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STATUTORY RULES OF NORTHERN IRELAND

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**2001 No. 348**

**Fire Precautions (Workplace)  
Regulations (Northern Ireland) 2001**

**Part V**

Further consequential and miscellaneous provisions

**Application of the 1984 Order**

**16.**—(1) Subject to paragraph (3), the provisions of the 1984 Order listed in paragraph (2) shall have effect in relation to these Regulations as if—

- (a) the requirements of the workplace fire precautions legislation were requirements of regulations made under Article 34 of that Order<sup>(1)</sup>; and
- (b) any reference (however expressed) in those Articles to—
  - (i) “premises” included reference to a workplace, other than an excepted workplace;
  - (ii) premises to which regulations made under Article 34 of that Order apply included a reference to a workplace in connection with which obligations are imposed by the workplace fire precautions legislation;
  - (iii) an “owner” or “occupier” of premises included a reference to an employer or other person on whom obligations are imposed under the workplace fire precautions legislation in respect of a workplace; and
  - (iv) the 1984 Order included a reference to the workplace fire precautions legislation.

(2) The provisions of the 1984 Order referred to in paragraph (1) are—

- (a) Articles 2 and 21<sup>(2)</sup> (interpretation);
- (b) Article 37 (district councils to consult Authority in certain cases before passing plans);
- (c) Article 40<sup>(2)</sup> (powers of authorised members of the fire brigade);
- (d) Article 41<sup>(2)</sup> (restriction on disclosure of information);
- (e) Article 42(1) (falsification of documents, false statements, etc.);
- (f) Article 44 (defence available to persons charged with offences); and
- (g) Article 44A<sup>(3)</sup> (civil and other liability).

(3) The following provisions of the 1984 Order referred to in paragraph (2) shall have effect for the purposes of these Regulations with the following modifications—

- (a) Articles 2 and 21 shall have effect only for the purposes of the provisions of the 1984 Order applied by this regulation;

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(1) Article 34 was amended by [S.I. 1991/1462 \(N.I. 12\)](#), paragraph 2 of Schedule 2

(2) Articles 21, 40 and 41 were amended by Articles 5, 7(2) and 14 respectively of [S.I. 1993/1578 \(N.I. 7\)](#)

(3) Article 44A was inserted by [S.I. 1993/1578 \(N.I. 7\)](#), Article 15

- (b) Article 37 shall have effect as if the references therein to “a designated use” included a reference to use as a workplace to which Part II applies;
- (c) Article 42(1) shall have effect as if sub-paragraphs (a) and (b) were omitted; and
- (d) Article 44 shall only have effect in connection with Articles 41 and 42(1) of the 1984 Order as applied by this regulation.

(4) A fire certificate issued under the 1984 Order or deemed to have been issued under the 1984 Order by virtue of paragraph 4 of Schedule 4 to that Order shall not have effect to the extent that it would require a person to contravene any provision of the workplace fire precautions legislation; and the Authority may amend the certificate to the extent necessary to prevent the certificate requiring such contravention.

(5) Where an amendment under paragraph (4) is made on the application of any person affected by the certificate and is confined to requirements of the kind referred to in Article 27(1) of the 1984 Order<sup>(4)</sup>, the applicant shall pay to the Authority such fee as the Authority may determine, not exceeding an amount which represents the cost to the Authority of the work reasonably done by it for the purposes of the amendment of the certificate (other than the cost of any inspection of the premises).

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(4) Article 27(1) was amended by [S.I. 1993/1578 \(N.I. 7\)](#), Article 18(2)