



# Fire and Rescue Services Act 2004

## 2004 CHAPTER 21

### PART 6

#### SUPPLEMENTARY

##### *Powers in the event of emergency etc*

#### **44 Powers of fire-fighters etc in an emergency etc**

- (1) An employee of a fire and rescue authority who is authorised in writing by the authority for the purposes of this section may do anything he reasonably believes to be necessary—
- (a) if he reasonably believes a fire to have broken out or to be about to break out, for the purpose of extinguishing or preventing the fire or protecting life or property;
  - (b) if he reasonably believes a road traffic accident to have occurred, for the purpose of rescuing people or protecting them from serious harm;
  - (c) if he reasonably believes an emergency of another kind to have occurred, for the purpose of discharging any function conferred on the fire and rescue authority in relation to the emergency;
  - (d) for the purpose of preventing or limiting damage to property resulting from action taken as mentioned in paragraph (a), (b) or (c).
- (2) In particular, an employee of a fire and rescue authority who is authorised as mentioned in subsection (1) may under that subsection—
- (a) enter premises or a place, by force if necessary, without the consent of the owner or occupier of the premises or place;
  - (b) move or break into a vehicle without the consent of its owner;
  - (c) close a highway;
  - (d) stop and regulate traffic;
  - (e) restrict the access of persons to premises or a place.

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*Status: Point in time view as at 01/10/2004. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Fire and Rescue Services Act 2004, Section 44. (See end of Document for details)*

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- (3) A person commits an offence if without reasonable excuse he obstructs or interferes with an employee of a fire and rescue authority taking action authorised under this section.
- (4) A person guilty of an offence under subsection (3) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

#### **Commencement Information**

- II** S. 44 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)

**Status:**

Point in time view as at 01/10/2004. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Fire and Rescue Services Act 2004, Section 44.