
STATUTORY INSTRUMENTS

2006 No. 1254

The Fire and Rescue Services (Northern Ireland) Order 2006

PART III

FIRE SAFETY

CHAPTER V

INTERPRETATION

Interpretation of Part III

52.—(1) In this Part—

“authorised officer” means a fire and rescue officer who is authorised in writing by the Chief Fire and Rescue Officer under Article 33;

“employee” has the meaning given by Article 2(2) of the Health and Safety at Work (Northern Ireland) Order 1978 (NI 9);

“fire safety duties” means—

- (a) the duties imposed by Articles 25, 26, 27 and 28; and
- (b) any duties imposed by regulations made under Article 29 or 30;

“fire safety measures” shall be construed in accordance with Article 51;

“house in multiple occupation” has the meaning given by [F1section 1 of the Houses in Multiple Occupation Act (Northern Ireland) 2016] ;

“operational task” means—

- (a) a function such as is mentioned in sub-paragraph (a) or (b) of paragraph (1) of Article 5;
- (b) a function such as is mentioned in sub-paragraph (a) or (b) of paragraph (1) of Article 6; or
- (c) a function such as is mentioned in an order under Article 7(1);

“owner”, in relation to premises, means any person who is for the time being receiving a rack rent of the premises, whether on his own account or as agent or trustee for any other person or who would so receive the same if the premises were let at a rack rent;

“public road” has the meaning given by Article 2(2) of the Road Traffic Regulation (Northern Ireland) Order 1997 (NI 2);

“rack rent” has the meaning given by Article 2(2) of the Rates (Northern Ireland) Order 1977 (NI 28);

“relevant person”, in relation to premises, means—

- (a) any person who is, or may be, lawfully in the premises; or
- (b) any person—
 - (i) who is, or may be, in the immediate vicinity of the premises; and

(ii) whose safety would be at risk in the event of fire in the premises;
but does not include a fire and rescue officer who is engaged in the performance of an operational task and, in its application to Article 26, a person such as is mentioned in paragraph (2);

“relevant premises” shall be construed in accordance with Article 50;

“visiting force” means any such body, contingent or detachment of the forces of any country as is a visiting force for the purposes of any of the provisions of the Visiting Forces Act 1952 (c. 67);

“work” and “at work” shall be construed in accordance with Article 2 of the Health and Safety at Work (Northern Ireland) Order 1978 (NI 9);

“workplace”, in relation to an employer and his employees, means any relevant premises which are used for the purposes of an undertaking carried on by the employer and made available to an employee of the employer as a place of work; and includes–

- (a) any part of those premises to which an employee of the employer has access while at work; and
- (b) any relevant premises (other than a public road)–
 - (i) which are a means of access to or egress from the place of work; or
 - (ii) where facilities are provided for use in connection with the place of work.

(2) The person is, where the person (“the employer”) subject to the requirement to carry out an assessment or a review under Article 26 is also subject to the requirement to carry out an assessment or a review under Article 25, any employee of that employer.

(3) For the purposes of Article 28, references in the definition of “relevant person” in paragraph (1) to premises shall be construed as references to the workplace.

Textual Amendments

F1 Words in art. 52(1) substituted (1.4.2019) by [Houses in Multiple Occupation Act \(Northern Ireland\) 2016 \(c. 22\)](#), s. 90(2), [Sch. 7 para. 7](#); S.R. 2019/39, art. 2 (with art. 3)

Changes to legislation:

There are currently no known outstanding effects for the The Fire and Rescue Services (Northern Ireland) Order 2006, Section 52.