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STATUTORY INSTRUMENTS

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**1984 No. 1821**

**The Fire Services (Northern Ireland) Order 1984**

**PART II**

**FIRE SERVICES**

*The Fire Authority for Northern Ireland*

**The Fire Authority for Northern Ireland**

**3.—(1)** The body known as the Fire Authority for Northern Ireland shall continue to be the fire authority for the whole of Northern Ireland.

(2) The Authority shall continue to be a body corporate, with perpetual succession, to which section 19 of the Interpretation Act (Northern Ireland) 1954 applies.

(3) Schedule 1 shall have effect with respect to the constitution and proceedings of the Authority.

(4) The headquarters of the Authority shall be situated at such place as the Authority may, with the consent of the Department, determine.

**Duties of the Authority**

**4.—(1)** The Authority shall provide fire services—

- (a) by making provision for fire-fighting purposes and for the protection of life and property in case of fire;
- (b) by securing the administration and enforcement of the provisions of this Order which relate to fire precautions; and
- (c) by securing efficient arrangements for giving, when requested, advice in respect of buildings and other property as to fire prevention, restricting the spread of fires and means of escape in case of fire.

(2) The Authority shall make the provision required under paragraph (1) (a) by securing—

- (a) the services of the fire brigade to meet efficiently all normal requirements;
- (b) the efficient training of members of the fire brigade;
- (c) efficient arrangements for enabling persons to call the fire brigade in cases of fire, for summoning the members of the fire brigade and for manning the fire engines and appliances;
- (d) subject to paragraph (4), efficient arrangements for obtaining, by inspection or otherwise, information required for the purposes of its functions, with respect to—
  - (i) the character of buildings and other property, where in the opinion of the Authority there may exist a serious risk of fire;
  - (ii) the available water supplies and the means of access thereto; and
  - (iii) other material local circumstances; and

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*Changes to legislation: There are currently no known outstanding effects for the The Fire Services (Northern Ireland) Order 1984, Cross Heading: The Fire Authority for Northern Ireland. (See end of Document for details)*

- (e) efficient arrangements for ensuring that reasonable steps are taken to prevent or mitigate damage to property resulting from measures taken in dealing with fires.
- (3) The Authority may secure fire services by itself providing and maintaining, either wholly or in part, such fire services or by making arrangements for the provision and maintenance, either wholly or in part, of such fire services by other persons.
- (4) For the purposes of paragraph (2) (d), subsections (1) to (7) of section 98 of the Local Government Act (Northern Ireland) 1972 (power to enter land) shall have effect as if—
  - (a) in subsection (1) of that section, for the purposes there specified, there were substituted the purpose of obtaining information as to the character of buildings and other property referred to in paragraph (2) (d) (i);
  - (b) in subsection (2), the words from “but such consent” to the end were omitted; and
  - (c) in subsections (1) and (5) of that section, for references to the council there were substituted references to the Authority.

### **Powers of the Authority**

- 5.—(1) The powers of the Authority shall include power—
- (a) to provide accommodation for members of the fire brigade, fire engines, appliances or equipment, including housing and other accommodation for members of the fire brigade and furniture reasonably required for such accommodation;
  - (b) to purchase (either by agreement or compulsorily in accordance with paragraph (2)) or take on lease any land required for the purposes of its functions under this Part;
  - (c) to dispose of or mortgage, charge or otherwise deal with any land for the time being vested in it;
  - (d) to enter into such contracts as may be necessary for the purposes of this Part, as if the Authority were a district council;
  - (e) to pay to any persons who render services in connection with the extinction of fires and the protection of life and property in case of fire such rewards as it thinks fit, which in the case of a member of the fire brigade may be in addition to the remuneration of any such member;
  - [<sup>F1</sup>(ee) to employ the fire brigade, or use any fire engine, appliance or equipment outside Northern Ireland at sea (whether or not within the territorial sea of the United Kingdom); or]
  - (f) to employ the fire brigade or use any fire engine, appliance or equipment outside Northern Ireland in accordance with any arrangement entered into by the Department<sup>F2</sup>. . . ; and
  - (g) to employ the fire brigade, or use any fire engine, appliance, or equipment, for such purposes other than fire-fighting purposes as it may think fit, and in respect of any such employment or use to charge and recover such sum by way of fees or expenses as the Authority may think reasonable.

(2) Where the Authority desires to acquire compulsorily any land which it considers necessary for the purposes of this Part, it may apply to the Department for an order vesting such land in it and, subject to paragraph (3), the Department may make such order.

(3) The provisions of the Local Government Act (Northern Ireland) 1972, which are specified in Schedule 2, shall have effect in relation to every such vesting order subject to the modifications and adaptations set out in that Schedule.

(4) Before making any order under paragraph (2), the Department shall have regard to the effect which the order, if made, would have on the user, value and amenities of land in the immediate neighbourhood of the land proposed to be acquired.

(5) The proceeds of the sale by the Authority of any property acquired or held by it under or by virtue of this Part, and the amount of any fees or expenses paid to the Authority in respect of any services rendered by it under this Part for which the Authority may receive payment, shall be applied by the Authority for the purposes of this Part.

F1 1998 NI 11  
F2 1998 c.47

### Fire-hydrants

6<sup>F3</sup>.—(1) The Authority shall arrange with the Department—

- (a) for the provision and maintenance of such fire-hydrants as are necessary for securing the efficient use of the available supply of water in case of fire; and
- (b) for indicating by a notice or distinguishing mark, which may be placed on any wall or fence adjoining a street or public place, the locations of fire-hydrants.

(2) Any person who uses a fire-hydrant otherwise than for the purpose of extinguishing fires or for any fire brigade purpose or for any purpose authorised by the Department, or intentionally damages or obstructs any fire-hydrant otherwise than in consequence of its use for such a purpose as aforesaid, shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

F3 functions transf. by SR 1999/481

### Water supplies

7. The Authority may use for the purpose of extinguishing fires any convenient or suitable supply of water, and shall be liable to pay reasonable compensation therefore, but nothing in this Article shall affect Article 35 (2) of the Water and Sewerage Services (Northern Ireland) Order 1973<sup>F4</sup>.

F4 S.I. 1973/70 (N.I.2).

### Application of certain provisions of the Local Government Act (Northern Ireland) 1972

8.—(1) The following sections of the Local Government Act (Northern Ireland) 1972 shall effect as if any reference therein to a district council or a member or officer thereof were a reference to the Authority or a member or officer thereof respectively, that is to say—

- (a) section 23 (admission of public to meetings);
- (b) section 24 (information to be given as to meetings);
- (c) section 25 (facilities for newspaper representatives);
- (d) section 26 (certain publications to be privileged);
- (e) section 27 (savings);
- (f) section 31 (recovery of wrongful gains and remedies against member guilty of reprehensible conduct);
- (g) section 48 (protection for officer acting in execution of duty);
- (h) section 123 (penalty for destroying notices); and
- (i) section 126 (compensation for damage by council).

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(2) Section 31 of the Local Government Act (Northern Ireland) 1972 shall in its application to the Authority by paragraph (1) have effect as if any reference in that section to that Act included a reference to this Order.

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