
Changes to legislation: There are currently no known outstanding effects for the Fire and Rescue Services Act 2004, Paragraph 28. (See end of Document for details)

SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

Fire Precautions Act 1971 (c. 40)

- 28 (1) In the provisions mentioned in sub-paragraph (2), for “fire authority” (in each place) substitute “ fire and rescue authority ”.
- (2) The provisions are—
- (a) in section 1 (use of premises requiring fire certificate), subsections (1) and (3A);
 - (b) in section 3 (power of fire authority to make fire certificates compulsory), subsections (3), (4), (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), (2), (3) and (4);
 - (e) in section 5A (powers of fire authorities to grant exemptions), subsections (1), (2), (3), (4), (5), (7), (8) and (9);
 - (f) in section 5B (withdrawal of exemptions), subsections (1), (2), (3) and (5);
 - (g) in section 6 (contents of fire certificate), subsections (2), (5), (6) and (7);
 - (h) in section 8 (change of conditions affecting adequacy of certain matters specified in fire certificates, etc), subsections (1), (2), (3), (4), (5), (6), (7), (9), (11) and (12);
 - (i) in section 8A (change of conditions affecting premises for which exemption has been granted), subsection (1);
 - (j) in section 8B (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), (2) and (3);
 - (l) in section 9A (duty as to means of escape and for fighting fire), subsection (2);
 - (m) in section 9D (improvement notices), subsections (1), (2), (3) and (4);
 - (n) in section 10 (prohibition notices), subsections (2), (3), (4) and (7);
 - (o) in section 12 (power of Secretary of State to make regulations about fire precautions), subsections (7), (8) and (10);
 - (p) in section 13 (exercise of certain powers of fire authority in England and Wales), subsections (1) and (3);
 - (q) in section 16 (duty of local authority to consult fire authority in certain cases), subsections (1) and (2);
 - (r) in section 17 (duty of fire authorities to consult other authorities before requiring building alterations), subsections (1) and (2);
 - (s) in section 18 (enforcement of Act), subsections (1) and (2);

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- (t) in section 27 (appeal from order made on complaint), subsection (1);
- (u) in section 27A (civil and other liability), paragraph (a);
- (v) in Schedule 2 (special provision for certain premises), paragraph 3(5).

Commencement Information

- I1** Sch. 1 para. 28 in force at 7.9.2004 for specified purposes except in relation to W. and 1.10.2004 otherwise except in relation to W. by [S.I. 2004/2304](#), **art. 2** (with **art. 3**)
- I2** Sch. 1 para. 28 in force at 10.11.2004 for W. by [S.I. 2004/2917](#), **art. 2**

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