
STATUTORY INSTRUMENTS

2006 No. 1254

The Fire and Rescue Services (Northern Ireland) Order 2006

PART II

FIRE AND RESCUE SERVICES

CHAPTER V

POWERS OF FIRE AND RESCUE OFFICERS

Obtaining information

Powers of authorised officers in relation to investigating fires

20.—(1) An authorised officer may, at any reasonable time (by force if necessary), enter premises in which there has been a fire for the purpose of investigating—

- (a) what caused the fire; or
- (b) why it progressed as it did.

(2) If an authorised officer exercises a power of entry by virtue of this Article, he may—

- (a) take onto the premises any other persons, and any equipment, that he considers necessary;
- (b) inspect and copy any documents or records on the premises or remove them from the premises;
- (c) carry out any inspections, measurements and tests in relation to the premises or an article or substance found on the premises, that he considers necessary;
- (d) take samples of an article or substance found on the premises (but not so as to destroy it or damage it unless it is necessary to do so for the purpose of the investigation);
- (e) dismantle an article found on the premises (but not so as to destroy it or damage it unless it is necessary to do so for the purpose of the investigation);
- (f) take possession of an article or substance found on the premises and retain it for as long as is necessary for the purpose of—
 - (i) examining it and doing anything he has power to do under sub-paragraph (c) or (e);
 - (ii) ensuring that it is not tampered with before his examination of it is completed; or
 - (iii) ensuring that it is available for use as evidence in proceedings for an offence relevant to the investigation; and
- (g) require a person present on the premises to provide him with any facilities, information, documents or records, or other assistance, that he may reasonably request.

(3) An authorised officer exercising a power of entry by virtue of this Article shall, if so required, produce evidence of his authorisation under Article 19(2)—

- (a) before entering the premises; or
- (b) at any time before leaving the premises.

- (4) If an authorised officer exercises the power in paragraph (2)(d), he shall—
- (a) leave a notice at the premises with a responsible person (or, if that is impracticable, fix the notice in a prominent position at the premises) giving particulars of the article or substance and stating that he has taken a sample of it; and
 - (b) if it is practicable to do so, give to a responsible person at the premises a portion of the sample marked in a manner sufficient to identify it.
- (5) If an authorised officer exercises the power in paragraph (2)(f), he shall leave a notice at the premises with a responsible person (or, if that is impracticable, fix the notice in a prominent position at the premises) giving particulars of the article or substance and stating that he has taken possession of it.