

Northern Ireland Fire & Rescue Service
Fire Safety Legislation Advice Note 002

Enforcement in Domestic Premises

Version 1 - 18 December 2019

Northern Ireland Fire & Rescue Service (NIFRS) is the enforcing authority for fire safety duties as detailed by The Fire and Rescue Services (Northern Ireland) Order 2006.

Under Article 30 of the Order, the Department of Health, Social Services and Public Safety (now the Department of Health) has the power to make regulations about fire safety in relevant premises. This power was used to introduce The Fire Safety Regulations (Northern Ireland) 2010, which came into effect on 15 November 2010.

The relevant premises in which NIFRS can enforce fire safety duties are defined in Article 50 of the Order. Article 50 excludes domestic premises and the common areas of private dwellings, but does not exclude a House in Multiple Occupation.

Under Article 31 of the Order, the Department of Health, has the power to make regulations for or in connection with the maintenance of premises, facilities or equipment with a view to securing the safety of firefighters in the event of a fire in relevant premises. This power was used to introduce Regulation 24 of The Fire Safety Regulations (Northern Ireland) 2010 which requires the maintenance of measures provided in the common areas of private dwellings for protection of firefighters.

Therefore, in domestic premises, NIFRS can enforce the maintenance of:

- firefighting lifts;
- firefighting shafts;
- firefighting stairs;
- smoke control systems;
- rolling shutters in compartment walls; and
- dry or wet rising fire mains.

NIFRS cannot enforce any other fire safety measure in a domestic premises, unless it is a House in Multiple Occupation. In a House in Multiple Occupation, NIFRS can enforce all fire safety measures.

The measures which NIFRS cannot enforce in a domestic premises include:

- fire alarm systems, unless they are used to control a smoke control system, or other measure which protects firefighters;
- provision and protection of the means of escape, other than firefighting stairs or shafts;
- emergency lighting;
- the carrying out and review of a fire risk assessment;
- signage, unless in relation to measures which protect firefighters;
- provision and maintenance of fire extinguishers; or
- external cladding systems.

NIFRS' advice in respect of domestic premises is that the managing agent:

- should carry out a fire risk assessment, record the significant findings and review it when any material change occurs;
- must ensure the maintenance of measures provided in the common areas of private dwellings for protection of firefighters;
- should, in relation to the common areas, take all practicable fire safety measures as is reasonable for a person in their position to take to ensure the safety of persons in respect of harm caused by fire in the premises;
- should make arrangements for maintenance of the means of escape and keeping free from obstruction in case of fire;
- should maintain compartmentation throughout the building, in respect of ducts, services, shafts, or external cladding;
- should make arrangements to ensure that the front door of each flat is maintained as a fire door of the required fire resistance, including any opening in the door such as a letter box; and
- should manage the disposal of rubbish to reduce the risk of arson or accidental ignition.

For any queries please contact:

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