



Fire (Scotland) Act 2005

2005 asp 5

FIRE (SCOTLAND) ACT 2005

PART 1

FIRE AND RESCUE AUTHORITIES

Fire and rescue authorities

- 1 Fire and rescue authorities

Joint fire and rescue boards

- 2 Schemes to constitute joint fire and rescue boards
- 3 Schemes under section 2: amendment and revocation
- 4 Joint fire and rescue boards: supplementary provision
- 5 Existing joint fire boards

Meaning of “relevant authority”

- 6 Meaning of “relevant authority”

PART 2

FIRE AND RESCUE SERVICES

CHAPTER 1

APPOINTMENT OF CHIEF OFFICER

- 7 Appointment of Chief Officer

CHAPTER 2

PRINCIPAL FIRE AND RESCUE FUNCTIONS

- 8 Fire safety
- 9 Fire-fighting

- 10 Road traffic accidents
- 11 Conferral of functions in relation to other emergencies

CHAPTER 3

ANCILLARY FUNCTIONS

- 12 Emergency directions
- 13 Power to respond to other eventualities
- 14 Provision of other services
- 15 Provision of centres for education and training
- 16 Charging

CHAPTER 4

WATER SUPPLY

Supply and use of water

- 17 Duty to secure water supply
- 18 Use of water
- 19 Agreements in relation to water supply
- 20 Emergency supply by Scottish Water

Fire hydrants

- 21 Fire hydrants: provision etc.
- 22 Fire hydrants: recovery of costs
- 23 Fire hydrants: offences

Works affecting supply and hydrants

- 24 Notice of works affecting water supply and fire hydrants

CHAPTER 5

POWERS OF EMPLOYEES AND CONSTABLES

Powers in emergencies

- 25 Powers of authorised employees in relation to emergencies
- 26 Powers of constables in relation to fires

Obtaining information

- 27 Powers of authorised employees in relation to obtaining information
- 28 Giving of notices required by section 27
- 29 Powers of authorised employees in relation to investigating fires
- 30 Exercise of powers under sections 27 and 29: securing of premises
- 31 Sections 27 and 29: offences

Use of information

- 32 Use of commercially sensitive information

CHAPTER 6

MUTUAL ASSISTANCE ETC.

Assistance in discharge of functions

- 33 Reinforcement schemes
- 34 Directions about reinforcement schemes
- 35 Assistance other than from relevant authorities

Performance of functions by others

- 36 Arrangements for carrying out of functions by others
- 37 Section 36: directions

CHAPTER 7

ASSAULTING OR IMPEDING EMPLOYEES AND OTHERS

- 38 Amendment of Emergency Workers (Scotland) Act 2005
- 39 Assaulting or impeding employees discharging certain functions

CHAPTER 8

CENTRAL SUPERVISION AND SUPPORT

Fire and Rescue Framework for Scotland

- 40 Framework document
- 41 Adherence
- 42 Reporting

Inspection

- 43 Inspectors of Fire and Rescue Authorities
- 44 Functions of Inspectors of Fire and Rescue Authorities

Equipment, facilities and services

- 45 Directions for public safety purposes
- 46 Requirements concerning equipment and services
- 47 Provision of equipment etc.

Training

- 48 Central institution and other centres for education and training

CHAPTER 9

EMPLOYMENT

Negotiation of conditions of service

- 49 Statutory negotiation arrangements
- 50 Guidance

Supplementary

- 51 Prohibition on employment of police

CHAPTER 10

INTERPRETATION

- 52 Interpretation of Part 2

PART 3

FIRE SAFETY

CHAPTER 1

FIRE SAFETY DUTIES

Duties

- 53 Duties of employers to employees
54 Duties in relation to relevant premises
55 Taking of measures under section 53 or 54: considerations
56 Duties of employees

Regulations

- 57 Risk assessments: power to make regulations
58 Scottish Ministers' power to make regulations about fire safety
59 Power to make further provision for protection of fire-fighters

Special case

- 60 Special case: temporary suspension of Chapter 1 duties

CHAPTER 2

ENFORCEMENT

- 61 Enforcing authorities
62 Powers of enforcement officers
63 Prohibition notices
64 Enforcement notices
65 Alterations notices
66 Appeals
67 Determination of disputes

CHAPTER 3

MISCELLANEOUS

- 68 Prohibition on charging employees
69 Civil liability for breach of statutory duty
70 Consequential restriction of application of Part I of Health and Safety at Work etc. Act 1974

- 71 Suspension of terms and conditions of licences dealing with same matters as this Part

CHAPTER 4

OFFENCES

- 72 Offences
73 Offences by bodies corporate and partnerships
74 Offence due to fault of other person
75 Employee's act or omission not to afford employer defence

CHAPTER 5

GENERAL

- 76 Service of documents
77 Crown application
78 Meaning of "relevant premises"
79 Interpretation of Part 3

PART 4

MISCELLANEOUS

- 80 Inquiries
81 Inquiries: supplementary

Consultation requirements

- 82 Pre-commencement consultation

Advisory bodies

- 83 Payments in respect of advisory bodies
84 Abolition of Scottish Central Fire Brigades Advisory Council

False alarms

- 85 False alarms

Disposal of land

- 86 Disposal of land

PART 5

GENERAL

- 87 Ancillary provision
88 Orders and regulations
89 Minor and consequential amendments and repeals
90 Commencement
91 Short title

Status: This is the original version (as it was originally enacted).

SCHEDULE 1 — Joint fire and rescue boards: supplementary provision

- 1 Status
- 2 General powers
- 3 Pensions

SCHEDULE 2 — Fire safety measures

- 1 Subject to paragraph 2, the fire safety measures are—
- 2 Nothing in paragraph 1 shall be construed as including process...

SCHEDULE 3 — Minor and consequential amendments

- 1 The Civil Defence Act 1948 (c. 5)
- 2 The Pipe-lines Act 1962 (c. 58)
- 3 The Gas Act 1965 (c. 36)
- 4 The Transport Act 1968 (c. 73)
- 5 The Local Government (Scotland) Act 1973 (c. 65)
- 6 The Control of Pollution Act 1974 (c. 40)
- 7 The Local Government (Scotland) Act 1975 (c. 30)
- 8 The Licensing (Scotland) Act 1976 (c. 66)
- 9 The Water (Scotland) Act 1980 (c. 45)
- 10 The Local Government, Planning and Land Act 1980 (c. 65)
- 11 The Civic Government (Scotland) Act 1982 (c. 45)
- 12 The Road Traffic Regulation Act 1984 (c. 27)
- 13 The Housing (Scotland) Act 1987 (c. 26)
- 14 The Housing (Scotland) Act 1988 (c. 43)
- 15 The Tay Road Bridge Order Confirmation Act 1991 (c.iv)
- 16 The Strathclyde Regional Council Order Confirmation Act 1991 (c.xx)
- 17 The Local Government etc. (Scotland) Act 1994 (c. 39)
- 18 The Merchant Shipping Act 1995 (c. 21)
- 19 The Scottish Borders Council (Jim Clark Memorial Rally) Order Confirmation Act 1996 (c.xii)
- 20 The Housing (Scotland) Act 2001 (asp 10)
- 21 The Scottish Public Services Ombudsman Act 2002 (asp 11)
- 22 The Freedom of Information (Scotland) Act 2002 (asp 13)
- 23 The Local Government in Scotland Act 2003 (asp 1)
- 24 The Fire and Rescue Services Act 2004 (c. 21)
- 25 The Emergency Workers (Scotland) Act 2005 (asp 2)

SCHEDULE 4 — Repeals