
EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies and revokes secondary legislation in consequence of Part 3 of the Fire (Scotland) Act 2005 (“the 2005 Act”). Part 3, and regulations made by virtue of that Part, consolidates existing fire safety legislation as it applies to non-domestic premises. It imposes fire safety duties on employers, employees, and others in control of relevant premises.

The modifications made in this Order to secondary legislation remove references to existing fire safety legislation, insert references to the new fire safety regime, and ensure that fire safety matters are dealt with under Part 3 of the 2005 Act (and related regulations) where it applies.

Article 2(1) and Schedule 1 set out modifications to subordinate legislation.

Article 2(2) and Schedule 2 set out revocations of subordinate legislation.

Article 3 makes a saving for regulation 3(6)(c) of the Fire Precautions (Workplace) Regulations 1997. That regulation disapplies requirements of those Regulations where they would hinder emergency workers from carrying out their duties. It will be necessary to make an affirmative order under the 2005 Act to replicate that provision. In order to provide for the period before that order is laid, article 3 of this Order keeps regulation 3(6)(c) in force.