
STATUTORY INSTRUMENTS

2005 No. 1541

The Regulatory Reform (Fire Safety) Order 2005

PART 5

MISCELLANEOUS

Guidance

50.—(1) The Secretary of State must ensure that such guidance, as he considers appropriate, is available to assist responsible persons in the discharge of the duties imposed by articles 8 to [F¹22B] and by regulations made under article 24.

[F²(1A) Where in any proceedings it is alleged that a person has contravened a provision of articles 8 to [F³22B] or of regulations made under article 24 F⁴ ...—

- (a) proof of a failure to comply with any applicable F⁵... guidance may be relied on as tending to establish that there was such a contravention, and
- (b) proof of compliance with any applicable F⁶... guidance may be relied on as tending to establish that there was no such contravention.]

(2) In relation to the duty in paragraph (1), the guidance may, from time to time, be revised.

[F⁷(2A) Before revising or withdrawing any risk based guidance in relation to relevant buildings the Secretary of State must consult such persons as the Secretary of State considers appropriate.]

(3) The Secretary of State shall be treated as having discharged his duty under paragraph (1) where—

- (a) guidance has been made available before this article comes into force; and
- (b) he considers that the guidance is appropriate for the purpose mentioned in paragraph (1).

[F⁸(4) In this article—

“relevant building” means a building in England containing two or more sets of domestic premises;

“risk based guidance” means guidance under paragraph (1) about how a person who is subject to the duties mentioned there in relation to more than one set of premises is to prioritise the discharge of those duties in respect of the different premises by reference to risk.]

Textual Amendments

F1 Word in art. 50(1) substituted (1.10.2023) by Building Safety Act 2022 (c. 30), ss. 156(11)(a), 170(4)(b)(c); S.I. 2023/362, reg. 4; S.I. 2023/914, reg. 3

F2 Art. 50(1A) inserted (16.5.2022) by Fire Safety Act 2021 (c. 24), ss. 3(2), 4(5); S.I. 2022/544, reg. 2

F3 Word in art. 50(1A) substituted (1.10.2023) by Building Safety Act 2022 (c. 30), ss. 156(11)(b)(i), 170(4)(b)(c); S.I. 2023/362, reg. 4; S.I. 2023/914, reg. 3

F4 Words in art. 50(1A) omitted (1.10.2023) by virtue of Building Safety Act 2022 (c. 30), ss. 156(11)(b)(ii), 170(4)(b)(c); S.I. 2023/362, reg. 4; S.I. 2023/914, reg. 3

Changes to legislation: The Regulatory Reform (Fire Safety) Order 2005, Section 50 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- F5** Words in art. 50(1A)(a) omitted (1.10.2023) by virtue of Building Safety Act 2022 (c. 30), **ss. 156(11)(b)(iii)**, 170(4)(b)(c); S.I. 2023/362, reg. 4; S.I. 2023/914, reg. 3
- F6** Words in art. 50(1A)(b) omitted (1.10.2023) by virtue of Building Safety Act 2022 (c. 30), **ss. 156(11)(b)(iv)**, 170(4)(b)(c); S.I. 2023/362, reg. 4; S.I. 2023/914, reg. 3
- F7** Art. 50(2A) inserted (16.5.2022) by Fire Safety Act 2021 (c. 24), **ss. 3(3)**, 4(5); S.I. 2022/544, **reg. 2**
- F8** Art. 50(4) inserted (16.5.2022) by Fire Safety Act 2021 (c. 24), **ss. 3(4)**, 4(5); S.I. 2022/544, **reg. 2**

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- art. 9A inserted by [2022 c. 30 s. 156\(4\)](#)