



Police and Fire Reform (Scotland) Act 2012

2012 asp 8

PART 2 **S**

FIRE REFORM

Functions

102 Promotion of fire safety **S**

In section 8 of the 2005 Act (fire safety)—

- (a) in subsection (1), for “Each relevant authority shall” substitute “ SFRS must ”, and
- (b) in subsection (2)
 - (i) for “a relevant authority shall” substitute “ SFRS must ”, and
 - (ii) for “the authority” substitute “ it ”.

Commencement Information

II S. 102 in force at 1.4.2013 by S.S.I. 2013/51, art. 2

103 Fire safety: enforcement **S**

(1) In section 61 of the 2005 Act (enforcing authorities)—

- (a) in each of subsections (7) and (8)
 - (i) for “A relevant authority” substitute “ SFRS ”, and
 - (ii) for “the authority” substitute “ SFRS ”, and
- (b) in subsection (9), for paragraphs (b) and (c) substitute—
“(b) in relation to any other relevant premises, SFRS.”.

(2) In section 67 of the 2005 Act (enforcement of Chapter 1 of Part 3 of the 2005 Act: determination of disputes)—

Changes to legislation: Police and Fire Reform (Scotland) Act 2012, Cross Heading: Functions is up to date with all changes known to be in force on or before 11 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(a) for subsection (1), substitute—

“(1) Subsections (1A) and (1B) apply where—

- (a) an enforcing authority considers that a person has failed to comply with any of the Chapter 1 duties, and
- (b) in relation to the duty in question, the person and the authority cannot agree on the action that requires to be taken to comply with the duty.

(1A) The person and the authority may refer the matter to the person appointed under section 43A(1)(a) for determination.

(1B) If the enforcing authority is SFRS, it or the person may refer the matter to the person appointed under section 43A(1)(a) for determination.”, and

(b) in subsection (4), for “(1) or (2)” substitute “ (1A) or (1B) ”.

Commencement Information

I2 S. 103 in force at 1.4.2013 by S.S.I. 2013/51, art. 2

104 Fire-fighting S

In section 9 of the 2005 Act (fire-fighting)—

- (a) in subsection (1), for “Each relevant authority shall” substitute “ SFRS must ”, and
- (b) in subsection (2), for “a relevant authority shall” substitute “ SFRS must ”.

Commencement Information

I3 S. 104 in force at 1.4.2013 by S.S.I. 2013/51, art. 2

105 Road traffic accidents S

In section 10 of the 2005 Act (road traffic accidents)—

- (a) in subsection (1), for “Each relevant authority shall” substitute “ SFRS must ”, and
- (b) in subsection (2), for “a relevant authority shall” substitute “ SFRS must ”.

Commencement Information

I4 S. 105 in force at 1.4.2013 by S.S.I. 2013/51, art. 2

106 Conferral of functions in relation to other emergencies S

In section 11 of the 2005 Act (conferral of functions in relation to other emergencies)

- (a) in subsection (1), for “a relevant authority (the “specified authority”)” substitute “ SFRS ”, and

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- (b) in each of subsections (2) and (3), for “the specified authority”, in each place where it occurs, substitute “ SFRS ”.

Commencement Information

I5 S. 106 in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

107 Power to respond to other eventualities **S**

In section 13 of the 2005 Act (power to respond to other eventualities)—

- (a) in subsection (1), for “A relevant authority” substitute “ SFRS ”, and
(b) in subsection (2)(b), for “an authority” substitute “ SFRS ”.

Commencement Information

I6 S. 107 in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

108 Provision of other services **S**

In section 14 of the 2005 Act (provision of other services)—

- (a) in subsection (1)
(i) for “A relevant authority” substitute “ SFRS ”, and
(ii) for “the authority” substitute “ SFRS ”, and
(b) in subsection (2), for “An authority” substitute “ SFRS ”.

Commencement Information

I7 S. 108 in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

109 Provision of centres for education and training **S**

In section 15 of the 2005 Act (provision of centres for education and training)—

- (a) for “A relevant authority” substitute “ SFRS ”, and
(b) for “relevant authorities have” substitute “ it has ”.

Commencement Information

I8 S. 109 in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

110 Charging **S**

In section 16 of the 2005 Act (charging)—

- (a) in subsection (1)
(i) for “a relevant authority” substitute “ SFRS ”, and
(ii) for “the authority” substitute “ SFRS ”,
(b) in subsection (2), for “the authority” substitute “ SFRS ”,

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- (c) in subsection (3), for the words from “the”, where it secondly occurs, to the end substitute “ SFRS at sea beyond the low water mark ”, and
- (d) in subsection (4)
 - (i) for “a relevant authority” substitute “ SFRS is ”,
 - (ii) after “description” insert “ and it ”, and
 - (iii) for “the authority”, in both places where it occurs, substitute “ SFRS ”.

Commencement Information

19 S. 110 in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Ch. 12A inserted by [2017 asp 4 s. 1\(1\)](#)
- s. 17(2)(h) inserted by [2017 asp 4 s. 2\(a\)\(ii\)](#)
- s. 17(4)(b)(iv) inserted by [2017 asp 4 s. 2\(b\)\(ii\)](#)
- s. 20A inserted by [2017 asp 4 s. 3](#)