
STATUTORY INSTRUMENTS

1997 No. 1840

The Fire Precautions (Workplace) Regulations 1997

PART II

FIRE PRECAUTIONS IN THE WORKPLACE

Application of Part II

3.—(1) Every employer shall ensure that he complies with the requirements of this Part of these Regulations in respect of every workplace, other than an excepted workplace, which is to any extent under his control, so far as the requirements relate to matters within his control.

(2) Every person who has, to any extent, control of a workplace, other than an excepted workplace, shall ensure that, so far as relates to matters within his control, the workplace complies with any applicable requirement of this Part of these Regulations.

(3) Where a person has, by virtue of any contract or tenancy, an obligation of any extent in relation to—

- (a) the maintenance or repair of any workplace; or
- (b) the safety of any workplace,

that person shall be treated, for the purposes of paragraph (2), as being a person who has control of the workplace to the extent that his obligation so extends.

(4) Any reference in this regulation to a person having control of any workplace is a reference to a person having control of the workplace in connection with the carrying on by him of a trade, business or other undertaking (whether for profit or not).

(5) For the purposes of these Regulations, an “excepted workplace” is—

- (a) any workplace to the extent that it comprises premises for which a fire certificate is in force or for which an application for a fire certificate is pending under the 1971 Act (other than a fire certificate deemed to have been issued under that Act by virtue of paragraph 2 of Schedule 8 to the 1974 Act);
- (b) any workplace to the extent that it comprises premises—
 - (i) in respect of which there is in force a safety certificate under the Safety of Sports Grounds Act 1975⁽¹⁾ or under Part III of the Fire Safety and Safety of Places of Sport Act 1987⁽²⁾; and
 - (ii) which are in use for the activity or activities specified in the certificate;
- (c) any workplace to the extent that it comprises premises to which the Fire Precautions (Sub-surface Railway Stations) Regulations 1989⁽³⁾ apply;

⁽¹⁾ 1975 c. 52.

⁽²⁾ 1987 c. 27.

⁽³⁾ S.I.1989/1401, as amended.

- (d) any workplace which is or is on a construction site within the meaning of regulation 2(1) of the Construction (Health, Safety and Welfare) Regulations 1996(4) and to which those Regulations apply;
 - (e) any workplace which is or is in or on a ship within the meaning of regulation 2(1) of the Docks Regulations 1988(5), including any such ship which is in the course of construction or repair;
 - (f) any workplace to the extent that it comprises premises to which the Fire Certificates (Special Premises) Regulations 1976(6) apply;
 - (g) any workplace which is deemed to form part of a mine for the purposes of the Mines and Quarries Act 1954(7);
 - (h) any workplace which is or is in or on an offshore installation within the meaning of regulation 3 of the Offshore Installations and Pipelines Works (Management and Administration) Regulations 1995(8);
 - (i) any workplace which is or is in or on an aircraft, locomotive or rolling stock, trailer or semi-trailer used as a means of transport or a vehicle for which a licence is in force under the Vehicle Excise and Registration Act 1994(9) or a vehicle exempted from duty under that Act; and
 - (j) any workplace which is in fields, woods or other land forming part of an agricultural or forestry undertaking but which is not inside a building and is situated away from the undertaking's main buildings.
- (6) The requirements of this Part of these Regulations shall not have effect to the extent that they would prevent—
- (a) any member of the armed forces of the Crown or of any visiting force (within the meaning of regulation 19);
 - (b) any constable or any member of a police force not being a constable; or
 - (c) any member of any emergency service,
- from carrying out their duties.
- (7) Without prejudice to paragraph (6), regulation 5(2)(f) shall not apply to any premises falling within the scope of section 40(2)(a) or (b) of the 1971 Act (prisons) or any part of any other premises used for keeping persons in lawful custody or detention.
- (8) Where paragraph (6) or (7) applies, the safety of employees in case of fire shall nevertheless be ensured so far as is possible.

Fire-fighting and fire detection

- 4.—(1) Where necessary (whether due to the features of a workplace, the activity carried on there, any hazard present there or any other relevant circumstances) in order to safeguard the safety of employees in case of fire—
- (a) a workplace shall, to the extent that is appropriate, be equipped with appropriate fire-fighting equipment and with fire detectors and alarms; and

(4) S.I. 1996/1592.
(5) S.I. 1988/1655.
(6) S.I. 1976/2003.
(7) 1954 c. 70.
(8) S.I. 1995/738.
(9) 1994 c. 22.

- (b) any non-automatic fire-fighting equipment so provided shall be easily accessible, simple to use and indicated by signs⁽¹⁰⁾,

and for the purposes of sub-paragraph (a) what is appropriate is to be determined by the dimensions and use of the building housing the workplace, the equipment it contains, the physical and chemical properties of the substances likely to be present and the maximum number of people that may be present at any one time.

(2) An employer shall, where necessary in order to safeguard the safety of his employees in case of fire—

- (a) take measures for fire-fighting in the workplace, adapted to the nature of the activities carried on there and the size of his undertaking and of the workplace concerned and taking into account persons other than his employees who may be present;
- (b) nominate employees to implement those measures and ensure that the number of such employees, their training and the equipment available to them are adequate, taking into account the size of, and the specific hazards involved in, the workplace concerned; and
- (c) arrange any necessary contacts with external emergency services, particularly as regards rescue work and fire-fighting.

Emergency routes and exits

5.—(1) Where necessary in order to safeguard the safety of employees in case of fire, routes to emergency exits from a workplace and the exits themselves shall be kept clear at all times.

(2) The following requirements must be complied with in respect of a workplace where necessary (whether due to the features of the workplace, the activity carried on there, any hazard present there or any other relevant circumstances) in order to safeguard the safety of employees in case of fire—

- (a) emergency routes and exits shall lead as directly as possible to a place of safety;
- (b) in the event of danger, it must be possible for employees to evacuate the workplace quickly and as safely as possible;
- (c) the number, distribution and dimensions of emergency routes and exits shall be adequate having regard to the use, equipment and dimensions of the workplace and the maximum number of persons that may be present there at any one time;
- (d) emergency doors shall open in the direction of escape;
- (e) sliding or revolving doors shall not be used for exits specifically intended as emergency exits;
- (f) emergency doors shall not be so locked or fastened that they cannot be easily and immediately opened by any person who may require to use them in an emergency;
- (g) emergency routes and exits must be indicated by signs⁽¹¹⁾; and
- (h) emergency routes and exits requiring illumination shall be provided with emergency lighting of adequate intensity in the case of failure of their normal lighting.

Maintenance

6. Where necessary in order to safeguard the safety of employees in case of fire, the workplace and any equipment and devices provided in respect of the workplace under regulations 4 and 5 shall

⁽¹⁰⁾ See the Health and Safety (Safety Signs and Signals) Regulations 1996 (S.I. 1996/341), which impose requirements in relation to fire safety signs.

⁽¹¹⁾ See the Health and Safety (Safety Signs and Signals) Regulations 1996 (S.I. 1996/341), which impose requirements in relation to fire safety signs.

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be subject to a suitable system of maintenance and be maintained in an efficient state, in efficient working order and in good repair.