



Fire (Scotland) Act 2005

2005 asp 5

PART 2

FIRE AND RESCUE SERVICES

[^{F1}CHAPTER 8B

INSPECTION

Inspectors of SFRS

[^{F1}43B Inquiries by Inspectors

- (1) An Inspector may inquire into a matter mentioned in subsection (3).
- (2) If directed to do so by the Scottish Ministers, an Inspector must inquire into a matter mentioned in subsection (3).
- (3) The matters are—
 - (a) the state and efficiency of SFRS,
 - (b) whether in carrying out its functions SFRS is complying with its duty under section 39A to make arrangements which secure best value,
 - (c) the manner in which SFRS is carrying out any of its functions.
- (4) In carrying out an inquiry under this section an Inspector may—
 - (a) require SFRS to provide any information or documents relating to the functions of SFRS that the Inspector may require,
 - (b) enter and inspect any premises which are used by SFRS,
 - (c) inspect any equipment which is used by SFRS.
- (5) If an Inspector exercises a power of entry by virtue of subsection (4)(b), the Inspector may—
 - (a) take onto the premises
 - (i) such other persons, and
 - (ii) such equipment,

Changes to legislation: There are currently no known outstanding effects for the Fire (Scotland) Act 2005, Section 43B. (See end of Document for details)

- as the Inspector considers necessary,
- (b) require any person present on the premises to provide the Inspector with any information or documents that the Inspector may reasonably request.
- (6) An Inspector may not under subsection (4)(b)—
- (a) enter or inspect premises occupied as a private dwelling,
 - (b) enter premises by force.
- (7) SFRS must provide such facilities, assistance and co-operation as an Inspector may reasonably request for the purposes of, or in connection with, an inquiry under this section.]

Textual Amendments

- F1** Pt. 2 Ch. 8B inserted (1.1.2013 for specified purposes, 1.4.2013 so far as not already in force) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), **ss. 119**, 129(2); S.S.I. 2012/333, art. 2, Sch. (with Sch. 2 paras. 2(11)3); S.I. 2013/51, art. 2

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