
STATUTORY INSTRUMENTS

2005 No. 1541

The Regulatory Reform (Fire Safety) Order 2005

PART 5

MISCELLANEOUS

Other consultation by authorities

46.—(1) Where a government department or other public authority intends to take any action in respect of premises which will or may result in changes to any of the measures required by or under this Order, that department or authority must consult the enforcing authority for the premises before taking that action.

(2) Without prejudice to any power of the court to cancel or modify a notice served by a government department or other authority, no failure on the part of the department or authority to consult under paragraph (1) invalidates the action taken.

(3) In paragraph (1), “public authority” includes [^{F1}an approved inspector within the meaning of section 49 of the Building Act 1984]^{M1}[^{F1}a registered building control approver within the meaning of section 58N of the Building Act 1984].

Textual Amendments

F1 Words in art. 46(3) substituted (E.) (6.4.2024) by [The Building \(Registered Building Control Approvers etc.\) \(England\) Regulations 2024 \(S.I. 2024/110\)](#), regs. 1(3), **36(3)** (with reg. 36(4))

Marginal Citations

M1 1984 c. 55.

Changes to legislation:

The Regulatory Reform (Fire Safety) Order 2005, Section 46 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- art. 46(3) words substituted by [S.I. 2024/447 reg. 4\(3\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- art. 9A inserted by [2022 c. 30 s. 156\(4\)](#)