
STATUTORY INSTRUMENTS

2005 No. 1541

The Regulatory Reform (Fire Safety) Order 2005

PART 2

FIRE SAFETY DUTIES

Risk assessment

9.—(1) The responsible person must make a suitable and sufficient assessment of the risks to which relevant persons are exposed for the purpose of identifying the general fire precautions he needs to take to comply with the requirements and prohibitions imposed on him by or under this Order.

(2) Where a dangerous substance is or is liable to be present in or on the premises, the risk assessment must include consideration of the matters set out in Part 1 of Schedule 1.

(3) Any such assessment must be reviewed by the responsible person regularly so as to keep it up to date and particularly if—

- (a) there is reason to suspect that it is no longer valid; or
- (b) there has been a significant change in the matters to which it relates including when the premises, special, technical and organisational measures, or organisation of the work undergo significant changes, extensions, or conversions,

and where changes to an assessment are required as a result of any such review, the responsible person must make them.

(4) The responsible person must not employ a young person unless he has, in relation to risks to young persons, made or reviewed an assessment in accordance with paragraphs (1) and (5).

(5) In making or reviewing the assessment, the responsible person who employs or is to employ a young person must take particular account of the matters set out in Part 2 of Schedule 1.

(6) As soon as practicable after the assessment is made or reviewed, the responsible person must record the information prescribed by paragraph (7) where—

- (a) he employs five or more employees;
- (b) a licence under an enactment is in force in relation to the premises; or
- (c) an alterations notice requiring this is in force in relation to the premises.

(7) The prescribed information is—

- (a) the significant findings of the assessment, including the measures which have been or will be taken by the responsible person pursuant to this Order; and
- (b) any group of persons identified by the assessment as being especially at risk.

(8) No new work activity involving a dangerous substance may commence unless—

- (a) the risk assessment has been made; and
- (b) the measures required by or under this Order have been implemented.