

SCHEDULE 1

MODIFICATIONS OF PUBLIC GENERAL ACTS

The Fire Precautions Act 1971 (c. 40)

3.—(1) The Fire Precautions Act 1971 is amended as follows.

(2) In the provisions mentioned in sub paragraph (3), for “fire authority” (in each place) substitute “appropriate authority”.

(3) The provisions are—

- (a) in section 1 (use of premises requiring fire certificate), subsections (1) and (3A)(1);
- (b) in section 3 (power of fire authority to make fire certificates compulsory), subsections (3) to (5) and (7);
- (c) in section 4 (rights of appeal against and coming into force of section 3 notices), subsection (4);
- (d) in section 5 (application for and issue of fire certificates), subsections (1) to (4)(2);
- (e) in section 5A(3) (powers of fire authorities to grant exemptions), subsections (1) to (5) and (7) to (9);
- (f) in section 5B(4) (withdrawal of exemptions), subsections (1) to (3) and (5);
- (g) in section 6 (contents of fire certificate), subsections (2) and (5) to (7);
- (h) in section 8 (change of conditions affecting adequacy of certain matters specified in fire certificates, etc), subsections (1) to (7), (9), (11) and (12);
- (i) in section 8A(5) (change of conditions affecting premises for which exemption has been granted), subsection (1);
- (j) in section 8B(6) (charges in relation to fire certificates), subsections (1) and (3);
- (k) in section 9 (rights of appeal in respect of sections 5 to 8), subsections (1) to (3);
- (l) in section 9A(7) (duty as to means of escape and for fighting fire), subsection (2);
- (m) in section 9D(8) (improvement notices), subsections (1) and (2);
- (n) in section 10(9) (prohibition notices), subsections (2) to (4) and (7);
- (o) in section 12(10) (power to make regulations about fire precautions), subsections (7), (8) and (10);
- (p) in section 14 (exercise of certain powers of fire authority in Scotland), subsections (1) and (2);

(1) Subsection (3A) was inserted by section 8(2)(a) of the Fire Safety and Safety of Places of Sport Act 1987 (c. 27).

(2) Subsections (2) and (3) were amended by sections 8(2)(a) and sections 1(3) and 50(2) of the Fire Safety and Safety of Places of Sport Act 1987 (c. 27).

(3) Subsection 5A was inserted by section 1(4) of the Fire Safety and Safety of Places of Sport Act 1987 (c. 27).

(4) Subsection 5B was inserted by section 1(4) of the Fire Safety and Safety of Places of Sport Act 1987 (c. 27).

(5) Section 8A was inserted by section 2(1) of the Fire Safety and Safety of Places of Sport Act 1987 (c. 27).

(6) Section 8B was inserted by section 3 of the Fire Safety and Safety of Places Sport Act 1987 (c. 27).

(7) Section 9A was substituted by section 5 of the Fire Safety and Safety of Places of Sport Act 1987 (c. 27).

(8) Section 9D was inserted by section 7(1) of the Fire Safety and Safety of Places of Sport Act 1987 (c. 27).

(9) Section 10 was substituted by section 9(1) of the Fire Safety and Safety of Places of Sport Act 1987 (c. 27).

(10) Section 12 was amended by section 7(2) of the Fire Safety and Safety of Places of Sport Act 1987 (c. 27).

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- (q) in section 17(**11**) (duty of fire authorities to consult other authorities before requiring building alterations), subsections (1) and (2);
 - (r) in section 18(**12**) (enforcement of Act), subsections (1) and (2);
 - (s) in section 27A(**13**) (civil and other liability), paragraph (a); and
 - (t) in Schedule 2(**14**) (special provision for certain premises), paragraph 3(5).
- (4) In section 20 (exercise of inspectors' powers)–
- (a) in subsection (1), for “officer of the fire brigade maintained by the fire authority” substitute “employee of the appropriate authority”; and
 - (b) in subsection (2)–
 - (i) for “officer of a fire brigade” substitute “employee of an appropriate authority”; and
 - (ii) for “fire authority who maintain that brigade” substitute “appropriate authority”.
- (5) In section 40 (application to Crown)–
- (a) in subsection (3)–
 - (i) for “fire authority” substitute “appropriate authority”; and
 - (ii) omit “or any person authorised by the Secretary of State to act for the purposes of this section”;
 - (b) in subsection (4)–
 - (i) for “officer of the fire brigade maintained by the fire authority” substitute “employee of the appropriate authority”;
 - (ii) for “officer of a fire brigade” substitute “employee of an appropriate authority”; and
 - (iii) for “fire authority who maintain that brigade” substitute “appropriate authority”; and
 - (c) in subsection (6), for “officer of the fire brigade maintained by the fire authority” substitute “employee of the appropriate authority”.
- (6) In section 41 (application to UK Atomic Energy Authority premises)–
- (a) in paragraph (a)–
 - (i) for “fire authority” substitute “appropriate authority”; and
 - (ii) omit “or any person authorised by the Secretary of State to act for the purposes of this section”; and
 - (b) in paragraph (b), for “officer of the fire brigade maintained by the fire authority” substitute “employee of the appropriate authority”.
- (7) In sub-section (1) of section 43 (interpretation)–
- (a) after “Act–” insert–
 - ““appropriate authority”, in relation to any premises or proposed premises, means the relevant authority (as defined in section 6 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#)) for the area in which the premises are or are to be situated;”; and
 - (b) in the definition of “fire inspector”, for “section 24 of the Fire Services Act 1947”(15) substitute “section 43 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#)”.

(11) Section 17 was amended by Schedule 15 Part II and Schedule 29 of the Local Government (Scotland) Act 1973 (c. 65), section 78(1)(6) of the Health and Safety at Work etc. Act 1974 (c. 37) and section 7(3) of the Fire Safety and Safety of Places of Sport Act 1987 (c. 27).

(12) Section 18 was amended by section 78(1)(7) of the Health and Safety at Work etc. Act 1974 (c. 27).

(13) Section 27A was inserted by section 12 of the Fire Safety and Safety of Places of Sport Act 1987 (c. 27).

(14) Schedule 2 was inserted by section 16(2) and Schedule 1 of the Fire Safety and Safety of Places of Sport Act 1987 (c. 27).

(15) 1947 c. 41.

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