

*These notes refer to the Fire and Rescue Services Act 2004  
(c.21) which received Royal Assent on Thursday 22 July 2004*

# **FIRE AND RESCUE SERVICES ACT 2004**

---

## **EXPLANATORY NOTES**

### **TERRITORIAL APPLICATION**

10. The Act devolves the remaining responsibilities for fire and rescue authorities in Wales to the National Assembly for Wales, taking forward the commitment to do so set out in the *Our Fire and Rescue Service* White Paper. The Act has therefore been drafted in liaison and agreement with officials from the Assembly and the Wales Office. As set out in section 62 (Wales), any reference to the “Secretary of State” in Parts 1 to 6 and sections 60 and 61 of the Act should be treated as a reference to the “National Assembly for Wales”, in the Act’s application to Wales.
11. The Act does not repeal the provisions of the Fire Services Act 1947 as they apply in Scotland, which remain in force. The only exceptions to this are the pension provisions in Part 4 of the Act and consequential provisions, which do extend to Scotland as pension policy is a reserved matter and not a devolved issue under the Scotland Act 1998. The Act, therefore, repeals the existing pension provisions in the 1947 Act, and in turn extends the replacement provisions to England, Wales and Scotland.
12. The Act does not extend to Northern Ireland.