

SCHEDULES

SCHEDULE 8

Section 78.

TRANSITIONAL PROVISIONS WITH RESPECT TO FIRE CERTIFICATES UNDER FACTORIES ACT 1961 OR OFFICES, SHOPS AND RAILWAY PREMISES ACT 1963

- 1 In this Schedule—
- " the 1971 Act " means the Fire Precautions Act 1971 ;
 - " 1971 Act certificate" means a fire certificate within the meaning of the 1971 Act;
 - " Factories Act certificate " means a certificate under section 40 of the Factories Act 1961 (means of escape in case of fire-certification by fire authority);
 - " Offices Act certificate" means a fire certificate under section 29 of the Offices, Shops and Railway Premises Act 1963.
- 2 (1) Where by virtue of an order under section 1 of the 1971 Act a 1971 Act certificate becomes required in respect of any premises at a time when there is in force in respect of those premises a Factories Act certificate or an Offices Act certificate (" the existing certificate"), the following provisions of this paragraph shall apply.
- (2) The existing certificate shall continue in force (irrespective of whether the section under which it was issued remains in force) and—
- (a) shall as from the said time be deemed to be a 1971 Act certificate validly issued with respect to the premises with respect to which it was issued and to cover the use or uses to which those premises were being put at that time; and
 - (b) may (in particular) be amended, replaced or revoked in accordance with the 1971 Act accordingly.
- (3) Without prejudice to sub-paragraph (2)(b) above, the existing certificate, as it has effect by virtue of sub-paragraph (2) above, shall as from the said time be treated as imposing in relation to the premises the like requirements as were previously imposed in relation thereto by the following provisions, that is to say—
- (a) if the existing certificate is a Factories Act certificate, the following provisions of the Factories Act 1961, namely sections 41(1), 48 (except subsections (5), (8) and (9)), 49(1), 51(1) and 52(1) and (4) and, so far as it relates to a proposed increase in the number of persons employed in any premises, section 41(3);
 - (b) if the existing certificate is an Offices Act certificate the following provisions of the Offices, Shops and Railway Premises Act 1963, namely sections 30(1), 33, 34(1) and (2), 36(1) and 38(1) and, so far as it relates to a proposed increase in the number of persons employed to work in any premises at any one time, section 30(3).
- 3 Any application for a Factories Act certificate or an Offices Act certificate with respect to any premises which is pending at the time when by virtue of an order under section 1 of the 1971 Act a 1971 Act certificate becomes required in respect of those premises shall be deemed to be an application for a 1971 Act certificate in

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respect of them duly made in accordance with the 1971 Act and may be proceeded with accordingly; but (without prejudice to section 5(2) of the 1971 Act) the fire authority may, as a condition of proceeding with such an application, require the applicant to specify any matter or give them any information which would ordinarily have been required by section 5(1) of that Act.