1993 No. 404

FIRE SERVICES

The Fire Services (1984 Order) (Modifications) Regulations (Northern Ireland) 1993

Made . . . . . *29th September 1993*

Coming into operation . . : *15th November 1993*

The Department of the Environment in exercise of the powers conferred on it by Articles 47(1) and 49(6) of the Fire Services (Northern Ireland) Order 1984(**a**) and of all other powers enabling it in that behalf, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Fire Services (1984 Order) (Modifications) Regulations (Northern Ireland) 1993 and shall come into operation on 15th November 1993.

Interpretation

2. In these Regulations—

"the Order" means the Fire Services (Northern Ireland) Order 1984;

"factory premises" means premises constituting, or forming part of, a factory within the meaning of section 175 of the Factories Act (Northern Ireland) 1965(**b**), and includes premises to which sections 121(1) and 122 of that Act (application to electrical stations and institutions, respectively) apply;

"office premises" means office premises to which the Office and Shop Premises Act (Northern Ireland) 1966(**c**) applies and includes premises which are treated by section 1(2) of that Act as forming part of such premises but does not include premises which are deemed by section 156(2) and (3) of the Mines Act (Northern Ireland) 1969(**d**) to form part of a mine for the purposes of that Act;

"shop premises" means shop premises to which the Office and Shop Premises Act (Northern Ireland) 1966 applies and includes premises which are treated by section 1(3) of that Act as forming part of such premises.

(**a**) S.I. 1984/1821 (N.I. 11) as amended by S.I. 1993/1578 (N.I. 7); relevant amending Regulations are S.R. 1986 No. 354

(**b**) 1965 c. 20 (N.I.)

(**c**) 1966 c. 26 (N.I.)

(**d**) 1969 c. 6 (N.I.)

Modifications of the Order

3.—(1) This regulation applies to premises put to a designated use which are factory premises, office premises or shop premises, and which—

(*a*) 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; or

(*b*) consist of part of a building in which different parts are owned by different persons.

(2) The Order shall have effect with the following modifications.

(3) For the references to the occupier of premises in Articles 26(2A), 26A(4), 26A(7), 26A(9), 26B(3), 26B(4), 26B(5), 27(5) and (6), 28(1), (3A) and (5), 29(4) (except sub-paragraph (*c*) and the insertion made by paragraph (6) of this regulation), (6), (7) and (9), 29A(1) and (2), 29B(1), 30(5)(*b*), 31(3), 31C(1) and 34(8)(*b*) of the Order(**a**), substitute—

(*a*) in the case of premises to which paragraph (1)(*a*) of this regulation applies, references to the owner of the building;

(*b*) in the case of premises to which paragraph (1)(*b*) of this regulation applies, references to the persons who between them own the building.

(4) In Articles 27(9) and 28(7) of the Order, for "a fire certificate" in each place where those words occur, substitute "a copy of the fire certificate".

(5) In Article 27(9) of the Order, at the end of the paragraph, insert the words "and the fire certificate shall be sent to the owner of the building or, as the case may be, the person who owns the part of the building of which the premises consist.".

(6) In Articles 29(4) and 29A(1) of the Order, after the word "Authority;" insert "and the occupier shall, before the carrying out of the proposals is begun, furnish to the persons responsible for giving notice of the proposals to the Authority any information in his possession which is relevant thereto;".

(7) In Article 29A(1) of the Order, for the references to the occupier (except the reference inserted by paragraph (6) of this regulation) substitute—

(*a*) in the case of premises—

(i) to which paragraph (1)(*a*) of this regulation applies; and

(ii) in relation to which it is intended to carry out proposals falling within paragraph (2)(*a*) or (*c*) of that Article,

references to the owner of the building; and

(*b*) in the case of premises—

(a) Articles 26A and 26B were inserted by Article 6(3) of S.I. 1993/1578 (N.I. 7); Article 28(3A) was inserted by Article 10(2) of S.I. 1993/1578 (N.I. 7); Article 28(5) was amended by Article 17 of S.I. 1993/1578 (N.I. 7); Article 29A was inserted by Article 7 of S.I. 1993/1578 (N.I. 7); Article 29B was inserted by Article 8 of S.I. 1993/1578 (N.I. 7); Articles 31 and 31C were inserted by Article 9(1) of S.I. 1993/1578 (N.I. 7)