
STATUTORY INSTRUMENTS

2006 No. 1254

The Fire and Rescue Services (Northern Ireland) Order 2006

PART III

FIRE SAFETY

CHAPTER II

ENFORCEMENT

Enforcement notices

37.—(1) Where the Board considers that a person has failed to comply with any of the fire safety duties, the Board may serve an enforcement notice on that person.

(2) An enforcement notice shall—

- (a) state that the Board considers that the person on whom the notice is served has failed to comply with the fire safety duty specified in the notice;
- (b) specify why the Board considers that the person has failed to comply with the duty in question; and
- (c) require the person, before the expiry of the period specified in the notice (being a period of at least 28 days), to take the action so specified.

(3) Before serving an enforcement notice including a requirement to make an alteration to relevant premises, the Board shall consult—

- (a) the district council for the area in which the premises are situated;
- (b) if the premises are used as a place of work, the enforcing authority within the meaning of Article 2(2) of the Health and Safety at Work (Northern Ireland) Order 1978 (NI 9); and
- (c) any other person whose consent to the alteration would be required by virtue of any statutory provision.

(4) Failure to comply with paragraph (3) shall not affect the validity of an enforcement notice.

(5) Where the Board has served an enforcement notice on a person, the Board may—

- (a) before the expiry of the period specified in the notice, by notice in writing to the person withdraw the enforcement notice; or
- (b) if an appeal against the notice is not pending under Article 40, extend, or further extend, the period specified in the notice.

(6) For the purposes of this Article, “fire safety duties” does not include the duty imposed by Article 28.

Modifications etc. (not altering text)

- C1** [Art. 37](#) modified (15.11.2010) by [Fire Safety Regulations \(Northern Ireland\) 2010 \(S.R. 2010/325\)](#), [reg. 24\(3\)\(a\)](#)

Changes to legislation: There are currently no known outstanding effects for the The Fire and Rescue Services (Northern Ireland) Order 2006, Section 37. (See end of Document for details)

- C2** Art. 37(1) modified (15.11.2010) by Fire Safety Regulations (Northern Ireland) 2010 (S.R. 2010/325), **reg. 24(3)(b)**
- C3** Art. 37(2)(a) modified (15.11.2010) by Fire Safety Regulations (Northern Ireland) 2010 (S.R. 2010/325), **reg. 24(3)(b)**
- C4** Art. 37(6) modified (15.11.2010) by Fire Safety Regulations (Northern Ireland) 2010 (S.R. 2010/325), **reg. 24(3)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Fire and Rescue Services (Northern Ireland) Order 2006, Section 37.