



# Fire and Rescue Services Act 2004

## 2004 CHAPTER 21

### PART 2

#### FUNCTIONS OF FIRE AND RESCUE AUTHORITIES

##### *Discharge of functions by others*

#### **16 Arrangements for discharge of functions by others**

- (1) A fire and rescue authority (the first authority) may enter into arrangements with—
  - (a) another fire and rescue authority, or
  - (b) any other person,for the discharge to any extent by that other authority or person of a function conferred on the first authority under any of sections 6 to 9 and 11.
- (2) But a fire and rescue authority may enter into arrangements with a person under subsection (1) in relation to its function of extinguishing fires only if the person employs fire-fighters.
- (3) Arrangements under this section may include provision as to the terms on which any function is to be discharged (including provision as to payment).

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#### **Commencement Information**

- I1** S. 16 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. 16 in force at 10.11.2004 for W. by [S.I. 2004/2917](#), [art. 2](#)

#### **17 Directions as to arrangements under section 16**

- (1) The Secretary of State may direct two fire and rescue authorities—

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*Changes to legislation: There are currently no known outstanding effects for the Fire and Rescue Services Act 2004, Cross Heading: Discharge of functions by others. (See end of Document for details)*

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- (a) to enter into arrangements under section 16 in the terms specified in the direction;
  - (b) to make one or more specified variations to any such arrangements;
  - (c) to cancel any such arrangements.
- (2) The Secretary of State may give a direction under subsection (1) on his own initiative or at the request of one of the authorities.
- (3) Before giving a direction under subsection (1) the Secretary of State—
- (a) must give the authorities concerned an opportunity to make representations to him;
  - (b) may cause an inquiry to be held.
- (4) The Secretary of State may give a direction under subsection (1) only if, after considering—
- (a) any representations made under subsection (3)(a), and
  - (b) if an inquiry is held under subsection (3)(b), the report of the person by whom it is held,
- he considers it expedient to do so with a view to securing greater economy, efficiency and effectiveness.

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**Commencement Information**

- I3** S. 17 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](#))
- I4** S. 17 in force at 10.11.2004 for W. by [S.I. 2004/2917](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Fire and Rescue Services Act 2004,  
Cross Heading: Discharge of functions by others.