

1976 No. 2010

FIRE PRECAUTIONS

**The Fire Precautions (Non-Certificated Factory, Office,
Shop and Railway Premises) Regulations 1976***Made - - - - 26th November 1976**Laid before Parliament 6th December 1976**Coming into Operation 1st January 1977*

In exercise of the powers conferred on me by sections 12 and 37(3) of the Fire Precautions Act 1971(a), and having consulted with such persons and bodies as appear to me requisite, I hereby make the following Regulations:—

1. These Regulations may be cited as the Fire Precautions (Non-Certificated Factory, Office, Shop and Railway Premises) Regulations 1976 and shall come into operation on 1st January 1977.

2.—(1) In these Regulations—

“the Act” means the Fire Precautions Act 1971;

“covered market place” shall be construed generally and not as limited to a place where a market is held by virtue of a grant from the Crown or of prescription or under statutory authority;

“factory premises” means premises constituting, or forming part of, a factory within the meaning of the Factories Act 1961(b) and premises to which sections 123(1) and 124 of that Act (application to electrical stations and institutions, respectively) apply;

“office premises”, “shop premises” and “railway premises” mean premises to which the Offices, Shops and Railway Premises Act 1963(c) applies and premises which are deemed to be such premises for the purposes of that Act, other than premises consisting of a covered market place wherein shop premises are aggregated.

(2) A reference in these Regulations to an enactment shall be construed as a reference to that enactment as amended or replaced by or under any other enactment.

(a) 1971 c. 40.

(b) 1961 c. 34.

(c) 1963 c. 41.

(3) The Interpretation Act 1889(a) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

3.—(1) Subject to paragraph (2) below, these Regulations apply to factory premises, office premises, shop premises and railway premises, being (in each case) premises—

- (a) in which persons are employed to work; and
- (b) in respect of which a fire certificate is not required by virtue of an order under section 1 of the Act.

(2) Nothing in these Regulations applies to any factory premises, office premises, shop premises or railway premises, being premises of a description specified in regulations which are from time to time made under the provisions of the Health and Safety at Work etc. Act 1974(b) and which provide for the issue of fire certificates by the Health and Safety Executive.

4.—(1) In factory premises to which these Regulations apply any doors opening on to any staircase or corridor from any room in which more than ten persons are employed to work, and all other doors affording a means of exit from the premises or giving access thereto, shall, except in the case of sliding doors, be constructed to open outwards.

(2) Every window, door or other exit affording means of escape from the factory premises in case of fire or giving access thereto, other than the means of exit in ordinary use, shall be distinctively and conspicuously marked by a notice in letters of adequate size.

(3) Every hoistway or liftway inside the factory premises shall be completely enclosed by construction having a fire resistance of not less than thirty minutes and all means of access to the hoistway or liftway shall be fitted with doors having a fire resistance of not less than thirty minutes; except that any such hoistway or liftway which is not provided with a vent at the top shall be enclosed at the top only by material easily broken by fire.

(4) A fire authority may by notice in writing grant, subject to any conditions specified in the notice, exemption from compliance with any of the requirements of paragraphs (1) and (3) above in any case where they are satisfied that compliance with those requirements is inappropriate or undesirable.

(5) If any person avails himself of an exemption granted under paragraph (4) above and fails to comply with any of the conditions specified in a notice granting such exemption, he shall be deemed to be responsible for a contravention of this Regulation.

5.—(1) While a person employed to work in premises to which these Regulations apply is in the premises for the purpose of doing his work or eating a meal, the doors of any doorways through which he might have to pass so as to get out of the premises shall not be so locked or fastened that they cannot be easily and immediately opened by him on his way out.

(a) 1889 c. 63.

(b) 1974 c. 37.

(2) The contents of any room in the premises, being a room wherein work is done by any of the persons employed to work in the premises, shall be so arranged or disposed as to afford to the persons who work in the room free passage-way to a means of escape in case of fire.

6.—(1) In all premises to which these Regulations apply there shall be provided and maintained appropriate means for fighting fire, which shall be so placed as to be readily available for use.

(2) In this regulation “maintained” means maintained in an efficient state, in efficient working order and in good repair.

7.—(1) Subject to paragraphs (2) and (3) below, the requirements of Regulations 4(1), (2) and (3), 5 and 6 above are imposed on the occupier of the premises who shall be responsible for a contravention of any of those provisions.

(2) Where factory premises are held under a lease or an agreement for a lease or under a licence and consist of part of a building all parts of which are in the same ownership, the requirements of Regulation 4(1), (2) and (3) above are imposed on the owner of the relevant building and for a contravention, in relation to such premises, of any of those provisions the owner of the relevant building shall be responsible instead of the occupier of the premises.

(3) Where factory premises consist of part of a building in which different parts are owned by different persons, the requirements of Regulation 4(1), (2) and (3) above are imposed on the persons who between them own the relevant building and for a contravention, in relation to such premises, of any of those provisions each of the persons who between them own the relevant building shall be responsible instead of the occupier of the premises.

(4) If any provision of Regulation 4, 5 or 6 above is contravened, the person or each of the persons who, under Regulation 4(5) or this Regulation, is or are responsible for the contravention, shall be guilty of an offence under section 12 of the Act.

(5) Paragraph (4) above shall not apply to the Crown.

Merlyn Rees,
One of Her Majesty's Principal
Secretaries of State.

Home Office,
Whitehall.

26th November 1976.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for certain fire precautions to be taken in the smaller factories, offices, shops and railway premises which do not require a fire certificate under the Fire Precautions Act 1971. The precautions to be taken relate to the means of escape from the premises in case of fire (Regulations 4 and 5) and the provision of fire-fighting equipment (Regulation 6). The Regulations impose requirements generally on occupiers of premises but, in the case of factory premises forming parts of buildings which are in single ownership or are plurally owned, the owners of the buildings are made responsible for the contravention of those requirements which apply only to factory premises (Regulation 7).

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