



Fire and Rescue Services Act 2004

2004 CHAPTER 21

PART 6

SUPPLEMENTARY

Powers in the event of emergency etc

44 Powers of fire-fighters etc in an emergency etc

- (1) An employee of a fire and rescue authority who is authorised in writing by the authority for the purposes of this section may do anything he reasonably believes to be necessary—
 - (a) if he reasonably believes a fire to have broken out or to be about to break out, for the purpose of extinguishing or preventing the fire or protecting life or property;
 - (b) if he reasonably believes a road traffic accident to have occurred, for the purpose of rescuing people or protecting them from serious harm;
 - (c) if he reasonably believes an emergency of another kind to have occurred, for the purpose of discharging any function conferred on the fire and rescue authority in relation to the emergency;
 - (d) for the purpose of preventing or limiting damage to property resulting from action taken as mentioned in paragraph (a), (b) or (c).
- (2) In particular, an employee of a fire and rescue authority who is authorised as mentioned in subsection (1) may under that subsection—
 - (a) enter premises or a place, by force if necessary, without the consent of the owner or occupier of the premises or place;
 - (b) move or break into a vehicle without the consent of its owner;
 - (c) close a highway;
 - (d) stop and regulate traffic;
 - (e) restrict the access of persons to premises or a place.

^{F1}(3)

Status: Point in time view as at 01/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Fire and Rescue Services Act 2004, Cross Heading: Powers in the event of emergency etc. (See end of Document for details)

^{F1}(4)

Textual Amendments

- F1** S. 44(3)(4) repealed (20.2.2007) by [Emergency Workers \(Obstruction\) Act 2006 \(c. 39\)](#), **ss. 6, 7(2)**; [S.I. 2007/153](#), art. 2; [S.I. 2007/153](#), art. 2

Modifications etc. (not altering text)

- C1** S. 44 applied (with modifications) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), arts. 1(2), **17(2)**

Commencement Information

- I1** S. 44 in force at 7.9.2004 for specified purposes except in relation to W. and 1.10.2004 otherwise except in relation to W. by [S.I. 2004/2304](#), **art. 2** (with art. 3)
- I2** S. 44 in force at 10.11.2004 for W. by [S.I. 2004/2917](#), **art. 2**

Status:

Point in time view as at 01/04/2013.

Changes to legislation:

There are currently no known outstanding effects for the Fire and Rescue Services Act 2004,
Cross Heading: Powers in the event of emergency etc.