



# Fire (Scotland) Act 2005

## 2005 asp 5

### PART 3

#### FIRE SAFETY

#### CHAPTER 1

#### FIRE SAFETY DUTIES

##### *Duties*

#### **54 Duties in relation to relevant premises**

- (1) Where a person has control to any extent of relevant premises the person shall, to that extent, comply with subsection (2).
- (2) The person shall—
  - (a) carry out an assessment of the relevant premises for the purpose of identifying any risks to the safety of relevant persons in respect of harm caused by fire in the relevant premises; and
  - (b) take in relation to the relevant premises such of the fire safety measures as in all the circumstances it is reasonable for a person in his position to take to ensure the safety of relevant persons in respect of harm caused by fire in the relevant premises.
- (3) If a person falls within subsection (1) other than by virtue of—
  - (a) having control to any extent of relevant premises in connection with the carrying on by the person (whether for profit or not) of an undertaking; or
  - (b) owning relevant premises,the person who owns the relevant premises shall also comply with subsection (2).
- (4) A person who has, by virtue of a contract or tenancy, an obligation of any extent in relation to—
  - (a) the maintenance or repair of—
    - (i) relevant premises; or

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**Changes to legislation:** There are currently no known outstanding effects for the Fire (Scotland) Act 2005, Section 54. (See end of Document for details)

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- (ii) anything in relevant premises; or
  - (b) safety in respect of harm caused by fire in relevant premises,shall also comply, to the extent of the obligation, with subsection (2).
- (5) Where under subsection (2)(a) a person carries out an assessment, the person shall—
  - (a) in accordance with regulations under section 57, review the assessment; and
  - (b) take in relation to the relevant premises such of the fire safety measures as in all the circumstances it is reasonable for a person in his position to take to ensure the safety of relevant persons in respect of harm caused by fire in the relevant premises.

**Changes to legislation:**

There are currently no known outstanding effects for the Fire (Scotland) Act 2005, Section 54.