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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 456**

**The Fire Safety (Scotland) Regulations 2006**

**PART IV**

**MISCELLANEOUS**

**Disapplication of certain provisions**

**28.**—(1) Regulations 4, 5 and 18(2) do not apply in relation to occasional work or short-term work involving work regulated as not being harmful, damaging, or dangerous to young people in a family undertaking.

(2) Regulations 6, 11, 15, 18(3) and 21(2) do not apply in relation to the use of means of transport by land, water or air where the use of means of transport is regulated by international agreements and the European Community directives giving effect to them and in so far as the use of means of transport falls within the disapplication in article 1.2(e) of Council Directive [1999/92/EC](#) on minimum requirements for improving the safety and health of workers potentially at risk from explosive atmospheres<sup>(1)</sup>, except for any means of transport intended for use in a potentially explosive atmosphere.

(3) Without prejudice to section 60, regulation 13(2)(f) does not apply to any relevant premises constituting, or forming part of, a prison within the meaning of section 43 of the Prison (Scotland) Act 1989<sup>(2)</sup> or constituting, or forming part of, a remand centre or young offenders institution provided within the meaning of section 19 of that Act<sup>(3)</sup> or any part of any other relevant premises used for keeping persons in lawful custody or detention.

(4) Where paragraph (3) applies, the safety of relevant persons in respect of harm caused by fire must nevertheless be ensured so far as is possible.

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<sup>(1)</sup> O.J. No. L 23, 28.1.00, p.57.

<sup>(2)</sup> 1989 c. 45.

<sup>(3)</sup> Section 19(1)(b) was amended by the [Criminal Justice \(Scotland\) Act 2003 \(asp 7\)](#), section 23(1).