



# Police and Fire Reform (Scotland) Act 2012

2012 asp 8

## PART 2

### FIRE REFORM

#### *Functions*

#### **102 Promotion of fire safety**

In section 8 of the 2005 Act (fire safety)—

- (a) in subsection (1), for “Each relevant authority shall” substitute “ SFRS must ”, and
- (b) in subsection (2)
  - (i) for “a relevant authority shall” substitute “ SFRS must ”, and
  - (ii) for “the authority” substitute “ it ”.

#### **Commencement Information**

**II** S. 102 in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

#### **103 Fire safety: enforcement**

(1) In section 61 of the 2005 Act (enforcing authorities)—

- (a) in each of subsections (7) and (8)
  - (i) for “A relevant authority” substitute “ SFRS ”, and
  - (ii) for “the authority” substitute “ SFRS ”, and
- (b) in subsection (9), for paragraphs (b) and (c) substitute—

“(b) in relation to any other relevant premises, SFRS.”.

(2) In section 67 of the 2005 Act (enforcement of Chapter 1 of Part 3 of the 2005 Act: determination of disputes)—

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(a) for subsection (1), substitute—

“(1) Subsections (1A) and (1B) apply where—

- (a) an enforcing authority considers that a person has failed to comply with any of the Chapter 1 duties, and
- (b) in relation to the duty in question, the person and the authority cannot agree on the action that requires to be taken to comply with the duty.

(1A) The person and the authority may refer the matter to the person appointed under section 43A(1)(a) for determination.

(1B) If the enforcing authority is SFRS, it or the person may refer the matter to the person appointed under section 43A(1)(a) for determination.”,  
and

(b) in subsection (4), for “(1) or (2)” substitute “ (1A) or (1B) ”.

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**Commencement Information**

**I2** [S. 103](#) in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

## 104 Fire-fighting

In section 9 of the 2005 Act (fire-fighting)—

- (a) in subsection (1), for “Each relevant authority shall” substitute “ SFRS must ”, and
- (b) in subsection (2), for “a relevant authority shall” substitute “ SFRS must ”.

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**Commencement Information**

**I3** [S. 104](#) in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

## 105 Road traffic accidents

In section 10 of the 2005 Act (road traffic accidents)—

- (a) in subsection (1), for “Each relevant authority shall” substitute “ SFRS must ”, and
- (b) in subsection (2), for “a relevant authority shall” substitute “ SFRS must ”.

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**Commencement Information**

**I4** [S. 105](#) in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

## 106 Conferral of functions in relation to other emergencies

In section 11 of the 2005 Act (conferral of functions in relation to other emergencies)

- (a) in subsection (1), for “a relevant authority (the “specified authority”)” substitute “ SFRS ”, and

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- (b) in each of subsections (2) and (3), for “the specified authority”, in each place where it occurs, substitute “ SFRS ”.

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**Commencement Information**

**I5** S. 106 in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

**107 Power to respond to other eventualities**

In section 13 of the 2005 Act (power to respond to other eventualities)—

- (a) in subsection (1), for “A relevant authority” substitute “ SFRS ”, and  
(b) in subsection (2)(b), for “an authority” substitute “ SFRS ”.

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**Commencement Information**

**I6** S. 107 in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

**108 Provision of other services**

In section 14 of the 2005 Act (provision of other services)—

- (a) in subsection (1)  
(i) for “A relevant authority” substitute “ SFRS ”, and  
(ii) for “the authority” substitute “ SFRS ”, and  
(b) in subsection (2), for “An authority” substitute “ SFRS ”.

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**Commencement Information**

**I7** S. 108 in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

**109 Provision of centres for education and training**

In section 15 of the 2005 Act (provision of centres for education and training)—

- (a) for “A relevant authority” substitute “ SFRS ”, and  
(b) for “relevant authorities have” substitute “ it has ”.

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**Commencement Information**

**I8** S. 109 in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

**110 Charging**

In section 16 of the 2005 Act (charging)—

- (a) in subsection (1)  
(i) for “a relevant authority” substitute “ SFRS ”, and  
(ii) for “the authority” substitute “ SFRS ”,  
(b) in subsection (2), for “the authority” substitute “ SFRS ”,

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- (c) in subsection (3), for the words from “the”, where it secondly occurs, to the end substitute “ SFRS at sea beyond the low water mark ”, and
- (d) in subsection (4)
  - (i) for “a relevant authority” substitute “ SFRS is ”,
  - (ii) after “description” insert “ and it ”, and
  - (iii) for “the authority”, in both places where it occurs, substitute “ SFRS ”.

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**Commencement Information**

**19** S. 110 in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Ch. 12A inserted by [2017 asp 4 s. 1\(1\)](#)
- s. 17(2)(h) inserted by [2017 asp 4 s. 2\(a\)\(ii\)](#)
- s. 17(4)(b)(iv) inserted by [2017 asp 4 s. 2\(b\)\(ii\)](#)
- s. 20A inserted by [2017 asp 4 s. 3](#)