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STATUTORY INSTRUMENTS

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**2005 No. 1541**

**The Regulatory Reform (Fire Safety) Order 2005**

**PART 2**

**FIRE SAFETY DUTIES**

**Elimination or reduction of risks from dangerous substances**

**12.**—(1) Where a dangerous substance is present in or on the premises, the responsible person 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 his duty under paragraph (1), the responsible 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), the responsible person must, so far as is reasonably practicable, apply measures consistent with the risk assessment and appropriate to the nature of the activity or operation, including the measures specified in Part 4 of Schedule 1 to this Order to—

- (a) control the risk, and
  - (b) mitigate the detrimental effects of a fire.
- (4) The responsible person must—
- (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 this Order for ensuring the elimination or reduction of risk are maintained.