Automated External Defibrillators (Public Access) Bill

[AS INTRODUCED]

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[AS INTRODUCED]

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Require the installation of automated external defibrillators in public buildings, sporting facilities, schools, higher education and other education and skills facilities, and facilities that provide care to vulnerable people; and to make associated provision about training and signage.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Automated external defibrillators

In this Act, an "AED" means an automated external medical heart monitor and defibrillator that is capable of—

(a) recognising the presence or absence of ventricular fibrillation or rapid ventricular tachycardia,

(b) determining, without intervention by an operator, whether defibrillation should be performed, and

(c) automatically charging and requesting delivery of an electrical impulse to a person's heart as medically required.

2 Requirement to install AEDs

(1) The owner of a qualifying public building or facility must ensure that—

(a) an AED is installed in the building or facility, or in the immediate external area around the building or facility, in a manner than provides public access,

(b) further AEDs are so installed as necessary for the building or facility to have at least one AED for every 1200 square metres of internal floor area,

(c) AEDs installed under paragraphs (a) or (b) are regularly maintained and tested so that they remain capable of the functions listed in section (1), and

(d) a sign is placed close to the AED drawing attention to its presence.

(2) The Secretary of State may by regulations make provision about, for or connected with the imposition of civil sanctions for the failure to comply with the duty under subsection (1).

3 Qualifying public buildings or facilities

(1) A qualifying public building or facility is—

(a) a local government office,

(b) a town hall,

(c) a library,

(d) a sporting facility (subject to subsection (2)),

(e) an education or skills training facility (subsection to subsection (3)),

(f) a prison (within the meanings given in the Prison Act 1952, the Prison Act (Northern Ireland) 1953 and the Prisons (Scotland) Act 1989),

(g) a retirement village,

(h) a caravan park,

(i) a gambling venue,

(j) a theatre or other venue for public artistic or cultural performances,

(k) a building in the categories listed in subsection (4), or

(l) a building or facility on land to which the public have access, whether or not admission is obtained by payment, in a category prescribed by the Secretary of State in regulations.

(2) The Secretary of State may, by regulations, further prescribe the definition of a "sporting facility" for the purposes of subsection (1).

(3) The Secretary of State must, by regulations, make specific provision for ensuring the availability of defibrillators close to small schools in towns, villages and remote areas, without placing undue financial burden on such schools.

(4) Subject to subsection (5), a building classed under one the following enactments is also a "qualifying public building" for the purposes of subsection (1)—

(a) the Town and Country Planning (Class Use) Order 1987 (S.I. 1987/764);

(b) the Planning (Use Classes) Order (Northern Ireland) 2015/40 (S.I. 2015/50);

(c) the Town and Country Planning (Use Classes) (Scotland) Order 1997 (S.I. 1997/3061).

(5) But a building is not a qualifying public building if it—

(a) has an internal floor area of less than 600 square metres,

(b) contains 10 or fewer sole occupancy commercial units,

(c) is a house, dwellinghouse or house of multiple occupation under the definition in the relevant enactment, or

(d) is a farm shed or farm building.

4 Training and awareness

(1) The Secretary of State must prepare and implement a strategy for training in, and promoting public understanding and awareness of, the use of AEDs.

(2) In conjunction with that strategy, the Secretary of State may, by regulations make provision for—

(a) a training scheme, and
(b) the certification of instructors for the purposes of that scheme.

(3) In preparing the strategy and any scheme the Secretary of State must consult—
(a) the Northern Ireland Department of Health,
(b) the Scottish Ministers,
(c) the Welsh Ministers, and
(d) organisations that provide training in AED use.

(4) The strategy must be laid before Parliament before the end of the period of six months beginning with the day on which this section comes into force.

5 Regulations

(1) Regulations under this Act are to be made by statutory instrument.

(2) A power to make regulations under any provision of this Act includes power to make—
(a) consequential, supplementary, incidental, transitional or saving provision;
(b) different provision for different purposes or areas.

(3) Before making regulations under this Act, the Secretary of State must consult—
(a) a Northern Ireland department,
(b) the Scottish Ministers, and
(c) the Welsh Ministers.

(4) A statutory instrument containing regulations under this Act subject to annulment in pursuance of a resolution of either House of Parliament.

6 Financial provisions

The following are to be paid out of money provided by Parliament—
(a) *any expenditure incurred under or by virtue of this Act by a Minister of the Crown, a person holding office under Her Majesty or a government department, and*
(b) *any increase attributable to this Act in the sums payable under any other Act out of money so provided.*

7 Extent, commencement and short title

(1) This Act extends to England and Wales, Scotland and Northern Ireland.

(2) Subject to subsection (3), this Act comes into force on the day on which it is passed.

(3) Section 2 comes into force at the end of the period of six months beginning with the day on which this Act is passed.

(4) This Act may be cited as the Automated External Defibrillators (Public Access) Act 2022.

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Presented by Jim Shannon

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