
STATUTORY INSTRUMENTS

1988 No. 1324

The Furniture and Furnishings (Fire) (Safety) Regulations 1988

Citation and Commencement

1.—(1) These Regulations may be cited as the Furniture and Furnishings (Fire) (Safety) Regulations 1988.

(2) These Regulations shall come into force as follows:—

- (a) this regulation and regulations 3 and 4 shall come into force on 1st November 1988;
- (b) subject to subparagraph (i) below, regulation 6 (insofar as it relates to foam), 11 (insofar as it relates to foam-filled furniture), 12 (insofar as it relates to foam-filled furniture) and 13 (insofar as it relates to foam-filled furniture) and 15 shall come into force as regards the duties of manufacturers and importers, on 1st November 1988;
- (c) regulation 2, insofar as it relates to the revocation of that part of the Upholstered Furniture (Safety) Regulations 1980⁽¹⁾ as amended by the Upholstered Furniture (Safety) (Amendment) Regulations 1983⁽²⁾ which imposes requirements with respect to permanent labels for certain furniture (insofar as those requirements apply to manufacturers and importers), shall come into force on 1st November 1988;
- (d) regulation 7 (insofar as it relates to foam filling materials) shall come into force on 1st November 1988 and (insofar as it is not already in force) shall come into force on 1st March 1989;
- (e) regulation 2, insofar as it relates to the revocation of that part of the Upholstered Furniture (Safety) Regulations 1980 as amended by the Upholstered Furniture (Safety) (Amendment) Regulations 1983 which imposes requirements with respect to display labels for certain furniture, shall come into force on 1st March 1989;
- (f) subject to subparagraph (i) below, regulations 5, 6 (insofar as it relates to non-foam fillings), 11 (insofar as it relates to furniture), 12 (insofar as it relates to furniture) 13 and 15 shall come into force as regards the duties of manufacturers and importers (insofar as they are not already so in force) on 1st March 1989;
- (g) subject to subparagraph (i) below, regulations 5, 6, 10, 11 (insofar as it relates to furniture), 12 (insofar as it relates to furniture) and 15 shall come into force as regards the duties of retailers on 1st March 1989;
- [^{F1}(h) (i) regulation 8 (except in relation to those products mentioned in (ii) of this subparagraph) and regulations 9, 10, 11, 12, 13 and 15 (insofar as they are not already in force) shall come into force on 1st March 1990; and
(ii) regulation 8 shall come into force in relation to cots, including carry-cots, playpens, prams and pushchairs and any other article of a like nature and use designed to contain a baby or small child, and high-chairs on 1st September 1990.]
- (i) insofar as regulations 5, 6, 10, 11, 12 and 13 apply to or in respect of—

(1) S.I.1980/725.

(2) S.I. 1983/519.

- (i) furniture (whether ready-assembled or in component form) which is ordinarily intended for private use in the open air but which is also suitable for use in a dwelling;
 - (ii) furniture which is ordinarily intended to be affixed to and form part of a caravan;
- they shall come into force on 1st March 1990;
- (j) regulation 14(2) shall come into force on 1st March 1993; and
 - (k) otherwise, on 1st March 1990.

Textual Amendments

- F1** [Reg. 1\(2\)\(h\)](#) substituted (8.1.1990) by [The Furniture and Furnishings \(Fire\) \(Safety\) \(Amendment\) Regulations 1989 \(S.I. 1989/2358\)](#), regs. 1(2), 3
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Commencement Information

- I1** [Reg. 1](#) in force at 1.11.1988, see [reg. 1\(2\)\(a\)](#)

Revocation

2. The Upholstered Furniture (Safety) Regulations 1980 and the Upholstered Furniture (Safety) (Amendment) Regulations 1983 are hereby revoked.

Commencement Information

- I2** [Reg. 2](#) in force at 1.11.1988 for specified purposes, 1.3.1989 for specified purposes and 1.3.1990 otherwise, see [reg. 1\(2\)\(c\)\(e\)\(k\)](#)

Interpretation

3.—(1) In these Regulations—

“BS 3379” means the British Standard Specification for flexible urethane foam for loadbearing applications BS 3379: 1975 published by the British Standards Institution on 30th May 1975, as amended on 28th April 1978⁽³⁾, subject to any further amendments made thereto and approved by the Secretary of State;

“BS 5651” means the British Standard Specification for cleansing and wetting procedures for use in the assessment of the effect of cleansing and wetting on the flammability of textiles and fabric assemblies BS 5651: 1978 published by the British Standards Institution on 29th December 1978⁽⁴⁾ subject to any amendments made thereto and approved by the Secretary of State;

“BS 5852: Part 1” means the British Standard for fire tests for furniture BS 5852: Part 1: 1979 published by the British Standards Institution and which came into effect on 30th November 1979⁽⁵⁾ subject to any amendments made thereto and approved by the Secretary of State;

“BS 5852: Part 2” means the British Standard for fire tests for furniture BS 5852: Part 2: 1982 published by the British Standards Institution and which came into effect on 31st August 1982⁽⁶⁾ subject to any amendments made thereto and approved by the Secretary of State;

⁽³⁾ ISBN 0 580 08189 3.

⁽⁴⁾ ISBN 0 580 10449 4.

⁽⁵⁾ ISBN 0 580 11106 7.

⁽⁶⁾ ISBN 0 580 12842 3.

“BS 6807” means the British Standard Methods of test for the ignitability of mattresses with primary and secondary sources of ignition BS 6807: 1986 published by the British Standards Institution and which came into effect on 31st December 1986⁽⁷⁾ subject to any amendments made thereto and approved by the Secretary of State;

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“cushions” (except in (a) of the definition of “relevant ignitability test” in this paragraph [^{F3}and in the definition of “invisible part” in relation to covers and permanent covers in this subparagraph]) means scatter cushions and cushions of the kind commonly used on the seats of wooden chairs;

“dwelling” includes any caravan, but does not include boats or any other vessels or motor vehicles;

“filling material” means any material used for filling or stuffing the upholstered parts of furniture or for filling, bulking-out or stuffing such articles as cushions, mattresses and pillows;

“furniture” means—

- (a) furniture of any description which is ordinarily intended for private use in a dwelling and includes beds and divans (including the bases and headboards of both), sofa-beds, children’s furniture, cots (including carry-cots, playpens, prams and pushchairs and any other article of a like nature and use designed to contain a baby or small child), cushions, high-chairs, mattresses (of any size) and pillows, but does not include bedding or floor coverings (including carpets and mats);
- (b) furniture which is ordinarily intended for private use in the open air but which is also suitable for use in a dwelling; and
- (c) any collection of components designed or intended to be assembled into any article of furniture defined in subparagraphs (a) and (b) above;

and “furniture” includes furniture mentioned in regulation 14(1) (second-hand furniture)—
in regulations 4, 7 and 15, from 1st November 1988;
in regulations 8(4), 9 and 14, from 1st March 1990;
in regulations 5, 6 and 8(1)–(3) from 1st March 1993.

[^{F4}“invisible part” in relation to covers and permanent covers means—

- (a) any part of the cover on that part of the furniture on which any back, arm or seat cushions are intended to rest;
- (b) the underside or reverse side of any seat or back cushions which are not designed to be reversible;
- (c) the underside of any arm cushions which are not designed to be reversible and which are secured in such a way that they cannot be displaced in normal use; and
- (d) the dust cover on the underside of the article of furniture,

and “visible part” in relation to covers and permanent covers means any part of the cover other than an invisible part]

F2
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“relevant ignitability test” in relation to any filling which—

- (a) consists solely of polyurethane foam in slab or cushion form means the test specified in Part I of Schedule 1 to these Regulations;

- (b) consists solely of polyurethane foam in crumb form means the test specified in Part II of Schedule 1 to these Regulations;
- (c) consists solely of latex rubber foam means the test specified in Part III of Schedule 1 to these Regulations;
- (d) consists of a single filling material other than the materials mentioned in paragraph (a), (b) or (c) above means the test specified in Part I of Schedule 2 to these Regulations;
- (e) consists of more than one filling material means either:—
 - (i) the test specified in Part I of Schedule 2 to these Regulations for each individual filling material tested separately; or
 - (ii) the appropriate test specified in Part II, III or IV of that Schedule for the filling material tested as a composite:

provided that if the filling material includes foam of any of the kinds mentioned in paragraph (a), (b) or (c) above, the relevant ignitability test for that part of the filling which consists of such foam shall be the test (or tests) specified in paragraph (a), (b) or (c), as the case may be;

“supply”, where the context so admits, includes offering and agreeing to supply and exposing and possessing for supply, and cognate expressions shall be construed accordingly.

(2) For the purposes of these Regulations any references in BS 3379, BS 5651, BS 5852: Part 1, BS 5852: Part 2 or BS 6807 to any other British Standards shall be construed as references to those other British Standards as they had effect on 28th April 1978, 29th December 1978, 30th November 1979, 31st August 1982 and 31st December 1986 respectively or as they had effect on those dates respectively subject to amendments made to them by the British Standards Institution and approved by the Secretary of State.

Textual Amendments

- F2** Words in [reg. 3\(1\)](#) revoked (1.3.1990) by [The Furniture and Furnishings \(Fire\) \(Safety\) \(Amendment\) Regulations 1989 \(S.I. 1989/2358\)](#), regs. 1(2), [4\(b\)](#)
- F3** Words in [reg. 3\(1\)](#) inserted (1.3.1990) by [The Furniture and Furnishings \(Fire\) \(Safety\) \(Amendment\) Regulations 1989 \(S.I. 1989/2358\)](#), regs. 1(2), [4\(a\)](#)
- F4** Words in [reg. 3\(1\)](#) inserted (1.3.1990) by [The Furniture and Furnishings \(Fire\) \(Safety\) \(Amendment\) Regulations 1989 \(S.I. 1989/2358\)](#), regs. 1(2), [4\(c\)](#)

Commencement Information

- I3** [Reg. 3](#) in force at 1.11.1988, see [reg. 1\(2\)\(a\)](#)

Exclusion of goods made before 1950 and of supply of materials for re-upholstery of furniture made before that date and of goods for export

- 4. The requirements of these Regulations do not apply—
 - (a) in relation to the supply of any goods manufactured before 1 January 1950;
 - (b) in relation to the supply of materials when the person supplying them knows or has reasonable cause to believe that they will be used for re-covering or re-upholstering furniture manufactured before 1st January 1950; or
 - (c) in any case where the person supplying goods to which those requirements relate knows or has reasonable cause to believe that the goods will not be used in the United Kingdom.

Commencement Information

I4 [Reg. 4](#) in force at 1.11.1988, see [reg. 1\(2\)\(a\)](#)

Upholstery

^{F5}5.—(1) Subject to paragraph 2 below no furniture to which this regulation applies shall include upholstery which does not pass the cigarette test in Part I of Schedule 4 to these Regulations.

(2) An invisible part of the cover on any part of furniture which includes upholstery shall not be required to pass the test in paragraph (1) above if that upholstery (including such invisible part of the cover) passes the cigarette test in Part II of Schedule 4 to these Regulations.

(3) This regulation applies to all furniture (except mattresses, bed-bases, pillows and cushions).]

Textual Amendments

F5 [Reg. 5](#) substituted (1.3.1990) by [The Furniture and Furnishings \(Fire\) \(Safety\) \(Amendment\) Regulations 1989 \(S.I. 1989/2358\)](#), [regs. 1\(2\), 5](#)

Filling material

6.—(1) Subject to paragraphs (3) and (4) below, no furniture shall include any filling material which fails the relevant ignitability test.

(2) No furniture shall include as filling any foam in crumb form unless both—

- (a) the foam from which the crumb is derived passes the ignitability test specified in Part I of Schedule 1 to these Regulations; and
- (b) the foam in crumb form itself passes the ignitability test specified in Part II of that Schedule.

(3) A cushion may include filling material which does not pass the ignitability test specified in Part I or Part II (or both such parts) of Schedule 2 to these Regulations if the cushion has a primary cover and, with that cover, passes the ignitability test in Part III of that Schedule.

(4) A pillow may include filling material which does not pass the ignitability test specified in Part I or Part II (or both such parts) of Schedule 2 to these Regulations if the pillow, when tested with its primary cover, passes the ignitability test in Part III of that Schedule.

Commencement Information

I5 [Reg. 6](#) in force at 1.11.1988 for specified purposes, 1.3.1989 for specified purposes and 1.3.1990 otherwise, see [reg. 1\(2\)\(b\)\(f\)\(g\)\(i\)\(k\)](#)

Loose fillings

7.—^{F6}(1) No person shall supply—

- (a) any polyurethane foam in slab or cushion form which fails the test specified in Part I of Schedule 1 to these Regulations;
- (b) any foam in crumb form which may not be included in furniture by virtue of regulation 6(2) above; or

- (c) any latex rubber foam which fails the test specified in Part III of Schedule 1 to these Regulations,
- in any case where he knows or has reasonable cause to believe that the material will be used—
- (i) for filling a cushion or a pillow; or
 - (ii) for the purpose of upholstering or re-upholstering furniture.

(2) Without prejudice to paragraph (1) above, no person shall supply any other filling material which fails test (d) or (e) in the definition of relevant ignitability test in regulation 3(1) above in any case where he knows or has reasonable cause to believe that the material will be used, otherwise than in the course of business, for a purpose mentioned in sub-paragraphs (i) or (ii) of paragraph (1) above.]

Textual Amendments

- F6** Reg. 7(1)(2) substituted for reg. 7 (8.1.1990) by [The Furniture and Furnishings \(Fire\) \(Safety\) \(Amendment\) Regulations 1989 \(S.I. 1989/2358\)](#), regs. 1(2), 6

Commencement Information

- I6** [Reg. 7](#) in force at 1.11.1988 for specified purposes and 1.3.1989 otherwise, see [reg. 1\(2\)\(d\)](#)

Permanent Covers

[^{F7}8.—(1) Subject to paragraph (2) below, if furniture specified in paragraph (5)(b) below which contains filling material is supplied with a cover on it (whether or not the cover is over the filling material), any visible part of the cover shall pass the match test in Part I of Schedule 5 to these Regulations and any invisible part of the cover shall pass the match test in Part III of that Schedule.

(2) Where furniture is supplied with a cover on it and there is between it and any part of the cover an interliner which passes the test in Schedule 3 to these Regulations then provided that such part of the cover is made of a relevant material it need not pass the match test which would otherwise have been applicable to it under paragraph (1) above.

(3) Subject to paragraph (4) below, no person shall supply any cover or fabric knowing or having reasonable cause to believe that it will be used to provide or replace—

- (a) a visible part of the permanent cover of any furniture specified in paragraph (5)(b) below which contains filling material or
- (b) an invisible part of such a permanent cover,

unless the cover or fabric passes, in the case of (a), the match test in Part I of Schedule 5 to these Regulations or, in the case of (b), the match test in Part III of that Schedule.

(4) Paragraph (3) above does not apply if the fabric or cover supplied is made of a relevant material and the person who supplies it knows or has reasonable cause to believe that it will be used to replace or provide any part (whether visible or invisible) of the permanent cover on furniture and that there is or will be between the furniture and such part an interliner which passes the test in Schedule 3 to these Regulations.

(5) In this regulation—

- (a) a “relevant material” means a material containing at least 75 per cent by weight of cotton, flax, viscose, modal, silk or wool, used separately or together and not coated with polyurethane or a polyurethane preparation; and
- (b) “furniture” means any furniture other than the following: mattresses, bed-bases, pillows, cushions and insulated bags designed for carrying infants under the age of six months]

Textual Amendments

F7 [Reg. 8](#) substituted (1.3.1990) by [The Furniture and Furnishings \(Fire\) \(Safety\) \(Amendment\) Regulations 1989 \(S.I. 1989/2358\)](#), regs. 1(2), 7

Commencement Information

I7 [Reg. 8](#) in force at 1.3.1990 for specified purposes and 1.9.1990 otherwise, see [reg. 1\(2\)\(h\)](#)

Covers other than permanent covers

9.—(1) Loose covers (other than stretch covers) for any furniture specified in paragraph (3) below shall pass the match test in Part I of Schedule 5 to these Regulations.

(2) Stretch covers for any furniture specified in paragraph (3) below shall pass the match test in Part II of that Schedule.

(3) In this regulation “furniture” means any furniture other than mattresses, bed-bases, pillows and cushions.

Commencement Information

I8 [Reg. 9](#) in force at 1.3.1990, see [reg. 1\(2\)\(h\)](#)

Labelling requirements

Display labels

10.—(1) There shall be attached to furniture to which Schedule 6 to these Regulations applies and which is exposed for supply by retail the appropriate display label specified in that Schedule.

(2) The label mentioned in paragraph (1) above shall be so attached to the furniture as to be clearly visible to anyone inspecting the furniture and to enable him to read both the front and the back of the label with as little inconvenience as is reasonably practicable.

Commencement Information

I9 [Reg. 10](#) in force at 1.3.1989 for specified purposes and 1.3.1990 otherwise, see [reg. 1\(2\)\(g\)-\(i\)](#)

Permanent labels

11. Furniture and covers to which Schedule 7 to these Regulations applies shall bear the permanent labelling specified in Part II or Part III of Schedule 7 to these Regulations in accordance with the provisions of Part II or Part III of that Schedule, as the case may be, (and if the furniture or cover does not bear the permanent labelling specified in Part II of Schedule 7 the requirements of regulation 12 below shall also be complied with in relation to such furniture or cover).

Commencement Information

I10 [Reg. 11](#) in force at 1.11.1988 for specified purposes, 1.3.1989 for specified purposes and 1.3.1990 otherwise, see [reg. 1\(2\)\(b\)\(f\)-\(i\)](#)

Requirement to give information

^{F8}12.

Textual Amendments

F8 Reg. 12 revoked (1.10.2015) by The Consumer Rights Act 2015 (Commencement No. 3, Transitional Provisions, Savings and Consequential Amendments) Order 2015 (S.I. 2015/1630), art. 1, **Sch. 2 para. 16** (with art. 8)

First suppliers: requirement to give information

^{F9}13.

Textual Amendments

F9 Reg. 13 revoked (1.10.2015) by The Consumer Rights Act 2015 (Commencement No. 3, Transitional Provisions, Savings and Consequential Amendments) Order 2015 (S.I. 2015/1630), art. 1, **Sch. 2 para. 16** (with art. 8)

Second-hand furniture

14.—(1) [^{F10}Subject to paragraph (1A) below] this regulation applies to furniture which has previously been supplied (whether before or after 1st March 1990, provided that it is not excluded by regulation 4 above, and whether in the United Kingdom or elsewhere) to any person who acquired it otherwise than for the purposes of a business of dealing in furniture.

[^{F11}(1A) Until 31st December 1996 paragraph (2) below does not apply to any furniture which is hired out at the same time as and in connection with the letting of accommodation if that furniture has, before being so hired out, been hired out in connection with the letting of the same accommodation.]

(2) Furniture to which this regulation applies shall satisfy the requirements of regulations 5, 6 and [^{F12}8(1) and (2)] subject to the exceptions to those requirements for certain furniture specified in those regulations.

(3) Subject to paragraph (4) below, no person shall supply any furniture to which this regulation applies in the period before 1st March 1993 unless:—

[^{F13}(a) in the case of furniture to which regulation 3(1) of the Upholstered Furniture (Safety) Regulations 1980 as amended by the Upholstered Furniture (Safety) (Amendment) Regulations 1983 applied, any visible part of any cover on the furniture passes the cigarette test in Part I of Schedule 4 to these Regulations;] and

(b) there is attached to the furniture the display label specified in Schedule 8 to these Regulations so as to be clearly visible to anyone inspecting the furniture and to enable him to read both the front and the back of the label with as little difficulty as is reasonably practicable.

(4) The display label specified in Schedule 8 to these Regulations need not be attached to the furniture if the furniture meets all the requirements of these Regulations which would have had to be met if paragraph 2 of this regulation had been in force.

Textual Amendments

- F10** Words in [reg. 14\(1\)](#) inserted (1.3.1993) by [The Furniture and Furnishings \(Fire\) \(Safety\) \(Amendment\) Regulations 1993 \(S.I. 1993/207\)](#), regs. 1, **2(a)**
- F11** [Reg. 14\(1A\)](#) inserted (1.3.1993) by [The Furniture and Furnishings \(Fire\) \(Safety\) \(Amendment\) Regulations 1993 \(S.I. 1993/207\)](#), regs. 1, **2(b)**
- F12** Words in [reg. 14\(2\)](#) substituted (1.3.1990) by [The Furniture and Furnishings \(Fire\) \(Safety\) \(Amendment\) Regulations 1989 \(S.I. 1989/2358\)](#), regs. 1(2), **8(1)**
- F13** [Reg. 14\(3\)\(a\)](#) substituted (1.3.1990) by [The Furniture and Furnishings \(Fire\) \(Safety\) \(Amendment\) Regulations 1989 \(S.I. 1989/2358\)](#), regs. 1(2), **8(2)**

Commencement Information

- I11** [Reg. 14\(1\)\(3\)\(4\)](#) in force at 1.3.1990, see [reg. 1\(2\)\(k\)](#)
- I12** [Reg. 14\(2\)](#) in force at 1.3.1993, see [reg. 1\(2\)\(j\)](#)

Prohibition on supply

15.—(1) Subject to paragraph (2) below, no person shall supply any furniture or other article in respect of which any of the requirements of these Regulations is not satisfied.

(2) Paragraph (1) above does not apply where the furniture or other article is supplied as part of the fixtures and fittings of a caravan which is being supplied at the same time and which has previously been supplied (whether before or after 1st November 1988 and whether in the United Kingdom or elsewhere) to any person who acquired it otherwise than for the purposes of a business of dealing in caravans.

Commencement Information

- I13** [Reg. 15](#) in force at 1.11.1988 for specified purposes, 1.3.1989 for specified purposes and 1.3.1990 otherwise, see [reg. 1\(2\)\(b\)\(f\)-\(h\)](#)

26th July 1988

Eric Forth
Parliamentary Under-Secretary of State,
Department of Trade and Industry

Changes to legislation:

There are currently no known outstanding effects for the The Furniture and Furnishings (Fire) (Safety) Regulations 1988.