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## STATUTORY INSTRUMENTS

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# 2006 No. 1254

## The Fire and Rescue Services (Northern Ireland) Order 2006

### PART III

#### FIRE SAFETY

#### CHAPTER II

#### ENFORCEMENT

##### Alterations notices

**38.**—(1) Where paragraph (2) or (3) applies in relation to relevant premises, the Board may serve an alterations notice on the appropriate person.

(2) This paragraph applies where there would be a serious risk to relevant persons in respect of harm caused by fire in the relevant premises.

(3) This paragraph applies where—

- (a) paragraph (2) does not apply; but
- (b) if any of the changes specified in paragraph (5) were made, it is likely that paragraph (2) would apply.

(4) An alterations notice is a notice requiring the appropriate person where—

- (a) it is proposed that a change specified in paragraph (5) be made to the relevant premises; and
- (b) if made, the change would constitute a serious risk to relevant persons in respect of harm caused by fire in the relevant premises,

to notify the Board of the change before it is made.

(5) The changes referred to in paragraphs (3) and (4) are—

- (a) a change to the relevant premises;
- (b) a change to the services, fittings or equipment on the relevant premises;
- (c) an increase in the quantities of dangerous substances which are present on the relevant premises; and
- (d) a change in any use to which the relevant premises are put.

(6) The Board may include in an alterations notice provision requiring the appropriate person—

- (a) to keep records of such information as, by virtue of sub-paragraph (d) of paragraph (2) of Article 29, is specified in regulations under paragraph (1) of that Article;
- (b) to keep records of arrangements made, in accordance with regulations under Article 30(1) for the planning, organisation, control, monitoring or review of the fire safety measures; and
- (c) if notifying the Board of a proposed change, to give the Board—
  - (i) a copy of the assessment under Article 25 or, as the case may be, 26; and

(ii) a summary of the changes the appropriate person proposes to make to the fire safety measures.

(7) Where the Board has served an alterations notice on an appropriate person, the Board may, by notice in writing to the appropriate person, withdraw the alterations notice.

(8) In this Article, “appropriate person”, in relation to relevant premises, means a person subject to a requirement under Article 25 or 26 in relation to the relevant premises.

**Changes to legislation:**

There are currently no known outstanding effects for the The Fire and Rescue Services (Northern Ireland) Order 2006, Section 38.