



Fire and Rescue Services Act 2004

2004 CHAPTER 21

PART 1

FIRE AND RESCUE AUTHORITIES

[^{F1}Fire and rescue authority involving police and crime commissioner

[^{F1}4A Power to provide for police and crime commissioner to be fire and rescue authority

- (1) The Secretary of State may by order provide—
 - (a) for the creation of a corporation sole as the fire and rescue authority for the area specified in the order, and
 - (b) for the person who is for the time being the police and crime commissioner for the relevant police area to be for the time being that fire and rescue authority.
- (2) In subsection (1) “the relevant police area” means the police area which—
 - (a) is the same as the area of the fire and rescue authority created by the order, or
 - (b) if the order creates two or more fire and rescue authorities, is the same as the areas of those authorities taken together.
- (3) The whole of an area of a fire and rescue authority created by an order under this section must be—
 - (a) within England, and
 - (b) outside the metropolitan police district and the City of London police area.
- (4) An order under this section may be made only if the relevant police and crime commissioner has submitted a proposal for the order to the Secretary of State.
- (5) An order under this section may be made only if it appears to the Secretary of State that—
 - (a) it is in the interests of economy, efficiency and effectiveness for the order to be made, or
 - (b) it is in the interests of public safety for the order to be made.

Changes to legislation: There are currently no known outstanding effects for the Fire and Rescue Services Act 2004, Section 4A. (See end of Document for details)

- (6) The Secretary of State may not make an order under this section in a case within subsection (5)(a) if the Secretary of State thinks that the order would have an adverse effect on public safety.
- (7) In this section “relevant police and crime commissioner” has the same meaning as in Schedule A1; and that Schedule makes further provision about the procedure for an order under this section.]

Textual Amendments

- F1** S. 4A-4M and crossheading inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 1 para. 5](#); [S.I. 2017/399](#), reg. 2, [Sch. para. 38](#)

Modifications etc. (not altering text)

- C1** S. 4A excluded (8.5.2017) by [The Greater Manchester Combined Authority \(Transfer of Police and Crime Commissioner Functions to the Mayor\) Order 2017 \(S.I. 2017/470\)](#), art. 1(2), [Sch. 2 para. 20\(b\)](#)
- C2** S. 4A applied (with modifications) (8.5.2017) by [The Greater Manchester Combined Authority \(Fire and Rescue Functions\) Order 2017 \(S.I. 2017/469\)](#), art. 1(3), [Sch. para. 6\(2\)](#)
- C3** S. 4A 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\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Fire and Rescue Services Act 2004, Section 4A.