



Fire Precautions Act 1971 (repealed)

1971 CHAPTER 40

Fire certificates

[^{F1}5B] Withdrawal of exemptions under s. 5A.

- (1) A [^{F2}fire authority [^{F2}fire and rescue authority]] who have granted an exemption under section 5A of this Act from the requirement to have a fire certificate covering any particular use of premises may, if they think fit, at any time, withdraw the exemption in accordance with subsections (2) to (4) below.
- (2) In deciding whether or not to withdraw an exemption they have granted the [^{F3}fire authority [^{F3}fire and rescue authority]] shall have regard to all the circumstances of the case and in particular to the degree of seriousness of the risk in case of fire to persons in the premises.
- (3) The [^{F4}fire authority [^{F4}fire and rescue authority]] may withdraw an exemption they have granted as respects any particular use of premises without exercising any of the powers of inspection or inquiry conferred by section 19 of this Act but they shall not withdraw the exemption without first giving notice to the occupier of the premises that they propose to withdraw it and the reasons for the proposal and giving him an opportunity of making representations on the matter.
- (4) An exemption shall be withdrawn by serving a notice on the occupier of the premises to which the exemption relates stating that the exemption will cease to have effect as respects the particular use or uses of the premises specified in the notice on such date as is so specified, being a date not earlier than the end of the period of fourteen days beginning with the date on which service of the notice is effected.
- (5) If premises cease to qualify for exemption under section 5A of this Act a [^{F5}fire authority [^{F5}fire and rescue authority]] who have granted an exemption under that section shall notify the occupier of the premises of the fact and date of the cessation of the exemption.]

Status: Point in time view as at 10/11/2004. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Fire Precautions Act 1971 (repealed), Section 5B. (See end of Document for details)

Textual Amendments

- F1** Ss. 5A and 5B inserted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 50\)](#), s. **1(4)**, 50(2)
- F2** Words in s. 5B(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)(f); S.I. 2004/2304, art. 2, S.I. 2004/2917, art. 2
- F3** Words in s. 5B(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)(f); S.I. 2004/2304, art. 2, S.I. 2004/2917, art. 2
- F4** Words in s. 5B(3) 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)(f); S.I. 2004/2304, art. 2, S.I. 2004/2917, art. 2
- F5** Words in s. 5B(5) 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)(f); S.I. 2004/2304, art. 2, S.I. 2004/2917, art. 2

Status:

Point in time view as at 10/11/2004. 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 5B.