

15 July 2010

Dear Colleague

Consultation on the proposed Domestic Fire Safety (Wales) Measure

As part of its Stage 1 consideration, the National Assembly for Wales' Legislation Committee No. 1 ('the Committee') is calling for evidence on the general principles of the [proposed Domestic Fire Safety \(Wales\) Measure](#) ('the proposed Measure').

What is a Measure?

A Measure is a piece of law made by the Assembly, which has a similar effect to an Act of Parliament. The Assembly is able to pass Measures on any 'matter' listed in [Schedule 5](#) to the Government of Wales Act 2006. The proposed Measure uses Matter 11.1 relating to housing.

While a Measure is in progress through the Assembly, it is known as a 'proposed Measure'.

There is a four stage process for the consideration of a proposed Measure. Stage 1 involves consideration of the general principles of the proposed Measure by a committee (which includes the taking of written and oral evidence from interested parties and stakeholders), and the agreement of those general principles by the Assembly.

What does this proposed Measure seek to achieve?

The Explanatory Memorandum that accompanies the proposed Measure states that the primary purpose of the proposed Measure is "to introduce a requirement for the provision of automatic fire suppression systems in new residential premises in Wales". It goes on to suggest:

“The purpose of providing automatic fire suppression systems in new residential premises is to reduce the incidence of death and injury from fires in newly created residences in Wales. A requirement to fit such systems in all new residential premises would be a preventative measure which would control fires and reduce their spread, so that people could get out of their homes in the event of a fire occurring. It would also reduce the number of horrific burns injuries from the fire and the risk to fire fighters who are called to deal with domestic fires.”

What is the committee’s role?

The role of Legislation Committee No. 1 is to consider and report on the general principles of the proposed Measure.

How you can help – the consultation questions

Details of the proposed Measure and the accompanying Explanatory Memorandum can be found at:

[Proposed Measure](#)

[Explanatory Memorandum](#)

The Committee would like to invite you to submit written evidence to assist in its scrutiny of the proposed Measure. In particular, we would welcome your views on the questions listed in **Annex A**.

If you wish to submit evidence, please send an electronic copy of your submission to legislationoffice@wales.gov.uk and entitle the e-mail *Consultation – Domestic Fire Safety (Wales) Measure*. If you would prefer to send your submission in hard copy, please send it to Claire Griffiths, Deputy Committee Clerk, Legislation Office, National Assembly for Wales, Cardiff Bay, CF99 1NA.

Submissions should arrive by Friday 3 September 2010. It may not be possible to take into account responses received after this date.

Further information on the **legislative process** can be found at:
<http://www.assemblywales.org/bus-home/bus-legislation/bus-legislation-guidance/bus-legislation-guidance-measures.htm>

When preparing your submission, please keep the following in mind:

- your response should be concise and address the issues before the Committee. Please reference your response using the title applied above;
- the National Assembly normally makes responses to public consultation available for public scrutiny and they may also be seen and discussed by Assembly Members at Committee meetings. **If you do not want your response or name published, it is important that you clearly specify this in your submission;** and
- please indicate whether you are responding on behalf of an organisation, or as an individual.

The Committee welcomes contributions in English and Welsh and will consider responses to the written consultation during the late summer and early autumn terms.

If you have any queries, please contact Liz Wilkinson, Committee Clerk on 029 2089 8025 or Claire Griffiths, Deputy Clerk on 029 2082 1990.

Yours sincerely

A handwritten signature in black ink that reads "Rosemary Butler". The signature is written in a cursive style with a large initial 'R'.

**Rosemary Butler AM
Committee Chair**

Proposed Domestic Fire Safety (Wales) Measure

Consultation questions

1. Is there a need for proposed Measure to deliver the aim of reducing the incidence of death and injury from fires in newly created residences in Wales?

2. Do you think the key provisions within the proposed Measure will help deliver the above aim?

In considering this question, it would be helpful if you could comment on the following:

(a) the duty to provide automatic fire suppression systems in new residential premises in Wales (section 1(1));

(b) the types of building work to which the duty will apply, i.e. building work undertaken to construct a building, to convert a building (or part thereof) for use as a residence (or residences); or to subdivide or amalgamate one or more existing residences so as to create a new residence (or residences) (section 1(2));

(c) the enforcement provisions (section 2);

(d) the appropriateness of the powers provided to the Welsh Ministers to prescribe in regulations –

- requirements with which the automatic fire suppression system must comply (section 1(4); and
- the provision of information to accompany plans for building work (section 3(1) and (2));

(e) general provision in relation to –

- interpretation (section 4)
- regulations and orders (section 6).

3. What are the practical implications of the proposed Measure, in particular do you think there are any potential barriers to implementing the provisions contained in the proposed Measure?

4. What are the financial implications of the proposed Measure, if any? In answering this question you may wish to consider Part 2 of the Explanatory Memorandum (Regulatory Impact Assessment), which estimates the costs and benefits of implementation of the proposed Measure.

If you would like to make any other comments on the proposed Measure which are not covered in your response to the above questions, please feel free to do so.