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STATUTORY RULES OF NORTHERN IRELAND

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**2010 No. 325**

**The Fire Safety Regulations (Northern Ireland) 2010**

**PART 3**

**FIRE SAFETY**

**Safety assistance**

17.—(1) The person with duties under Article 25 or 26 shall, subject to paragraphs (5) and (6), nominate one or more competent persons to assist him in undertaking the measures necessary to comply with fire safety duties.

(2) Where the person with duties under Article 25 or 26 nominates persons in accordance with paragraph (1), he shall make arrangements for ensuring adequate co-operation between them.

(3) The person with duties under Article 25 or 26 shall ensure that the number of persons nominated under paragraph (1), the time available for them to fulfil their functions and the means at their disposal are adequate having regard to the size of the premises, the risks to which relevant persons are exposed and the distribution of those risks throughout the relevant premises.

(4) The person with duties under Article 25 or 26 shall ensure that—

(a) any person nominated by him in accordance with paragraph (1) who is not in his employment—

(i) is informed of the factors known or suspected by him to affect the safety in respect of harm caused by fire of any person who may be affected by the carrying on by him (whether for profit or not) of an undertaking; and

(ii) where regulation 18(3) applies, has access to the information referred to in that regulation; and

(b) any person nominated by him in accordance with paragraph (1) is given such information about any person working in his undertaking who is—

(i) employed by him under a fixed-term contract of employment, or

(ii) employed in an employment business,

as is necessary to enable that person properly to carry out the function specified in that paragraph.

(5) Paragraph (1) does not apply to a self-employed person who is not in partnership with any other person, where he has sufficient training and experience or knowledge and other qualities properly to undertake the fire safety measures.

(6) Paragraph (1) does not apply to individuals who are together carrying on business in partnership, where at least one of the individuals concerned has sufficient training and experience or knowledge and other qualities—

(a) properly to undertake the fire safety measures; and

(b) properly to assist his fellow partners in undertaking those measures.

(7) Where there is a competent person in the employment of a person with duties under Article 25 or 26, that competent person shall be nominated for the purposes of paragraph (1) in preference to a competent person not in his employment.