
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 456

The Fire Safety (Scotland) Regulations 2006

PART III

FIRE SAFETY

Elimination or reduction of risks from dangerous substances

11.—(1) Where a dangerous substance is present in relevant premises, a person having duties under section 53 or 54 must ensure that risk to relevant persons related to the presence of the substance is either eliminated or reduced so far as is reasonably practicable.

(2) In complying with the duty under paragraph (1), a person must, so far as is reasonably practicable, replace a dangerous substance, or the use of a dangerous substance, with a substance or process which either eliminates or reduces the risk to relevant persons.

(3) Where it is not reasonably practicable to eliminate risk pursuant to paragraphs (1) and (2), a person must, so far as is reasonably practicable, apply measures consistent with the assessment under section 53 or 54 and appropriate to the nature of the activity or operation, including the measures specified in the Schedule to—

- (a) control the risk, and
- (b) mitigate the detrimental effects of fire.

(4) The person with duties under section 53 or 54 must also—

- (a) arrange for the safe handling, storage and transport of dangerous substances and waste containing dangerous substances; and
- (b) ensure that any conditions necessary pursuant to these Regulations and the 2005 Act for ensuring the elimination or reduction of risk are maintained.