

1986 No. 355

FIRE SERVICES**The Fire Services (Factory, Office and Shop Premises) Order
(Northern Ireland) 1986***Made* 9th December 1986*Coming into operation* 1st February 1987

The Department of the Environment in exercise of the powers conferred on it by Articles 22(2)(f) and 52(1)(b) of the Fire Services (Northern Ireland) Order 1984(a) and of all other powers enabling it in that behalf makes the following Order:

Citation and commencement

1. This Order may be cited as the Fire Services (Factory, Office and Shop Premises) Order (Northern Ireland) 1986 and shall come into operation on 1st February 1987.

Interpretation

2. In this order—

“covered market place” shall be construed generally and not as limited to a place where a market is held by virtue of a grant from the Crown or of prescription or under statutory authority;

“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 premises to which sections 121(1) and 122 of that Act (application to electrical stations and institutions, respectively) apply;

“Fire Authority” means the Fire Authority for Northern Ireland;

“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;

“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 but does not include premises consisting of a covered market place wherein shop premises are aggregated.

Designated use of factories, offices and shops

3. Subject to Article 4, for the purposes of Article 22 of the Fire Services (Northern Ireland) Order 1984 the use of premises as factory premises, office premises, or shop premises shall be a designated use.

Exemptions

4.—(1) A fire certificate shall not be required for factory premises, office premises or shop premises—

(a) S.I. 1984/1821 (N.I. 11)

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

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

(a) of a description specified in regulations under Article 17(2) of the Health and Safety at Work (Northern Ireland) Order 1978(a) and which provide for the issue of fire certificates by the Department of Economic Development; or

(b) in which—

(i) not more than 20 persons are employed to work at any one time; or

(ii) not more than 10 persons are so employed elsewhere than on the ground floor,

unless the premises are of a description specified in paragraph (2).

(2) For the purposes of paragraph (1)(b) the following descriptions of premises are specified—

(a) premises in a building which contains 2 or more of the premises described in Article 3 and the aggregate of persons employed to work at any one time in all those premises exceeds 20;

(b) premises in a building which contains 2 or more of the premises so described and in all those premises the aggregate of persons employed to work at any one time elsewhere than on the ground floor of the building exceeds 10;

(c) factory premises in or under which explosive or highly flammable materials (other than materials of such a kind and in such a quantity that the Fire Authority have determined that they do not constitute a serious additional risk to persons in the premises in case of fire) are stored or used.

Sealed with the Official Seal of the Department of the Environment on 9th December 1986.

(L.S.)

J. M. Irvine

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the order.)

Article 22 of the Fire Services (Northern Ireland) Order 1984 provides that a fire certificate is required in respect of any premises which are put to a designated use.

This order (in Article 3) designates for this purpose the use of factory, office and shop premises in which persons are employed to work but exempts subject to certain exceptions (in Article 4) from the requirement to have a fire certificate—

1. premises as described in regulations made under Article 17(2) of the Health and Safety at Work (Northern Ireland) Order 1978 by the Department of Economic Development; or
2. premises in which not more than 20 persons are employed to work at any one time or not more than 10 persons otherwise than on the ground floor.