



Fire Precautions Act 1971 (repealed)

1971 CHAPTER 40

Amendments of other Acts

29 Extension of ss. 24 and 33 of Fire Services Act 1947.

[^{F1} In sections 24 and 33(1) of the ^{M1} Fire Services Act 1947 (which authorise the appointment of inspectors and the holding of inquiries for obtaining information as to the performance by fire authorities of their functions under that Act) the references to that Act shall be read as including references to this Act.]

Textual Amendments

F1 S. 29 repealed (E.W.) (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), s. 61, Sch. 1 para. 30, [Sch. 2](#); [S.I. 2004/2304](#), art. 2; [S.I. 2004/2917](#), art. 2

Marginal Citations

M1 1947 c. 41.

30 Provisions as to ss. 59 and 60 of Public Health Act 1936 and certain similar enactments.

- (1) ^{F2}
- (2) So long as a fire certificate is in force with respect to any premises, any provision of a local Act which apart from this subsection would apply in the case of those premises shall not apply in their case in so far as it relates to any matter in relation to which requirements are imposed by that certificate; and so long as any regulations made under section 12 of this Act apply to any premises, any provision of a local Act which apart from this subsection would apply in the case of those premises shall not apply in their case in so far as it relates to any matter about which provision is made in the regulations.
- (3) While this subsection applies to any premises, none of the following provisions shall apply to the premises, that is to say—

Status: Point in time view as at 10/11/2004. This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Fire Precautions Act 1971 (repealed), Cross Heading: Amendments of other Acts. (See end of Document for details)

- [^{F3}(a) section 71(1) to (4) of the ^{M2} Building Act 1984;
 - (b) section 72 (except subsection (5)) of that Act;]
 - (c) section 35 (means of escape in buildings in inner London) of the ^{M3}London Building Acts (Amendment) Act 1939; and
 - (d) any provision of a local Act which is for the time being designated for the purposes of this paragraph under subsection (5) below.
- (4) Subsection (3) above applies to—
- (a) any premises in respect of which a fire certificate is for the time being in force;
 - (b) any premises to which a notice for the time being in force under section 3 of this Act relates; and
 - (c) any premises to which any regulations made under section 12 of this Act apply.
- (5) Where it appears to the Secretary of State, as regards any provision contained in a local Act, that it is unnecessary or would be impracticable for that provision to apply to premises while they are premises to which subsection (3) above applies, he may by order designate that provision for the purposes of subsection (3)(d) above.
- (6) An order under subsection (5) above may be varied or revoked by a subsequent order thereunder.
- (7) The power to make orders under subsection (5) above shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) This section does not extend to Scotland.

Textual Amendments

F2 S. 30(1) repealed by [Building Act 1984 \(c. 55, SIF 15\)](#), s. 133(2), [Sch. 7](#)

F3 S. 30(3)(a)(b) substituted by [Building Act 1984 \(c. 55, SIF 15\)](#), [Sch. 6 para. 13](#)

Modifications etc. (not altering text)

C1 S. 30 applied (with modifications) by [S.I. 1997/1840](#), [reg. 17\(1\)\(2\)](#)

Marginal Citations

M2 [1984 c. 55 \(15\)](#)

M3 [1939 c. xcvi](#).

31 Suspension of terms and conditions of licences dealing with same matters as fire certificates or regulations.

- (1) Where any enactment provides for the licensing of premises of any class or description and the authority responsible for issuing licences thereunder is required or authorised to impose terms, conditions or restrictions in connection with the issue of such licences, then, in the case of any premises of that class or description—
- (a) so long as there is in force with respect to the premises a fire certificate covering the use of the premises by reason of which a licence under that enactment is required, any term, condition or restriction imposed in connection with the issue under that enactment of any licence with respect to those premises shall be of no effect in so far as it relates to any matter in relation to which requirements are or could be imposed by that certificate; and

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(b) without prejudice to paragraph (a) above, so long as there are in force under section 12 of this Act any regulations applying to the premises in respect of that use, any term, condition or restriction imposed as aforesaid shall be of no effect in so far as it relates to any matter about which provision is made in the regulations.

(2) References in this section to the issue of licences include references to their renewal, transfer or variation.

32 Provision for securing exercise of local Act powers in conformity with this Act.

A person required by or under a local Act to do any thing in relation to any premises shall not be treated as having acted in contravention of that Act by reason of his failure to do that thing in so far as the failure is attributable to the fact that remedying it would involve a contravention of this Act or of regulations made under section 12 thereof.

Modifications etc. (not altering text)

C2 S. 32 applied (with modifications) by [S.I. 1997/1840](#), [reg. 17\(1\)\(2\)](#)

^{F4}33 Amendment of Offices, Shops and Railway Premises Act 1963.

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Textual Amendments

F4 S. 33 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 13](#)

PROSPECTIVE

^{F5}34 Modification of Rent Act 1968 and corresponding Scottish Acts.

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Textual Amendments

F5 S. 34 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1, Pt 13](#)

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