



Fire (Scotland) Act 2005

2005 asp 5

PART 2

FIRE AND RESCUE SERVICES

CHAPTER 6

MUTUAL ASSISTANCE ETC.

Performance of functions by others

36 Arrangements for carrying out of functions by others

- (1) A relevant authority may enter into arrangements with a relevant person for the carrying out by that person of a function conferred on the authority by virtue of any of sections 8 to 11, 13 and 61.
- (2) In subsection (1) “relevant person” means—
 - (a) in the case of arrangements in relation to the authority’s function of extinguishing fires—
 - (i) another relevant authority; or
 - (ii) any other person who employs fire-fighters;
 - (b) in any other case—
 - (i) another relevant authority; or
 - (ii) any other person.
- (3) Arrangements under this section may include provision as to the terms (including terms as to payment) on which any function is to be carried out.

37 Section 36: directions

- (1) The Scottish Ministers may—
 - (a) direct two relevant authorities to enter into arrangements under section 36; or
 - (b) direct two relevant authorities who have entered into such arrangements—

Status: This is the original version (as it was originally enacted).

- (i) to vary the arrangements in the terms specified in the direction; or
 - (ii) to terminate the arrangements.
- (2) Before giving a direction under this section, the Scottish Ministers—
 - (a) shall give the authorities concerned an opportunity to make representations;
and
 - (b) may cause an inquiry to be held.
- (3) The Scottish Ministers may give a direction under this section only where, after considering—
 - (a) any representations made under subsection (2)(a); and
 - (b) the report of any person by whom any inquiry under subsection (2)(b) is held,
they consider it expedient to do so with a view to securing greater economy, efficiency
and effectiveness.
- (4) A direction given under this section may be varied or revoked by a further such
direction.