



Fire Precautions Act 1971 (repealed)

1971 CHAPTER 40

Consultation between fire and other authorities

17 Duty of fire authorities to consult other authorities before requiring alterations to buildings.

- (1) Before a [^{F1}fire authority [^{F1}fire and rescue authority]]—
- (a) serve on the applicant for a fire certificate with respect to any premises a notice under section 5(4) of this Act informing him that they will not issue a certificate unless alterations are made to the relevant building; or
 - (b) serve in respect of any premises a notice under section 8(4) or (5) [^{F2}, section 9D] or section 12(8)(b) of this Act mentioning as a step which would have to be taken [^{F2}or, in the case of a notice under section 9D, which must be taken] anything involving the making of alterations to the relevant building, the authority shall—
 - (i) if the premises are situated in England or Wales . . . and the [^{F1}fire authority [^{F1}fire and rescue authority]] are not the local authority for the area in which the premises are situated, consult that local authority; . . . ^{F3}
 - (ii) if the premises are situated in Scotland, consult the [^{F4}local] authority (within the meaning of . . . ^{F5} the ^{M1}Building (Scotland) Act 1959) for the area in which the premises are situated, [^{F6}and]
 - [^{F7}(iii) if the premises are used as a place of work and are within the field of responsibility of one or more enforcing authorities within the meaning of Part I of the ^{M2} Health and Safety at Work etc. Act 1974, consult that authority or each of those authorities.]
- (2) For the avoidance of doubt it is hereby declared that a local authority [^{F8}buildings authority or other authority] who have in accordance with this section been consulted by a [^{F9}fire authority [^{F9}fire and rescue authority]] proposing to serve any such notice as is mentioned in subsection (1) above may be a person aggrieved within the meaning of section 9 of this Act.

Status: Point in time view as at 01/10/2004. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Fire Precautions Act 1971 (repealed), Section 17. (See end of Document for details)

[^{F10}(3) Section 18(7) of the ^{M3} Health and Safety at Work etc. Act 1974 (meaning in Part I of that Act of “enforcing authority” and of such an authority’s “field of responsibility”) shall apply for the purposes of this section as it applies for the purposes of that Part.]

Textual Amendments

- F1** Words in s. 17(1) substituted (E.W.) (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), s. 61, Sch. 1 para. 28(1)(2)(r); S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2
- F2** Words inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 50\)](#), ss. 7(3), 50(2)
- F3** Word repealed by [Health and Safety at Work etc. Act 1974 \(c. 37\)](#), Sch. 10
- F4** Word substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), Sch. 15 Pt. II para. 30(a)
- F5** Words repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), Sch. 29
- F6** Word added by [Health and Safety at Work etc. Act 1974 \(c. 37\)](#), s. 78(1)(6)(a)
- F7** S. 17(1)(iii) added by [Health and Safety at Work etc. Act 1974 \(c. 37\)](#), s. 78(1)(6)(a)
- F8** Words substituted by [Health and Safety at Work etc. Act 1974 \(c. 37\)](#), s. 78(1)(6)(b)
- F9** Words in s. 17(2) substituted (E.W.) (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), s. 61, Sch. 1 para. 28(1)(2)(r); S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2
- F10** S. 17(3) added by [Health and Safety at Work etc. Act 1974 \(c. 37\)](#), s. 78(1)(6)(c)

Marginal Citations

- M1** 1959 c. 24.
- M2** 1974 c. 37.
- M3** 1974 c. 37.

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Fire Precautions Act 1971 (repealed), Section 17.