



Fire Safety and Safety of Places of Sport Act 1987

1987 CHAPTER 27

PART I

FIRE SAFETY

Exemption from requirement to have fire certificate

1 Power to exempt from requirement to have fire certificate

- (1) The Fire Precautions Act 1971 (in this Part referred to as "the principal Act") shall have effect with the following amendments.
- (2) In section 1 (designated uses requiring cover by fire certificates)—
 - (a) after subsection (3) there shall be inserted the following subsection—

“(3A) An order under this section may, as respects any designated use, specify descriptions of premises which qualify for exemption by a fire authority under section 5A of this Act from the requirement for a fire certificate in respect of premises which are put to that use.”; and
 - (b) in subsection (4) (methods of description), after the words "subsection (3)" there shall be inserted the words "or (3A)", after the words "use for any purpose" there shall be inserted the words "or their situation, construction or arrangement" and for the words "that subsection" there shall be substituted the words "subsection (3) or (3A) above".
- (3) In section 5(3) (duty of fire authority to inspect premises on application for fire certificate) after the words "duty of the fire authority" there shall be inserted the words "to consider whether or not, in the case of premises which qualify for exemption under section 5A of this Act, to grant exemption and, if they do not grant it, it shall be their duty".
- (4) After section 5 there shall be inserted the following sections—

“5A Powers for fire authority to grant exemption in particular cases.

- (1) A fire authority may, if they think fit as regards any premises which appear to them to be premises qualifying for exemption under this section as respects any particular use, grant exemption from the requirement, to have a fire certificate covering that use.
- (2) Exemption under this section for any premises as respects any use of them may be granted by the fire authority, with or without the making of an application for the purpose,—
 - (a) on the making of an application for a fire certificate with respect to the premises covering that use; or
 - (b) at any time during the currency of a fire certificate with respect to the premises which covers that use.
- (3) In deciding whether or not to grant exemption under this section for any premises the fire authority shall have regard to all the circumstances of the case and in particular to the degree of seriousness of the risk in case of fire to persons in the premises.
- (4) For the purpose of making that decision the fire authority may—
 - (a) require the applicant or, as the case may be, the occupier of the premises to give such information as they require about the premises and any matter connected with them; and
 - (b) cause to be carried out an inspection of the relevant building.
- (5) The fire authority shall not grant exemption under this section for any premises without causing an inspection to be carried out under subsection (4) above unless they have caused the premises to be inspected (under that or any other power) within the preceding twelve months.
- (6) The effect of the grant of exemption under this section as respects any particular use of premises is that, during the currency of the exemption, no fire certificate in respect of the premises is required to cover that use and accordingly—
 - (a) where the grant is made on an application for a fire certificate, the grant disposes of the application or of so much of it as relates to that use; and
 - (b) where the grant is made during the currency of a fire certificate, the certificate shall wholly or as respects that use cease to have effect.
- (7) On granting an exemption under this section, the fire authority shall, by notice to the applicant for the fire certificate or the occupier of the premises, as the case may be, inform him that they have granted exemption as respects the particular use or uses of the premises specified in the notice and of the effect of the grant.
- (8) A notice of the grant of exemption for any premises as respects a particular use of them may include a statement specifying the greatest number of persons of a description specified in the statement for the purposes of that use who, in the opinion of the fire authority, can safely be in the premises at any one time.

- (9) Where a notice of the grant of exemption for any premises includes a statement under subsection (8) above, the fire authority may, by notice served on the occupier of the premises, direct that, as from a date specified in the notice, the statement—
- (a) is cancelled; or
 - (b) is to have effect as varied by the notice;
- and, on such a variation the statement shall be treated, so long as the variation remains in force, as if the variation were specified in it.

5B Withdrawal of exemptions under s.5a.

- (1) A fire authority who have granted an exemption under section 5A of this Act from the requirement to have a fire certificate covering any particular use of premises may, if they think fit, at any time, withdraw the exemption in accordance with subsections (2) to (4) below.
- (2) In deciding whether or not to withdraw an exemption they have granted the fire authority shall have regard to all the circumstances of the case and in particular to the degree of seriousness of the risk in case of fire to persons in the premises.
- (3) The fire authority may withdraw an exemption they have granted as respects any particular use of premises without exercising any of the powers of inspection or inquiry conferred by section 19 of this Act but they shall not withdraw the exemption without first giving notice to the occupier of the premises that they propose to withdraw it and the reasons for the proposal, and giving him an opportunity of making representations on the matter.
- (4) An exemption shall be withdrawn by serving a notice on the occupier of the premises to which the exemption relates stating that the exemption will cease to have effect as respects the particular use or uses of the premises specified in the notice on such date as is so specified, being a date not earlier than the end of the period of fourteen days beginning with the date on which service of the notice is effected.
- (5) If premises cease to qualify for exemption under section 5A of this Act a fire authority who have granted an exemption under that section shall notify the occupier of the premises of the fact and date of the cessation of the exemption.”

2 Exemption from requirement to have fire certificate: supplementary

- (1) After section 8 of the principal Act there shall be inserted the following section—

“8A Change of conditions affecting premises for which exemption has been granted.

- (1) If, during the currency of an exemption granted under section 5A of this Act for any premises, it is intended to carry out in relation to those premises any proposals to which this section applies, the occupier shall, before the carrying out of the proposals is begun, give notice of the proposals to the fire authority;

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and if the carrying out of the proposals is begun without such notice having been given, the occupier shall be guilty of an offence.

- (2) This section applies to the following proposals, namely, any proposal—
- (a) to make—
 - (i) an extension of, or structural alteration to, the premises which would affect the means of escape from the premises; or
 - (ii) an alteration in the internal arrangement of the premises, or in the furniture or equipment with which the premises are provided, which would affect the means of escape from the premises; or
 - (b) on the part of the occupier, to begin to keep explosive or highly flammable materials of any prescribed kind anywhere under, in or on the building which constitutes or comprises the premises in a quantity or aggregate quantity greater than the quantity prescribed for the purposes of this paragraph as the maximum in relation to materials of that kind; or
 - (c) in a case where the notice of exemption under section 5A of this Act includes a statement under subsection (8) of that section, to make such a use of the premises as will involve there being in the premises at any one time a greater number of persons in relation to whom the statement applies than is specified or treated as specified in the statement.
- (3) A person guilty of an offence under subsection (1) above shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years, or both.”
- (2) In section 19(2) of the principal Act (premises within powers of inspection etc. of inspectors), after paragraph (a), there shall be inserted the following paragraph—
- “(aa) any premises in respect of which there is in force an exemption under section 5A of this Act from the requirement for a fire certificate with respect to them;”.

Charges for fire certification work

3 Charges for fire certification work

After the section 8A of the principal Act inserted by section 2 above there shall be inserted the following section—

“8B Charges for issue or amendment of fire certificates.

- (1) Where a fire authority—
- (a) issue a fire certificate under section 5 of this Act, or
 - (b) except in a case falling within subsection (2) below, amend a fire certificate or, as an alternative to amendment, issue a new fire certificate, under section 8 of this Act,

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the applicant for the certificate or, as the case may be, the occupier of the premises to which the amended or new certificate relates shall pay to the authority such fee as the authority determine.

- (2) No fee shall be chargeable for the amendment of a fire certificate, or issue of a new fire certificate embodying amendments, under section 8(6) of this Act in a case where the amendment or amendments is or are made in consequence of the coming into force of regulations under section 12 of this Act.
- (3) A fee charged by a fire authority under this section in connection with the issue of a fire certificate or the amendment of a, or issue of a new, fire certificate shall not exceed an amount which represents the cost to the authority of the work reasonably done by them for the purposes of the issue of the certificate or, as the case may be, the amendment of the certificate or issue of the new certificate, other than the cost of any inspection of the premises.”

Means of escape and for fighting fire

4 Means of escape: scope of regulation

- (1) The following amendments of the principal Act with regard to means of escape from premises in case of fire shall have effect.
- (2) In section 5 (applications for and issue of fire certificates), the following subsection shall be added at the end—
 - “(5) In this Act, "escape", in relation to premises, means escape from them to some place of safety beyond the building which constitutes or comprises the premises and any area enclosed by it or enclosed with it; and accordingly, for the purposes of any provision of this Act relating to means of escape, consideration may be given to, and conditions or requirements imposed as respects, any place or thing by means of which a person escapes from premises to a place of safety.”
- (3) In section 43(1) (interpretation), after the definition of "designated use", there shall be inserted the following—
 - “'escape' has the meaning assigned to it by section 5(5) of this Act and 'means of escape' is to be construed in accordance with that subsection;”.

5 General duty as to means of escape and for fighting fire

For section 9A of the principal Act (duty to provide certain premises with means of escape in case of fire) there shall be substituted the following section—

“9A Duty as to means of escape and for fighting fire.

- (1) All premises to which this section applies shall be provided with—
 - (a) , such means of escape in case of fire, and
 - (b) such means for fighting fire,as may reasonably be required in the circumstances of the case.
- (2) The premises to which this section applies are premises which are exempt from the requirement for a fire certificate by virtue of—

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- (a) a provision made in an order under section 1 of this Act by virtue of subsection (3) of that section, or
 - (b) the grant of exemption by a fire authority under section 5A of this Act.
- (3) In the event of a contravention of the duty imposed by subsection (1) above the occupier of the premises shall, except as provided in subsection (4) below, be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (4) A person is not guilty of an offence under this section in respect of any contravention of the duty imposed by subsection (1) above which is the subject of an improvement notice under section 9D of this Act.”

6 Codes of practice

After the section 9A of the principal Act substituted by section 5 above there shall be inserted the following sections—

“9B Codes of practice as to means of escape and for fighting fire.

- (1) The Secretary of State may from time to time, after consultation with such persons or bodies of persons as appear to him requisite—
- (a) prepare and issue codes of practice for the purpose of providing practical guidance on how to comply with the duty imposed by section 9A of this Act; and
 - (b) revise any such code by revoking, varying, amending or adding to the provisions of the code.
- (2) A code prepared in pursuance of this section and any alterations proposed to be made on a revision of such a code shall be laid before both Houses of Parliament, and the Secretary of State shall not issue the code or revised code, as the case may be, until after the end of the period of 40 days beginning with the day on which the code or the proposed alterations were so laid.
- (3) If, within the period mentioned in subsection (2) above, either House resolves that the code be not issued or the proposed alterations be not made, as the case may be, the Secretary of State shall not issue the code or revised code (but without prejudice to his power under that subsection to lay further codes or proposed alterations before Parliament).
- (4) For the purposes of subsection (2) above—
- (a) where the code or proposed alterations are not laid before both Houses of Parliament on the same day, the later day shall be taken to be the day on which the code or the proposed alterations, as the case may be, were laid before both Houses, and
 - (b) in reckoning any period of 40 days, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (5) In this Act references to a code of practice under this section are references to such a code as it has effect for the time being, with any revisions, under this section.

9C Legal effect of codes of practice.

- (1) A failure on the part of a person to observe any provision of a code of practice under section 9B of this Act shall not of itself render him liable to any criminal or civil proceedings.
- (2) If, in any proceedings whether civil or criminal under this Act, it is alleged that there has been a contravention on the part of any person of the duty imposed by section 9A of this Act—
 - (a) a failure to observe a provision of a code of practice under section 9B of this Act may be relied on as tending to establish liability, and
 - (b) compliance with such a code may be relied on as tending to negative liability.”

7 Improvement notices

- (1) After the section 9C of the principal Act inserted by section 6 above there shall be inserted the following sections—

“9D Improvement notices.

- (1) Where a fire authority are of the opinion that the duty imposed by section 9A of this Act has been contravened in respect of any premises to which that section applies, they may serve on the occupier of those premises a notice (in this Act referred to as "an improvement notice") which—
 - (a) states they are of that opinion;
 - (b) specifies, by reference to a code of practice under section 9B of this Act if they think fit, what steps they consider are necessary to remedy that contravention; and
 - (c) requires the occupier to take steps to remedy that contravention within such period (ending not earlier than the period within which an appeal against the improvement notice can be brought under section 9E of this Act) as may be specified in the notice.
- (2) Where an improvement notice has been served under subsection (1) above—
 - (a) the fire authority may withdraw that notice at any time before the end of the period specified in the notice; and
 - (b) if an appeal against the improvement notice is not pending, the fire authority may extend or further extend the period specified in the notice.
- (3) Where any premises are premises to which section 9A of this Act applies and—
 - (a) the building which constitutes or comprises the premises is a building to which at the time of its-erection building regulations imposing requirements as to means of escape in case of fire applied; and
 - (b) in connection with the erection of that building plans were, in accordance with building regulations, deposited with a local authority,

the fire authority shall not in pursuance of subsection (1) above serve an improvement notice requiring structural or other alterations relating to the

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means of escape from the premises unless the requirements of subsection (4) below are satisfied in relation to those premises.

- (4) The requirements of this subsection are satisfied in relation to such premises as are mentioned in subsection (3) above if—
- (a) regulations are in force under section 12 of this Act applying to the premises in relation to any use of them as respects which exemption under section 5A of this Act has been granted, being regulations which impose requirements as to means of escape in case of fire, and the fire authority are satisfied that alterations to the building which constitutes or comprises the premises are necessary to bring the premises into compliance with the regulations in respect of those requirements; or
 - (b) the fire authority are satisfied that the means of escape in case of fire with which the premises are provided are inadequate in relation to any such use of the premises by reason of matters or circumstances of which particulars were not required by or under the building regulations to be supplied to the local authority in connection with the deposit of plans.
- (5) In this section "structural or other alterations relating to means of escape from the premises", in relation to any such premises as are mentioned in this section, means structural or other alterations directly connected with the provision of the premises with adequate means of escape in case of fire.
- (6) Subsections (3) to (5) above extend to England and Wales only.

9E Rights of appeal against improvement notices.

- (1) A person on whom an improvement notice is served may, within twenty-one days from the date on which the improvement notice is served, appeal to the court.
- (2) On an appeal under this section, the court may either cancel or affirm the notice, and, if it affirms it, may do so either in its original form or with such modifications as the court may in the circumstances think fit.
- (3) Where an appeal is brought under this section against an improvement notice, the bringing of the appeal shall have the effect of suspending the operation of the notice until the appeal is finally disposed of or, if the appeal is withdrawn, until the withdrawal of the appeal.

9F Provision as to offences.

- (1) It is an offence for a person to contravene any requirement imposed by an improvement notice.
- (2) Any person guilty of an offence under subsection (1) above shall be liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to a fine, or imprisonment for a term not exceeding two years, or both."

- (2) In section 14(1) of the principal Act (exercise of certain powers of fire authority in Scotland where building standards regulations as to means of escape apply), for the words "or 8" there shall be substituted the words ", 8 or (in relation to premises to which section 9A applies) 9D(1) and (2)".
- (3) In section 17(1) of the principal Act (duty of fire authorities to consult other authorities before requiring alterations to buildings), in paragraph (b), after the words "section 8(4) or (5)" there shall be inserted the words ", section 9D" and after the words "would have to be taken" there shall be inserted the words "or, in the case of a notice under section 9D, which must be taken".
- (4) In section 48(4) of the Building Act 1984, (which modifies the effect of initial notices under that Act for the purposes of the exercise of powers of a fire authority to require structural alterations where building regulations apply)—
 - (a) after the words "For the purposes of" there shall be inserted the words "section 9D and"; and
 - (b) in paragraph (b), after the words "the references in" there shall be inserted the words "subsection (4)(b) of section 9D and" and for the words "that section" there shall be substituted the words "section 13".

Interim duties as to safety of premises

8 Duties as regards safety pending determination of applications for fire certificates

- (1) The following amendments shall be made in section 5 (applications for fire certificates) and section 7 (offences) of the principal Act.
- (2) In section 5—
 - (a) in subsection (2), after the words "fire authority", there shall be inserted the words "shall notify the applicant of his duties under subsection (2A) below and"; and
 - (b) after subsection (2) there shall be inserted the following subsection—

“(2A) Where an application is made for a fire certificate with respect to any premises it is the duty of the occupier to secure that, when the application is made and pending its disposal—

 - (a) the means of escape in case of fire with which the premises are provided can be safely and effectively used at all material times;
 - (b) the means for fighting fire with which the premises are provided are maintained in efficient working order; and
 - (c) any persons employed to work in the premises receive instruction or training in what to do in case of fire.”
- (3) In section 7, after subsection (3), there shall be inserted the following subsection—

“(3A) If, pending the disposal of an application for a fire certificate with respect to any premises, the premises are put to a designated use, then, if any requirement imposed by section 5(2A) of this Act is contravened by reason of anything done or not done to or in relation to any part of the relevant building, the occupier shall be guilty of an offence.”

(4) In section 7, after subsection (5), there shall be inserted the following subsection—

“(5A) A person guilty of an offence under subsection (3A) above shall be liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.”

Premises involving serious risk to persons

9 Special procedure in case of serious risk: prohibition notices

(1) For section 10 of the principal Act (court's power to prohibit or restrict use of certain premises until excessive risk to persons in case of fire is reduced) there shall be substituted the following section—

“10 Special procedure in case of serious risk: prohibition notices.

- (1) This section applies to—
 - (a) any premises which are being or are proposed to be put to a use (whether designated or not) which falls within at least one of the classes of use mentioned in section 1(2) of this Act, other than premises of the description given in section 2 of this Act; and
 - (b) any premises to which section 3 of this Act for the time being applies.
- (2) If as regards any premises to which this section applies the fire authority are of the opinion that use of the premises involves or will involve a risk to persons on the premises in case of fire so serious that use of the premises ought to be prohibited or restricted, the authority may serve on the occupier of the premises a notice (in this Act referred to as "a prohibition notice").
- (3) The matters relevant to the assessment by the fire authority, for the purposes of subsection (2) above, of the risk to persons in case of fire include anything affecting their escape from the premises in that event.
- (4) A prohibition notice shall—
 - (a) state that the fire authority are of the opinion referred to in subsection (2) above;
 - (b) specify the matters which in their opinion give or, as the case may be, will give rise to that risk; and
 - (c) direct that the use to which the prohibition notice relates is prohibited or restricted to such extent as may be specified in the notice until the specified matters have been remedied.
- (5) A prohibition notice may include directions as to the steps which will have to be taken to remedy the matters specified in the notice.
- (6) A prohibition or restriction contained in a prohibition notice in pursuance of subsection (4)(c) above shall take effect immediately it is served if the authority are of the opinion, and so state in the notice, that the risk of serious personal injury is or, as the case may be, will be imminent, and in any other case shall take effect at the end of a period specified in the prohibition notice.
- (7) Where a prohibition notice has been served under subsection (2) above the fire authority may withdraw the notice at any time.”

- (2) After the section 10 of the principal Act substituted by subsection (1) above there shall be inserted the following sections—

“10A Rights of appeal against prohibition notices.

- (1) A person on whom a prohibition notice is served may within twenty-one days from the date on which the prohibition notice is served, appeal to the court.
- (2) On an appeal under this section, the court may either cancel or affirm the notice, and, if it affirms it may do so either in its original form or with such modifications as the court may in the circumstances think fit.
- (3) Where an appeal is brought under this section against a prohibition notice, the bringing of the appeal shall not have the effect of suspending the operation of the notice, unless, on the application of the appellant, the court so directs (and then only from the giving of the direction).

10B Provision as to offences

- (1) It shall be an offence for any person to contravene any prohibition or restriction imposed by a prohibition notice.
 - (2) In any proceedings for an offence under subsection (1) above where the person charged is a person other than the person on whom the prohibition notice was served, it shall be a defence for that person to prove that he did not know and had no reason to believe the notice had been served.
 - (3) Any person guilty of an offence under subsection (1) above shall be liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to a fine, or imprisonment for a term not exceeding two years, or both.”
- (3) In section 43(1) of the principal Act (interpretation), after the definition of "prescribed" there shall be inserted the following definition—
“"prohibition notice" has the meaning assigned by section 10(2) of this Act;”.

Inspections of premises

10 Inspections of premises

Section 18 of the principal Act (enforcement) shall be amended—

- (a) by the insertion in subsection (1), after the word "inspectors", of the words "and cause premises to be inspected"; and
- (b) by the insertion, after subsection (2), of the following subsection—
 - “(3) In performing the duty imposed by subsection (1) above so far as it requires premises in their areas to be inspected, fire authorities shall act in accordance with such guidance as the Secretary of State may give them.”

11 Disclosure of information obtained in premises

Section 21 of the principal Act (restriction on disclosure of information obtained in premises) shall be amended—

- (a) by the insertion, at the beginning, of the words "(1) Subject to subsection (2) below,"; and
- (b) by the insertion, at the end, of the following subsections—

“(2) Nothing in subsection (1) above prohibits the disclosure of information to an enforcing authority within the meaning of the Health and Safety at Work etc. Act 1974 in order to enable that authority to discharge any function falling within its field of responsibility.

(3) Section 18(7) of the Health and Safety at Work etc. Act 1974 (meaning in Part I of that Act of 'enforcing authority' and of such an authority's 'field of responsibility') shall apply for the purposes of this section as it applies for the purposes of that Part.”

*Civil and other liability***12 Civil and other liability**

(1) After section 27 of the principal Act there shall be inserted the following section—

“27A Civil and other liability.

Except in so far as this Act otherwise expressly provides, and subject to section 18 of the Interpretation Act 1978 (offences under two or more laws), the provisions of this Act shall not be construed as—

- (a) conferring a right of action in any civil proceedings (other than proceedings for the recovery of a fine) in respect of any contravention of a provision of this Act, of any regulations thereunder or of any fire certificate or notice issued or served thereunder by the fire authority; or
- (b) affecting any requirement or restriction imposed by or under any other enactment whether contained in a public general Act or in a local or private Act; or
- (c) derogating from any right of action or other remedy (whether civil or criminal) in proceedings instituted otherwise than under this Act.”

(2) In consequence of subsection (1) above, section 43(2) of the principal Act shall be omitted.

*Miscellaneous***13 Removal of exemption for premises used for public religious worship**

Premises appropriated to, and used solely or mainly for, public religious worship shall cease to be exempt from the requirement for a fire certificate if put to a designated use and accordingly—

- (a) in section 2 of the principal Act (exemptions), there shall be omitted the words from "of any of the following" to "premises" where last occurring; and
- (b) in section 12(1) (fire regulations), for the words "any description falling within any paragraph of" there shall be substituted the words "the description given in" and the words "other than paragraph (d)" shall be omitted.

14 Breaches of fire certificate requirements: restriction of defence

In section 7(4) of the principal Act (offence of contravening fire certificate requirements except where person charged does not know of his responsibility), after the words "Provided that a person" there shall be inserted the words "other than the occupier of the premises".

15 Automatic means for fighting fire

In section 5(3)(c) (fire authority to be satisfied regarding means for fighting fire before issuing a fire certificate with respect to any premises) and section 6(1)(d) (contents of a fire certificate regarding means for fighting fire) of the principal Act the words from "for use" to "the building" shall be omitted.

16 Special provision for certain premises

- (1) After section 28 of the principal Act there shall be inserted the following section—

“28A Special provision for factory, office, railway and shop premises.

- (1) This Act shall have effect in relation to premises of the descriptions specified in Part I of Schedule 2 to this Act subject to the modifications specified in Part II of that Schedule.
 - (2) The Secretary of State may by order vary the provisions of that Schedule by amending, omitting or adding to the descriptions of premises or the modifications for the time being specified in it if it appears to him to be necessary or expedient in connection with any provision made by health and safety regulations under section 15 of the Health and Safety at Work etc. Act 1974.
 - (3) The power to make an order under this section is exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.”
- (2) After the Schedule to the principal Act, which shall become Schedule 1 to that Act, there shall be inserted as Schedule 2 to that Act the Schedule set out in Schedule 1 to this Act.
- (3) In the principal Act—
- (a) in section 34 (modification of certain enactments relating to Scotland) for the words "the Schedule" there shall be substituted the words "Schedule 1"; and
 - (b) in section 43(1) (definitions) in the definition of "the court" the words "and the Schedule thereto" shall cease to have effect.

17 Extension of power to apply Act

Section 35 of the principal Act (power for Secretary of State to apply Act to vessels and movable structures) shall be amended by the insertion, at the end of paragraph (b), of the words “; and

(c) places of work in the open air of any prescribed description.”

18 Application to Crown etc.

- (1) Section 40 of the principal Act (application of Act to Crown etc.) shall have effect with the following amendments.
- (2) In subsection (1)(a) (provisions applying to premises occupied by the Crown) after "4" there shall be inserted "5(2A), 5A, 5B," and for the words "9A (except subsection (4))" there shall be substituted the words "9A (except subsections (3) and (4)), 9B and 9C".
- (3) In subsection (1)(b) (provisions applying to premises owned but not occupied by the Crown), after "8" there shall be inserted "8A, 8B,", after "9A" there shall be inserted "9B, 9C, 9D, 9F," and after " 10," there shall be inserted "10B,".
- (4) After subsection (10A), there shall be inserted the following subsection—

“(10B) This Act shall apply to premises occupied by the National Radiological Protection Board as if they were premises occupied by the Crown.”