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STATUTORY RULES OF NORTHERN IRELAND

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**2010 No. 325**

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

**PART 1**

**PRELIMINARY**

**Interpretation**

2.—(1) In these Regulations—

“the 2006 Order” means the Fire and Rescue Services (Northern Ireland) Order 2006;

“approved classification and labelling guide” means the Approved Guide to the Classification and Labelling of Dangerous Substances and Dangerous Preparations (5<sup>th</sup> Edition)(1) approved by the Health and Safety Commission on 16<sup>th</sup> April 2002;

“child” means a person who has not attained the age of 16;

“the CHIP Regulations” means the Chemical (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2002(2);

“competent” in relation to a person means that the person has sufficient training and experience or knowledge and other qualities to enable that person—

- (a) in relation to regulation 12(3)(b), properly to implement the measure referred to in that regulation;
- (b) in relation to regulation 14(1)(b), properly to implement the evacuation procedures referred to in that regulation; and
- (c) in relation to regulation 17(1), properly to assist in undertaking the fire safety measures;

“dangerous substance” means—

- (a) a substance or preparation which meets the criteria in the approved classification and labelling guide for classification as a substance or preparation which is explosive, oxidising, extremely flammable, highly flammable or flammable, whether or not that substance or preparation is classified under the CHIP Regulations;
- (b) a substance or preparation which because of its physico-chemical or chemical properties and the way it is used or is present in relevant premises creates a risk; and
- (c) any dust, whether in the form of solid particles or fibrous materials or otherwise, which can form an explosive mixture with air or an explosive atmosphere;

“employment business” means a business (whether for profit or not and whether or not carried on in conjunction with any other business) which supplies persons (other than seafarers) who are employed in it to work for and under the control of other persons in any capacity;

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(1) ISBN 0-7176-2369-6

(2) S.R. 2002 No. 301 as amended by S.R. 2005 No. 463 regulation 2(3)

“explosive atmosphere” means a mixture, under atmospheric conditions, of air and one or more dangerous substances in the form of gases, vapours, mists or dusts in which, after ignition has occurred, combustion spreads to the entire unburned mixture;

“hazard” in relation to a dangerous substance, means the physico-chemical or chemical property of that substance which has the potential to give rise to fire affecting the safety of a person, and references in these Regulations to “hazardous” are to be construed accordingly;

“personal protective equipment” means all equipment which is intended to be worn or held by a person in the relevant premises and which protects that person against one or more risks to his safety, and any addition or accessory designed to meet that objective;

“preparation” means a mixture or solution of two or more substances;

“relevant person” has the meaning given in Article 52 of the Fire and Rescue Services (NI) Order 2006<sup>(3)</sup>;

“relevant premises” has the meaning given in Article 50 of the Fire and Rescue Services (NI) Order 2006;

“risk” means the risk to the safety of relevant persons from fire;

“safety data sheet” means a safety data sheet within the meaning of regulation 5 of the CHIP Regulations;

“special, technical or organisational measures” means those measures required to be taken or observed in any workplace in connection with the carrying on of any work process, where those measures—

- (a) are designed to prevent or reduce the likelihood of fire arising from such a work process or reduce its intensity; and
- (b) are required to be taken or observed to ensure compliance with any requirement of the relevant statutory provisions within the meaning given by Article 2(2) of the Health and Safety at Work (Northern Ireland) Order 1978<sup>(4)</sup> and those measures include—
  - (i) technical means of supervision;
  - (ii) connecting devices;
  - (iii) control and protection systems;
  - (iv) engineering controls and solutions;
  - (v) equipment;
  - (vi) materials;
  - (vii) protective systems; and
  - (viii) warning and other communication systems;

“substance” means any natural or artificial substance whether in solid or liquid form or in the form of a gas or vapour;

“work process” means all aspects of work involving, or in connection with—

- (c) the use of plant or machinery; or
- (d) the use or storage of any dangerous substance; and

“young person” means any person who has not attained the age of 18.

(2) In these Regulations, any reference to a numbered Article is, unless otherwise expressly provided, a reference to an Article bearing that number in the 2006 Order.

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<sup>(3)</sup> S.I. 2006/1254 (N.I. 9)

<sup>(4)</sup> S.I. 1978/1039 (N.I. 9)

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*Status: Point in time view as at 15/11/2010. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the The Fire Safety Regulations (Northern Ireland) 2010, Section 2. (See end of Document for details)*

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(3) In these Regulations, any duties imposed on persons having duties under Article 25 or 26 are imposed to the extent that the person has duties under either of those Articles.

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**Commencement Information**

**11** [Reg. 2](#) in operation at 15.11.2010, see [reg. 1](#)

**Status:**

Point in time view as at 15/11/2010. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Fire Safety Regulations (Northern Ireland) 2010, Section 2.