

Dickinson
Manser LLP
S o l i c i t o r s

REGULATION OF FIRE SAFETY

The Regulatory Reform (Fire Safety) Order was implemented in early 2006 and makes sweeping changes to the existing regime. The regulations rendered Fire Certificates null and void and instead introduced a system of “fire risk assessments”.

The aim of the Order is to simplify and consolidate the existing fire safety laws; it amended or repealed 118 pieces of legislation. These have developed in a somewhat piecemeal fashion, and inevitably the overlaps have caused confusion.

The Order applies to most non-domestic premises used or operated by employers, the self-employed and the voluntary sector. It may also apply to the common parts of residential developments, including those of houses in multiple occupation.

The Order introduced the concept of the “responsible person”, much the same as the “duty holder” under the asbestos regulations. The responsible person will usually be the employer (to the extent that the workplace is under his control). Otherwise, it is either the person who controls the premises or business, or the person who owns the premises.

The responsible person must appoint a “competent person” to assist him in discharging his duties. The competent person must be suitably qualified and experienced. They can be an employee of the responsible person or a sub-contractor.

The main requirement under the Order will be the Risk Assessment. This must be carried out at the start and then reviewed regularly and amended if necessary. The Order also requires attention to the provision and maintenance of fire safety equipment.

The penalties for failure to comply with the Order range from a fine, to up to two years in jail.

This fact sheet is one in a series of publications designed to provide practical guidance on matters of interest to clients. Copies of all our fact sheets may be obtained free of charge on request from any of our Partners or Staff.

We believe the information contained herein to be correct as at April 2007. Whilst all possible care is taken in the compilation and presentation of this fact sheet, no responsibility for loss, occasioned by any person acting or refraining from acting as a result of the material in this fact sheet, can be accepted by the firm or the author.

The information in this Fact Sheet is not designed to be a definitive text on this issue. On the contrary, it is designed to merely serve as a guide to supplement what we can advise you on directly. If you have any particular queries, especially where the circumstances of a matter make it unusual, you should seek further advice.