



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 2

LOCAL DEMOCRACY AND DEVOLUTION

CHAPTER 1

COMBINED COUNTY AUTHORITIES

Police and crime and fire and rescue functions

39 Section 34 regulations: application of fire and rescue provisions

- (1) The Secretary of State may by regulations—
- (a) apply (with or without modifications) any provision of a fire and rescue enactment in relation to a person within subsection (2);
 - (b) make, in relation to a person within subsection (2), provision corresponding or similar to any provision of a fire and rescue enactment.
- (2) Those persons are—
- (a) a chief constable of a police force for a police area to whom regulations under section 34(2) apply,
 - (b) a member of staff transferred to such a chief constable under a scheme made by virtue of section 36(1),
 - (c) a member of staff appointed by such a chief constable under section 36(2),
 - (d) a member of such a chief constable's police force by whom functions are exercisable by virtue of section 34(2)(b), and
 - (e) a member of the civilian staff of such a police force (as defined by section 102(4) of the Police Reform and Social Responsibility Act 2011) by whom functions are exercisable by virtue of section 34(2)(b).

Status: This is the original version (as it was originally enacted).

- (3) The power conferred by subsection (1)(a) or (b) includes power to apply (with or without modifications) any provision made under a fire and rescue enactment or make provision corresponding or similar to any such provision.
- (4) The Secretary of State may by regulations amend, revoke or repeal a provision of or made under an enactment in consequence of provision made by virtue of subsection (1).
- (5) In this section “fire and rescue enactment” means an enactment relating to a fire and rescue authority (including, in particular, an enactment relating to an employee of such an authority or property of such an authority).
- (6) References in this section to an enactment or to provision made under an enactment are to an enactment whenever passed or (as the case may be) to provision whenever the instrument containing it is made.