyl sydd yn y diffiniad o "preswylfa" yn adran 6(1) o Fesur Diogelwch Tân Domestig (Cymru) 2011 ("y Mesur"). Mae'n ychwanegu cartrefi plant fel dosbarth o fangreoedd preswyl.

This Order amends the description of classes of residential premises contained in the definition of "residence" in section 6(1) of the Domestic Fire Safety (Wales) Measure 2011 ("the Measure"). It adds children's homes as a class of residential premises.

Mae adran 1 o'r Mesur yn ei gwneud yn ofynnol bod system llethu tân awtomatig yn cael ei darparu mewn preswylfeydd pan fyddant wedi eu cwblhau neu pan fyddant yn cael eu meddiannu gyntaf fel preswylfa.

Section 1 of the Measure requires residences to be provided with an automatic fire suppression system when they are completed or when they are first occupied as a residence.

Lluniwyd asesiad effaith mewn perthynas â'r Gorchymyn hwn. Mae copïau ar gael oddi wrth Lywodraeth Cymru ym Mharc Cathays, Caerdydd, CF10 3NQ ac ar wefan Llywodraeth Cymru yn www.cymru.gov.uk.

An impact assessment has been prepared in relation to this Order. Copies are available from the Welsh Government at Cathays Park, Cardiff, CF10 3NQ and on the Welsh Government's website at www.wales.gov.uk.

2013 Rhif 2723 (Cy. 261)

2013 No. 2723 (W. 261)

**ADEILADU AC ADEILADAU,
CYMRU**

**BUILDING AND BUILDINGS,
WALES**

**Gorchymyn Diogelwch Tân
Domestig (Diffinio Preswylfa)
(Cymru) 2013**

**The Domestic Fire Safety
(Definition of Residence) (Wales)
Order 2013**

Gwnaed 22 Hydref 2013

Made 22 October 2013

Yn dod i rym 30 Ebrill 2014

Coming into force 30 April 2014

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adrannau 6(2) a 8(1) o Fesur Diogelwch Tân Domestig (Cymru) 2011(1) (“y Mesur”), yn gwneud y Gorchymyn a ganlyn:

The Welsh Ministers, in exercise of the powers conferred on them by sections 6(2) and 8(1) of the Domestic Fire Safety (Wales) Measure 2011(1) (“the Measure”), make the following Order:

Enwi a chychwyn

Title and commencement

1.—(1) Enw’r Gorchymyn hwn yw Gorchymyn Diogelwch Tân Domestig (Diffinio Preswylfa) (Cymru) 2013.

1.—(1) The title of this Order is the Domestic Fire Safety (Definition of Residence) (Wales) Order 2013.

(2) Daw i rym ar 30 Ebrill 2014.

(2) It comes into force on 30 April 2014.

Dosbarthiadau o fangreoedd preswyl

Classes of residential premises

2.—(1) Mae adran 6(1) o’r Mesur wedi ei diwygio fel a ganlyn.

2.—(1) Section 6(1) of the Measure is amended as follows.

(2) Yn y manau priodol mewnosoder—

(2) At the appropriate places insert—

“mae i “fflat” (“*flat*”) yr ystyr a roddir i “flat” yn rheoliad 2(1) o Reoliadau Adeiladu 2010(2)”;

““dwelling-house” (“*tŷ annedd*”) has the meaning given in regulation 2(1) of the Building Regulations 2010(2)”;

“mae i “tŷ annedd” (“*dwelling-house*”) yr ystyr a roddir i “dwelling-house” yn rheoliad 2(1) o Reoliadau Adeiladu 2010”;

““flat” (“*fflat*”) has the meaning given in regulation 2(1) of the Building Regulations 2010”;

(1) 2011 mccc 3.

(2) O.S. 2010/2214, y mae diwygiadau iddo nad ydynt yn berthnasol i’r Gorchymyn hwn.

(1) 2011 nawm 3.

(2) S.I. 2010/2214, to which there are amendments not relevant to this Order.

(3) Yn y diffiniad o “preswylfa”—

(a) yn lle paragraffau (d) ac (e) rhodder—

“(d) neuadd breswyl;

(e) ystafell neu gyfres o ystafelloedd, nad yw’n dŷ annedd nac yn fflat ac sy’n cael ei defnyddio gan un neu fwy o bersonau i fyw a chysgu ynddi ac sy’n cynnwys ystafell mewn hostel neu dŷ preswyl, ond nid yw’n cynnwys—

(i) ystafell mewn gwesty;

(ii) ystafell mewn hostel sy’n cael ei darparu fel llety dros dro i’r rhai hynny sy’n preswyl fel arfer yn rhywle arall;

(iii) ystafell mewn ysbyty neu sefydliad tebyg arall sy’n cael ei defnyddio fel llety i gleifion;

(iv) ystafelloedd mewn carchar neu sefydliad troseddwr ifanc;

(v) mangre ar gyfer lletya personau sydd wedi eu remandio ar fechnïaeth;

(vi) mangre ar gyfer lletya personau y gall fod yn ofynnol iddynt, drwy orchymyn prawf breswyl yno, neu”

(b) mewnosoder ar ôl paragraff (e)—

“(f) cartref plant, pan fo gan “cartref plant” yr ystyr a roddir i “children’s home” yn adran 1 o Ddeddf Safonau Gofal 2000(1) ond nid yw’n cynnwys—

(i) sefydliad o fewn y sector addysg bellach fel y’i diffiniwyd gan adran 91(3) o Ddeddf Addysg Bellach ac Uwch 1992(2);

(ii) sefydliad a ddefnyddir i letya plant at unrhyw un neu ragor o’r dibenion a ganlyn yn unig—

(aa) gwyliau;

(bb) gweithgaredd hamdden, chwaraeon, diwylliannol neu addysgol;

(3) In the definition of “residence”—

(a) for paragraphs (d) and (e) substitute—

“(d) hall of residence;

(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, or”

(b) insert after paragraph (e)—

“(f) children’s home, where “children’s home” has the meaning given in section 1 of the Care Standards Act 2000(1) but which does not include—

(i) an institution within the further education sector as defined by section 91(3) of the Further and Higher Education Act 1992(2);

(ii) an establishment used to accommodate children only for the purposes of any one or more of the following—

(aa) a holiday;

(bb) a leisure, sporting, cultural or educational activity;

(1) 2000 (p.14). Diwygiwyd adran 1 gan adran 95 a pharagraffau 1 a 2 o Atodlen 5 i Ddeddf Iechyd a Gofal Cymdeithasol 2008 (p. 14); adran 18 o Ddeddf Cyfiawnder Troseddol a Threfn Gyhoeddus 1994 (p. 33).

(2) 1992 (p. 13). Mae diwygiadau i adran 91(3) nad ydynt yn berthnasol i’r Gorchymyn hwn.

(1) 2000 (c.14). Section 1 was amended by section 95 and paragraphs 1 and 2 of Schedule 5 to the Health and Social Care Act 2008 (c. 14); section 18 of the Criminal Justice and Public Order Act 1994 (c. 33).

(2) 1992 (c. 13). There are amendments to section 91(3) which are not relevant to this Order.

ar yr amod nad oes dim un plentyn
yn cael ei letya yno am fwy na 28
o ddiwrnodau mewn unrhyw
gyfnod o ddeuddeng mis;

(iii) sefydliad troseddwr ifanc, a”

so long as no one child is
accommodated there for more than
28 days in any twelve month
period;

(iii) a young offender institution, and”

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

©[©] Hawlfraint y Goron 2013

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery
Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr
Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2013

Printed and Published in the UK by the Stationery Office Limited
under the authority and superintendence of Carol Tullo,
Controller of Her Majesty's Stationery Office and Queen's Printer of
Acts of Parliament.

£4.00

W1758/11/13

ON

ISBN 978-0-348-10823-1



9 780348 108231