



Fire and Rescue Services Act 2004

2004 CHAPTER 21

PART 3

ADMINISTRATION

Supervision

28 Inspectors

- [^{F1}(A1) Her Majesty may appoint such number of inspectors of fire and rescue authorities in England (the “English inspectors”) as the Secretary of State may determine.
- (A2) Of the persons appointed under subsection (A1) one is to be appointed as the chief fire and rescue inspector for England.
- (A3) The English inspectors must inspect, and report on the efficiency and effectiveness of, fire and rescue authorities in England.
- (A4) The English inspectors must carry out such other duties for the purpose of furthering the efficiency and effectiveness of fire and rescue authorities in England as the Secretary of State may from time to time direct.
- (A5) The chief fire and rescue inspector for England may appoint assistant inspectors and other officers for the purpose of assisting the English inspectors.
- (A6) When carrying out an inspection under subsection (A3) of a fire and rescue authority created by an order under section 4A, an English inspector must not review or scrutinise decisions made, or other action taken, by the fire and rescue authority in connection with the discharge of an excluded function.
- (A7) For the purposes of subsection (A6), the following are excluded functions in relation to a fire and rescue authority—
- (a) the function of preparing a fire and rescue plan and a fire and rescue statement (within the meaning of Schedule A2);

Changes to legislation: There are currently no known outstanding effects for the Fire and Rescue Services Act 2004, Section 28. (See end of Document for details)

- (b) the functions that the authority has in its capacity as a major precepting authority for the purposes of Part 1 of the Local Government Finance Act 1992;
 - (c) the function of appointing a chief finance officer under section 4D(4);
 - (d) where functions of the authority have been delegated to a chief constable under an order under section 4H, the functions conferred on the authority by section 4J(4) and (5);
 - (e) functions specified, or of a description specified, in relation to that authority in an order made by the Secretary of State.
- (A8) The power under subsection (A7)(e) may be exercised in relation to—
- (a) all fire and rescue authorities created by an order under section 4A,
 - (b) a particular fire and rescue authority created by an order under section 4A, or
 - (c) a particular description of fire and rescue authorities created by an order under section 4A.
- (A9) Schedule A3 makes further provision in relation to the English inspectors.]
- (1) Her Majesty may by Order in Council appoint inspectors, and the Secretary of State may appoint assistant inspectors and other officers, for the purpose of obtaining information as to—
- (a) the manner in which fire and rescue authorities [^{F2}in Wales] are discharging their functions;
 - (b) technical matters relating to those functions.
- (2) The Secretary of State may pay to persons appointed under this section remuneration determined by him.
- (3) A person appointed under section 24 of the Fire Services Act 1947 (c. 41) is to be taken to have been appointed under this section.

Textual Amendments

- F1** S. 28(A1)-(A9) inserted (31.1.2017 for specified purposes, 17.7.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), **ss. 11(2)**, 183(1), (5)(e); [S.I. 2017/726](#), [reg. 2\(b\)](#)
- F2** Words in s. 28(1)(a) inserted (31.1.2017 for specified purposes, 17.7.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), **ss. 11(3)**, 183(1), (5)(e); [S.I. 2017/726](#), [reg. 2\(b\)](#) (with [reg. 4](#))

Modifications etc. (not altering text)

- C1** S. 28 applied (with modifications) by [S.I. 2017/469](#), Sch. 1 para. 3 (as inserted (26.6.2020) by [The Greater Manchester Combined Authority \(Fire and Rescue Functions\) \(Amendment\) Order 2020 \(S.I. 2020/641\)](#), arts. 1, 9)
- C2** S. 28 modified (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), 46(2), **Sch. 7 para. 6(4)**

Commencement Information

- I1** S. 28 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. 28 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, Section 28.