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STATUTORY INSTRUMENTS

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**2006 No. 1254**

**The Fire and Rescue Services (Northern Ireland) Order 2006**

**PART III**

**FIRE SAFETY**

**CHAPTER II**

**ENFORCEMENT**

**Prohibition notices**

**36.**—(1) Where paragraph (2) applies in relation to relevant premises, the Board may serve a prohibition notice on the occupier of the relevant premises.

(2) This paragraph applies where, having regard in particular to anything affecting relevant persons' escape from relevant premises in the event of fire, the Board considers that use of the relevant premises involves or will involve a risk to relevant persons so serious that use of those premises ought to be prohibited or restricted.

(3) A prohibition notice shall—

- (a) state that the Board considers that paragraph (2) applies;
- (b) specify the matters which the Board considers give rise or, as the case may be, will give rise to the risk;
- (c) direct that the use to which the prohibition notice relates is prohibited or restricted to such extent as may be specified in the notice until the matters specified under sub-paragraph (b) have been remedied; and
- (d) subject to paragraph (4), specify when the notice shall take effect.

(4) The Board may specify that a notice shall take effect on service of the notice only if the Board considers that, in consequence of the matters specified under paragraph (3)(b), there is or, as the case may be, will be an imminent risk of serious personal injury to relevant persons.

(5) A prohibition notice may include directions as to the steps which will have to be taken to remedy the matters specified in the notice.

(6) Before serving a prohibition notice in relation to a house in multiple occupation, the Board shall, where practicable, notify the Northern Ireland Housing Executive of—

- (a) the Board's intention to serve a prohibition notice; and
- (b) the use which it is intended to prohibit or, as the case may be, restrict.

(7) Where the Board has served a prohibition notice on the occupier of relevant premises, the Board may, by notice in writing to the occupier, withdraw the prohibition notice.