

Status: Point in time view as at 24/11/2005.

Changes to legislation: There are currently no known outstanding effects for the Fire Safety and Safety of Places of Sport Act 1987. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 16.

FIRE PRECAUTIONS: SPECIAL PROVISION FOR CERTAIN PREMISES

SCHEDULE TO BE INSERTED AS SCHEDULE 2 TO FIRE PRECAUTIONS ACT 1971

SCHEDULE 2

SPECIAL PROVISION FOR CERTAIN PREMISES

PART I

THE PREMISES

- 1 Subject to paragraph 2 below, the following are the descriptions of premises in relation to which this Act is subject to the modifications specified in relation to them in Part II—
- (a) premises constituting, or forming part of, a factory within the meaning of the ^{M1}Factories Act 1961 and premises to which sections 123(1) and 124 of that Act (application to electrical stations and institutions) apply (in this Schedule referred to as “factory premises”);
 - (b) office premises within the meaning of the ^{M2}Offices, Shops and Railway Premises Act 1963, or premises deemed to be such premises for the purposes of that Act (in this Schedule referred to as “office premises”);
 - (c) railway premises within the meaning of that Act of 1963, or premises deemed to be such premises for the purposes of that Act (in this Schedule referred to as “railway premises”); and
 - (d) shop premises within the meaning of that Act of 1963, or premises deemed to be such premises for the purposes of that Act (in this Schedule referred to as “shop premises”).

Marginal Citations

M1 9 & 10 Eliz. 2 c. 34.

M2 1963 c. 41.

- 2 Premises which are deemed to form part of a mine for the purposes of the ^{M3}Mines and Quarries Act 1954 are excluded from the descriptions of premises mentioned in sub-paragraphs (b) to (d) of paragraph 1 above.

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Marginal Citations

M3 2 & 3 Eliz. 2 c. 70.

PART II

THE MODIFICATIONS

- 3 (1) This paragraph applies to premises in respect of which a fire certificate is required which are factory premises, office premises, railway premises or shop premises, and which—
- (a) are held under a lease or an agreement for a lease or under a licence and consist of part of a building all parts of which are in the same ownership; or
 - (b) consist of part of a building in which different parts are owned by different persons.
- (2) In relation to premises to which this paragraph applies this Act shall have effect with the following modifications.
- (3) For the references to the occupier in sections 5(2A), 5A(4), 5A(6), 5A(8), 5B(3), 5B(4), 5B(5), 6(5), 7(1), 7(3A), 7(4), 8(2) (except paragraph (c) and the insertion made by sub-paragraph (5) below), 8(4), 8(5), 8(7), 8B(1), 9(5)(b), 9A(3), 9D(1) and 12(8)(b) there shall be substituted—
- (a) in the case of premises falling within sub-paragraph (1)(a) above, references to the owner of the building;
 - (b) in the case of premises falling within sub-paragraph (1)(b) above, references to the persons who between them own the building.
- (4) For the words “a fire certificate” where they occur in section 6(8) and where they first occur in section 7(6) there shall be substituted the words “ a copy of the fire certificate ” and in section 6(8) at the end of the subsection there shall be inserted the words “ and the fire certificate shall be sent to the owner of the building or, as the case may be, the person who owns the part of the building of which the premises consist. ”
- (5) In sections 8(2) and 8A(1) after the words “fire authority;” there shall be inserted the words “ and the occupier shall, before the carrying out of the proposals is begun, furnish to the persons responsible for giving notice of the proposals to the fire authority any information in his possession which is relevant to those proposals; ”.
- (6) In section 8A(1) for the references to the occupier (except the reference inserted by sub-paragraph (5) above) there shall be substituted—
- (a) in the case of premises—
 - (i) falling within sub-paragraph (1)(a) above; and
 - (ii) in relation to which it is intended to carry out proposals falling within subsection (2)(a) or (c) of that section,
 - (b) in the case of premises—
 - (i) falling within sub-paragraph (1)(b) above; and
 - (ii) in relation to which it is intended to carry out proposals falling within subsection (2)(a) or (c) of that section,

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- (7) The expressions “owner of the building” and “the persons who between them own the building” do not include the Crown in the modifications made—
- (a) by sub-paragraph (3) above of sections 7(1), 8(7), 9A(3) and of the word “occupier” in the third place where it occurs in section 8(2); and
 - (b) by sub-paragraph (6) above of the word “occupier” in the second place where it occurs in section 8A(1).
- 4 In section 6(1) as it has effect in relation to factory premises there shall be inserted after paragraph (e) the following paragraph—
- (f) particulars as to any explosive or highly flammable materials which may be stored or used in the premises,
- 5 In section 8 as it has effect in relation to factory premises—
- (a) for paragraph (c) of subsection (2) there shall be substituted the following paragraph—
 - “(c) the occupier of the premises proposes to begin to store or use explosive or highly flammable materials in the premises or materially to increase the extent of such storage or use;”;
 - (b) in subsection (3) for the words from “keep explosive” to “that kind” there shall be substituted the words “store or use explosive or highly flammable materials in the premises or materially to increase the extent of such storage or use”.
- 6 In section 8A as it has effect in relation to factory premises, for paragraph (b) of subsection (2) there shall be substituted the following paragraph—
- “(b) on the part of the occupier of the premises to begin to store or use explosive or highly flammable materials in the premises or materially to increase the extent of such storage or use;”
- 7 Where a licence issued under the ^{M4}Explosives Act 1875 or the ^{M5}Petroleum (Consolidation) Act 1928 is in force with respect to factory premises, office premises, shop premises, or railway premises, section 31 of this Act shall not have effect in relation to any term, condition or restriction imposed in connection with the issue, renewal, transfer or variation of such licence.

Marginal Citations

M4 38 & 39 Vict. c. 17.

M5 18 & 19 Geo. V c. 32.

- 8 Where any premises (“the relevant premises”)—
- (a) are premises for which a fire certificate is required, premises for which a fire certificate is in force, premises to which section 9A of this Act applies or premises to which regulations under section 12 of this Act apply, and
 - (b) are factory premises, office premises, shop premises or railway premises, section 28 shall apply to the premises or to any other premises comprised in the same building—
 - (i) with the substitution of the foregoing words (reading “this section” for “section 28”) for subsection (1);
 - (ii) with the insertion, in subsection (2)(a), after “8(5)” of “9D(1)”; and

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- (iii) with the substitution, for subsection (2)(c) of the following—
 “(c) in order to secure compliance with section 9A or a provision of regulations under section 12 of this Act;”

SCHEDULE 2

Section 19.

EXTENSION OF APPLICATION OF SAFETY OF SPORTS GROUNDS ACT 1975 TO SPORTS GROUNDS

| Section | Amendment |
|----------------------------|---|
| Section 1(1). | For the words “a stadium”, substitute the words “a sports ground”. For the words “any sports stadium”, substitute the words “any sports ground”. |
| Section 1(2). | For the word “stadium”, wherever occurring, substitute the word “ground”. |
| Section 1(3). | For the word “stadium”, wherever occurring, substitute the word “sports ground”. |
| Section 1(4). | For the words ““designated stadium””, substitute the words “designated sports ground”. For the word “a stadium”, substitute the words “a sports ground”. |
| Section 2(1), (3) and (4). | For the word “stadium”, wherever occurring, substitute the words “sports ground”. |
| Section 3. | For the word “stadium”, wherever occurring, substitute the words “sports ground”. |
| Section 4(7). | For the word “stadium”, substitute the words “sports ground”. |
| Section 8. | For the word “stadium”, wherever occurring, substitute the words “sports ground”. |
| Section 9(1). | For the word “stadium”, substitute the words “sports ground”. |
| Section 9(1)(b). | For the words from “sections 168” to “relate”, substitute “section 89 of the Civic Government (Scotland) Act 1982 (which makes provision as to the safety of platforms, stands and other structures), in so far as that section relates”. |
| Section 12(1). | For the word “stadium”, wherever occurring, substitute the words “sports ground”. |
| Section 12(2). | Omit the words “stadium or other”. |
| Section 17(1). | For the words ““designated stadium””, substitute the words “designated sports”. |

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ground” .Omit the definition of “sports stadium”.

F1 SCHEDULE 3

Section 42.

Textual Amendments

- F1** Sch. 3 repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), Sch. 7 (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

SCHEDULE 4

Section 49.

REPEALS

Commencement Information

- II** Sch. 4 partly in force; Sch. 4 not in force at Royal Assent see s. 50(2); Sch. 4 in force in relation to specified repeals: at 1.1.1988 by S.I. 1987/1762, art. 2, Sch.; at 1.6.1988 by S.I. 1988/485, art. 2, Sch.; at 1.4.1989 by S.I. 1989/75, art. 2, Sch.; at 1.8.1993 by S.I. 1993/1411, art. 2, Sch.

| Chapter | Short title | Extent of repeal |
|------------|--|--|
| 1963 c.33. | London Government Act 1963. | In Schedule 12, in paragraph 1(6), the words “or the Royal Albert Hall”, paragraph 4(1) (b) and paragraph 20. |
| 1971 c.40. | Fire Precautions Act 1971. | In section 2, the words from “of any of the following” to “any premises” where last occurring. In section 5(3)(c), the words from “for use” to “the building”. In section 6(1) (d), the words from “for use” to “the building”. In section 12(1), the words “other than paragraph (d)”. In section 43(1), in the definition of “the court”, the words “and the Schedule thereto”. Section 43(2). |
| 1974 c.37. | Health and Safety at Work etc. Act 1974. | Section 78(4). |

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| | | |
|------------|------------------------------------|--|
| 1975 c.52. | Safety of Sports Grounds Act 1975. | Section 5(4), (6), (7) and (8). In section 7, in subsection (3), the words “, subject to subsection (4) below,” and subsections (4) and (5). In section 12(2), the words “stadium or other”. Section 15. In section 17(1), the definition of “sports stadium”. |
|------------|------------------------------------|--|

SCHEDULE 5

Section 49.

TRANSITIONAL AND SAVING PROVISIONS

Preliminary

- 1 In this Schedule—
- F2
.....
- “the 1971 Act” means the ^{M6}Fire Precautions Act 1971;
- “the 1975 Act” means the ^{M7}Safety of Sports Grounds Act 1975; ^{F2}...
- F2
.....

Textual Amendments

F2 Words in Sch. 5 para. 1 repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), [Sch. 7](#) (with ss. 2(3), 15(2), 195); [S.I. 2005/3056](#), art. 2(2) (with art. 4)

Marginal Citations

M6 1971 c. 40.

M7 1975 c. 52.

Certain certificates deemed to be fire certificates

- 2 Where immediately before a fire certificate becomes required by or under the 1971 Act in respect of any premises a fire certificate issued or deemed to be issued under regulations made under the ^{M8}Health and Safety at Work etc. Act 1974 (a “1974 Act certificate”) was in force in respect of those premises, the 1974 Act certificate shall continue in force and shall be deemed to be a fire certificate within the meaning of the 1971 Act validly issued with respect to the premises with respect to which it was issued and to cover the use or uses to which those premises were being put immediately before a fire certificate becomes required by or under the 1971 Act in respect of those premises; and, without prejudice to the generality of the foregoing, the 1974 Act certificate—
- (a) may be amended, replaced or revoked in accordance with the provision of the 1971 Act; and
 - (b) shall be treated as imposing in relation to the premises the like requirements as were previously imposed in relation to the premises.

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Marginal Citations

M8 1974 c. 37.

Charges for fire certification work

- 3 Section 8B of the 1971 Act which is inserted by section 3 of this Act does not apply as respects an application for a fire certificate made before the said section 3 comes into force.

Fire safety: emergency orders

- 4 The substitution effected by section 9 of this Act of section 10 of the 1971 Act shall not affect any order of the court in force under that section when that substitution comes into force and any such order may be enforced, or an appeal made against it, accordingly.

Sports grounds: certain existing designations

- 5 Any designation of a sports ground made under section 1 of the 1975 Act by virtue of an order under section 15 of that Act and in force immediately before the repeal of section 15 by section 19 of this Act shall not be affected by the repeal but shall continue in force as if made under section 1 as amended by section 19 of (and Schedule 2 to) this Act.

Sports grounds certificates: appeals

- 6 The amendments effected by section 22 of this Act in section 5 of the 1975 Act shall not affect any appeal pending when those amendments come into force and any such appeal may be determined (with or without an inquiry and report thereon), and the decision on the appeal shall have effect, accordingly.

Sports grounds: emergency orders

- 7 The substitution effected by section 23 of this Act of section 10 of the 1975 Act shall not affect any order of the court in force under that section when that substitution comes into force and any such order may be enforced, modified or cancelled, or an appeal made against it, accordingly.

Entertainment licences for sports generally

F38

Textual Amendments

F3 Sch. 5 paras. 8-10 repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), Sch. 7 (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

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Textual Amendments

F3 Sch. 5 paras. 8-10 repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

Boxing or wrestling licences

^{F3}10

Textual Amendments

F3 Sch. 5 paras. 8-10 repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

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