



# Fire and Rescue Services Act 2004

## 2004 CHAPTER 21

### PART 5

#### WATER SUPPLY

#### **38 Duty to secure water supply etc**

- (1) A fire and rescue authority must take all reasonable measures for securing that an adequate supply of water will be available for the authority's use in the event of fire.
- (2) A fire and rescue authority may use any suitable supply of water for the purposes of extinguishing a fire or protecting life or property in the event of a fire (but must pay reasonable compensation for the water).
- (3) Subsection (2) is subject to—
  - (a) an agreement under section 39 or 41;
  - (b) section 147 of the Water Industry Act 1991 (c. 56) (charging for emergency use of water).

#### **Commencement Information**

- I1** S. 38 in force at 7.9.2004 for specified purposes except in relation to W. and 1.10.2004 otherwise except in relation to W. by [S.I. 2004/2304](#), [art. 2](#) (with [art. 3](#))
- I2** S. 38 in force at 10.11.2004 for W. by [S.I. 2004/2917](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Fire and Rescue Services Act 2004, Section 38.