



# Fire and Rescue Services Act 2004

## 2004 CHAPTER 21

### PART 6

#### SUPPLEMENTARY

##### *Powers in the event of emergency etc*

#### **44 Powers of fire-fighters etc in an emergency etc**

- (1) An employee of a fire and rescue authority who is authorised in writing by the authority for the purposes of this section may do anything he reasonably believes to be necessary—
- (a) if he reasonably believes a fire to have broken out or to be about to break out, for the purpose of extinguishing or preventing the fire or protecting life or property;
  - (b) if he reasonably believes a road traffic accident to have occurred, for the purpose of rescuing people or protecting them from serious harm;
  - (c) if he reasonably believes an emergency of another kind to have occurred, for the purpose of discharging any function conferred on the fire and rescue authority in relation to the emergency;
  - (d) for the purpose of preventing or limiting damage to property resulting from action taken as mentioned in paragraph (a), (b) or (c).
- (2) In particular, an employee of a fire and rescue authority who is authorised as mentioned in subsection (1) may under that subsection—
- (a) enter premises or a place, by force if necessary, without the consent of the owner or occupier of the premises or place;
  - (b) move or break into a vehicle without the consent of its owner;
  - (c) close a highway;
  - (d) stop and regulate traffic;
  - (e) restrict the access of persons to premises or a place.

<sup>F1</sup>(3) .....

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**Changes to legislation:** There are currently no known outstanding effects for the Fire and Rescue Services Act 2004, Cross Heading: Powers in the event of emergency etc. (See end of Document for details)

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<sup>F1</sup>(4) .....

**Textual Amendments**

- F1** S. 44(3)(4) repealed (20.2.2007) by [Emergency Workers \(Obstruction\) Act 2006 \(c. 39\)](#), **ss. 6, 7(2)**; [S.I. 2007/153](#), **art. 2**; [S.I. 2007/153](#), **art. 2**

**Modifications etc. (not altering text)**

- C1** S. 44 applied (with modifications) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), **arts. 1(2), 17(2)**

**Commencement Information**

- I1** S. 44 in force at 7.9.2004 for specified purposes except in relation to W. and 1.10.2004 otherwise except in relation to W. by [S.I. 2004/2304](#), **art. 2** (with **art. 3**)
- I2** S. 44 in force at 10.11.2004 for W. by [S.I. 2004/2917](#), **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Fire and Rescue Services Act 2004,  
Cross Heading: Powers in the event of emergency etc.