
STATUTORY INSTRUMENTS

2006 No. 1254

The Fire and Rescue Services (Northern Ireland) Order 2006

PART III

FIRE SAFETY

CHAPTER IV

MISCELLANEOUS AND GENERAL

Crown application, etc.

49.—(1) The provisions of this Part, and of regulations made under it, shall bind the Crown to the full extent authorised or permitted by the constitutional laws of Northern Ireland.

(2) No contravention by the Crown of any provision of this Part or of any regulations made under it shall make the Crown criminally liable; but the High Court may, on the application of the Health and Safety Executive for Northern Ireland, declare unlawful any act or omission of the Crown which constitutes such a contravention.

(3) Notwithstanding anything in paragraph (2), the provisions of this Part and of regulations made under it shall apply to persons in the public service of the Crown as they apply to other persons.

(4) In relation to relevant premises in respect of which the Crown is subject to any of the fire safety duties, this Part shall have effect with the substitution—

- (a) for any reference to an authorised officer, of a reference to a person authorised by the Health and Safety Executive for Northern Ireland; and
- (b) for any reference to the Board, of a reference to the Health and Safety Executive for Northern Ireland.

(5) Without prejudice to the generality of paragraph (4)(a), the Health and Safety Executive for Northern Ireland may authorise a fire and rescue officer to inspect and report in connection with the implementation of this Part as applied by this Article, and—

- (a) the Executive may enter into arrangements with the Board for that purpose; and
- (b) a fire and rescue officer authorised by the Executive under this paragraph shall report to the Executive as to the matters in respect of which he is authorised.

(6) If a person falsely pretends to be a person authorised by the Health and Safety Executive for Northern Ireland for the purposes of paragraph (5), he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(7) In this Article any reference to the Crown includes the Crown in right of Her Majesty's Government in the United Kingdom.