

THE FIRE PRECAUTIONS ACT 1975

THE FIRE PRECAUTIONS (FLATS) REGULATIONS 1996

Approved by Tynwald *21 May 1996*

Coming into operation *1 June 1996*

In exercise of the powers conferred on the Department of Home Affairs by paragraphs 1, 3, 4, 12 and 13 of Schedule 8 to the Fire Precautions Act 1975(a), and of all other enabling powers, and after consulting such persons or bodies of persons as appear to the said Department requisite, the following Regulations are hereby made:-

PART 1
INTRODUCTORY

Citation, commencement and interpretation

1. (1) These Regulations may be cited as the Fire Precautions (Flats) Regulations 1996 and, subject to paragraph 14 of Schedule 8 to the Act, shall come into operation on the 1st June 1996.

(2) In these Regulations -

"the Act" means the Fire Precautions Act 1975;

"BS" with a number means the British Standard so numbered and published by the British Standards Institution;

"building" means a building of which a flat forms part and, in relation to a flat, means the building of which the flat forms part;

"commencement" means the date on which these Regulations come into operation;

"escape route" means a route, available for use by occupants of a building as a safe means of escape, from any place in the building to a final exit from the building;

"final exit", in relation to a building, means a means of egress from the building to a street or open space;

"fire resistance", in relation to a component or structure of a building, means its ability to resist the spread of fire for a period of time prescribed by the relevant part of BS 476;

"flat" means a separate set of premises, whether or not on the same floor, constructed or adapted for use for the purpose of a dwelling for the occupation of one household and forming part of a building;

"FD30 door" and "FD30S door" mean a door complying with the FD30 or FD30S standard of fire resistance for doors prescribed by BS476:Part 22:1987, as the case may be, and fitted with an effective self-closing device;

"open space" means an unenclosed space in the open air at ground level;

"street" has the same meaning as in the Local Government Act 1985(b).

Scope of Regulations

2. Subject to regulation 3, the precautions and requirements specified in Part 2 shall be taken, observed or complied with, as the case may be, as regards -
 - (a) any flat used as, or for any purpose involving the provision of, sleeping accommodation; and
 - (b) any building containing such a flat.

Exemption from requirements

3. (1) During the period of 3 years beginning with commencement, the requirements of Part 2 shall not apply in the case of -
 - (a) a flat which was used as mentioned in regulation 2(a) immediately before commencement, or
 - (b) a building containing a flat which was so used.
- (2) Where it appears to the fire authority appropriate to do so, the authority may direct that a building or flat specified in the direction shall be exempted from any requirement of Part 2 so specified, either unconditionally or subject to conditions so specified.
- (3) The fire authority, on making a direction under paragraph (2), shall serve a copy on the owner and on every occupier of the building or flat in question, and shall keep a copy of every direction so made available for public inspection at its principal office at all reasonable times.

Enforcement

4. (1) The following persons shall be responsible for any contravention of regulation 2 -
 - (a) in the case of a requirement of regulation 5, 8, 9, 10(1), (2) or (3), 11, 12 or 14(1) or (3) (other than a requirement of regulation 5(12) or (13) relating to an escape route within a flat) -
 - (i) the owner of the building in question; and
 - (ii) any person acting as agent for the owner in the management of the building in question;
 - (b) in the case of a requirement of regulation 6, 10(4) or 14(2), or a requirement of regulation 5(12) or (13) relating to an escape route within a flat, the owner of the flat in question;
 - (c) in the case of a requirement of Regulation 7 -
 - (i) as respects a wall or floor wholly within a flat, the owner of the flat;
 - (ii) as respects any other wall, the owner of the building;
 - (d) in the case of a requirement of regulation 13 -
 - (i) as respects an appliance in a flat, the occupier of the flat;
 - (ii) as respects an appliance elsewhere, the owner of the building.
- (2) Any person who under paragraph (1) is responsible for any contravention of regulation 2 shall be guilty of an offence under Part I of Schedule 8 to the Act.

PART 2

FIRE PRECAUTIONS FOR FLATS

Means of escape from buildings

5. (1) An escape route shall be provided from every building such that, in case of fire in any part of the building, the route will at all times remain unaffected and available for use by the occupants of any flat in the building for not less than 30 minutes.
- (2) An alternative escape route shall be provided from a flat -
 - (a) Where any point on any floor level of the flat is either -
 - (i) above the third storey of a building above ground level, or
 - (ii) more than 11 metres above ground level (counted or measured vertically from any point on an outside edge of that floor level), or
 - (iii) below the ground storey of the building; or
 - (b) where the travel distance from the door of any habitable room or kitchen in the flat to the main entrance door to the flat is over 9 metres, and that door would (if no alternative escape route were provided) be the only means of egress from the flat.
- (3) An alternative escape route shall be provided from any room in a flat where the travel distance to the door of the room from any part of the room is over 9 metres.
- (4) An escape route provided under this regulation shall be -
 - (a) in the case of a flat to which regulation 3(1) applies, not less than 800mm wide;
 - (b) in any other case, not less than 1 metre wide.
- (5) The walls of any escape route shall not be finished otherwise than with an approved surface finish.
- (6) Any gas meter or gas-pipe in or under an escape route shall be enclosed within a half-hour fire-resisting enclosure which is permanently ventilated to the outside air at top and bottom.
- (7) Any electricity meter and any electrical switchgear in or under an escape route shall be enclosed within a half hour fire resisting enclosure.

(8) No escape route shall require a person using it to pass through one stairway enclosure in order to reach another.

(9) Where a corridor forming part of an escape route is more than 12 metres long, there shall be provided across the corridor self closing FD30S doors, so that no length of corridor between such doors exceeds 12 metres.

(10) Every stairway forming part of an escape route shall be separated from any corridor forming part of the escape route by a self closing FD30S door.

(11) Where a room in a building opens directly on to a stairway such as is mentioned in paragraph (10), that room shall be provided with a hall or lobby fitted with two self-closing FD30 doors, of which the door nearest the stairway shall be an FD30S door.

(12) Every escape route shall be kept free from obstructions at all times when any flat in the building is occupied.

(13) No final exit door from an escape route shall be provided with a deadlock other than one which can be easily opened from the inside without using a key.

(14) In this regulation -

"alternative escape route" means an escape route leading from the flat, storey or room in question by a different route (including a different final exit from the building) from another escape route;

"approved surface finish" means one of the following surfaces -

- (i) masonry, brickwork, blockwork, plasterboard, ceramic tiling, plaster (including rendering on metal or wood laths) or non-combustible insulation boards;
- (ii) woodwool slab;
- (iii) non-bituminous paint applied to a surface mentioned at (i) or (ii) above;
- (iv) thin vinyl or paper wall-covering (other than flock wall-covering) laid on a surface mentioned at (i) above.

Means of escape from flats

6. (1) Every flat entered directly from a common stairway or other common circulation space shall be provided with -
 - (a) an FD30S door as a main entrance door; and
 - (b) an internal hall or lobby surrounded by half-hour fire-resisting walls with surfaces having a surface spread of flame rating not inferior to Class 1 as determined in accordance with BS476:Part 7:1987 (1993).
- (2) Every access to a habitable room within a flat, and to a kitchen within a flat entered directly from the hall or lobby, referred to in paragraph (1)(b), shall be through an FD30 door.

Standard of construction

7. Every wall or floor of a building which separates a flat from any other flat or from any other part of the building shall be so maintained as to resist fire for at least 30 minutes.

Fire alarms

8. (1) A fire alarm system shall be provided in the building, conforming generally to BS 5839:Part 1:1988 for a type L2 system and in particular providing for the following -
 - (a) at least one manual call-point of the break-glass type fixed in an accessible place within the escape route on each floor, and adjacent to each point of egress from the building, fixed in a prominent position on a wall at 1.4 metres above floor level;
 - (b) at least one automatic smoke detector -
 - (i) at every level within the common staircase (including half-landing levels where such levels give access to the entrance to a flat or to a room in common use); and
 - (ii) within every room (other than a room forming part of a flat) which is used for storage;
 - (c) at least one automatic heat detector in -
 - (i) every boiler room;
 - (ii) every room comprising a kitchen (within the meaning of the Housing (Flats) Regulations 1982);

- (iii) every room containing cooking or laundry facilities;
 - (d) a control and indicator panel incorporating test facilities, sited within a common hall or staircase and as close to the main entrance door of the building as is reasonably practicable;
 - (e) electronic sounders sited, and of sufficient volume, so as to attain the sound levels specified in BS 5839:Part 1:1988;
- (2) In the internal hall or lobby of each flat there shall be provided at least one self-contained smoke alarm conforming to BS 5446: Part 1:1990, and not forming part of the main system referred to in paragraph (1).
- (3) In this regulation "room in common use" means a room serving or used by the occupants of more than one flat in the building.

Artificial lighting

9. Every part of the building which forms part of an escape route for occupants from a flat shall be provided with the following lighting -
- (a) artificial lighting sufficient to enable persons to see their way along the route whenever natural light is insufficient for the purpose;
 - (b) a permanent emergency lighting system conforming generally to BS 5266: Part 1:1988 sufficient to enable persons to see their way along the route whenever the lighting referred to in (a) above fails, which shall in particular -
 - (i) illuminate the route for not less than 3 hours;
 - (ii) be supplied with electricity from 2 separate sources, one of which is independent of the normal supply;
 - (iii) come into operation automatically whenever the lighting referred to in above fails.

Fire-fighting equipment

10. (1) There shall be provided on every floor of the building, firefighting equipment having a performance rating of not less than 13A as specified in BS 5423: 1987.
- (2) All such equipment shall be permanently mounted on a convenient wall, accessible to any person on the floor in question, with its handle not more than 1 metre above floor level.

- (3) All such equipment shall be checked at least once in every year by a competent person, and -
 - (a) a label shall be affixed thereto bearing the date of the last such check and the signature of the person who carried it out; and
 - (b) an appropriate entry shall be made in the logbook mentioned in regulation 12(2).
- (4) There shall be provided in every flat, in every room in which there is cooking apparatus, either -
 - (a) one dry-powder fire extinguisher having a performance rating of not less than 55B as specified in BS 5423: 1987, or
 - (b) one fire blanket not less than 1m square.

Wet and dry mains

- 11. (1) Subject to sub-paragraph (2), in every building in which any storey is more than 18m above ground level (measured vertically from any point on an outside edge of the floor of that storey) a wet or dry rising main complying with BS 5306:Part 1: 1988 shall be provided.
 - (2) This regulation does not apply to -
 - (a) a building constructed before the commencement of these Regulations, unless it is converted after such commencement, or
 - (b) a building converted before such commencement.

In this sub-paragraph "converted" means adapted for use for the purpose of a dwelling or dwellings.

Testing of alarm and lighting systems

- 12. (1) This Regulation applies to the fire alarm and emergency lighting systems referred to in Regulations 8 and 9(b).
 - (2) Every such system shall be tested by operation at least once in every month, and a record kept in a logbook showing when, by whom and with what result such tests were carried out. The logbook shall be kept in a readily accessible place in the building and produced to an inspector on demand.
 - (3) Every such system shall be tested at least once in every year by a registered electrician, and a certificate signed by him as to the result of the test shall be attached to the log book referred to in paragraph (2).

- (4) If a test under paragraph (2) or (3) shows that any such system is defective, the defect -
- (a) shall be notified as soon as reasonably practicable to every occupant of the building, and
 - (b) shall be remedied by a competent person as soon as practicable.
- (5) In this regulation "registered electrician" means a person registered as an electrician in the register maintained under the Scheme for the Certification of Craftsmen 1990(d).

Prohibited appliances

13. (1) Subject to paragraph (2), the following appliances shall not be kept, placed or used in a building without the written consent of the fire authority -
- (a) any gas-fired appliance other than an appliance properly connected to a mains gas supply or to a piped supply of gas from a cylinder or vessel located outside the building;
 - (b) any oil or paraffin-fired appliance other than an appliance properly connected to a fixed storage tank properly located inside or outside the building;
 - (c) any cylinder, tank or pressure vessel containing liquefied petroleum gas or any flammable gas (whether or not under pressure);
 - (d) any container, tank or vessel containing petroleum spirit or alcohol of any kind (except spirits for human consumption).
- (2) This regulation does not prohibit the keeping or use in a building of liquid petroleum gas or petroleum spirit -
- (a) in suitable small closed vessels containing not more than 500cc each, where the total aggregate quantity kept or used does not exceed 1500cc in volume or 1.5kg in weight;
 - (b) in the fuel tank of a motor vehicle garaged in the building.
- (3) In this regulation "liquid petroleum gas" means commercial butane, commercial propane or any mixture of them; and for this purpose -

"commercial butane" means a hydrocarbon mixture consisting predominantly of butane, butylene or any mixture of them;

"commercial propane" means a hydrocarbon mixture consisting predominantly of propane, propylene or any mixture of them

.Notices

14. (1) In every building there shall be provided on each floor in an escape route a printed notice in form 1 in the Schedule.
- (2) In every flat there shall be provided a printed notice containing instructions in case of fire in form 2 in the Schedule, and a notice containing the prohibition in regulation 13 in form 3 in the Schedule.
- (3) Any alternative escape route provided under regulation 5 shall be indicated as such in accordance with BS5499:Part 1:1990.

Fire Precautions (Flats) Regulations 1996

Regulation 14.

SCHEDULE
NOTICES

Form 1

Instructions to be provided on escape routes

IN CASE OF FIRE

IF YOU DISCOVER A FIRE -

1. Operate the fire alarm by breaking the glass. The alarm will sound automatically.

2. Go to the nearest telephone at *[position of telephone (which must be in a safe place)]**
 - a. Lift the receiver and dial 999
 - b. Give the operator your number and ask for the Fire Brigade
 - c. When the Fire Brigade answer say distinctly -

"Fire at *[address of premises]**"

DO NOT put the receiver down until the Fire Brigade have repeated the address
 - d. Wait until the Fire Brigade arrive, and tell them where the fire is.

**These details must be written in block letters on the notice.*

FIRE ROUTINE

Please read this and remember what it says. Your life and others' lives may depend on it.

IF YOU DISCOVER A FIRE -

1. Operate the nearest fire alarm at once.
2. Call the Fire Brigade.
3. DO NOT TAKE ANY RISKS, but if you can, attack the fire with the equipment provided.
4. Otherwise, close a door on the fire if you can, and close all other doors on your way out.
5. Leave the building by the nearest available exit.

IF YOU HEAR THE FIRE ALARM -

Leave the building by the nearest available exit, closing all doors behind you, and report to the assembly point at *[location]**

DO NOT run

DO NOT stop to collect your belongings

DO NOT use the lifts#

DO NOT enter the building again until the Fire Officer says you may

BEFORE YOU GO TO BED AT NIGHT -

1. Put out, or turn down as far as possible, all open fires and anything else that could start a fire.
2. Unplug all unnecessary electrical equipment.
3. See that all cookers and heaters are turned off at the mains.
4. See that all ashtrays are safely emptied.
5. DO NOT leave any clothes, or anything else that might burn, near any heater or open fire.
6. Shut the kitchen and living-room doors firmly behind you.

** These details must be written in block letters on the notice.*

Omit if no lifts are provided.

Fire Precautions (Flats) Regulations 1996

Form 3

Notice of prohibition inside flats

WARNING

The Fire Precautions (Flats) Regulations 1996 forbid anyone to keep, place or use within this building any of the following -

- (a) any gas fired appliance other than an appliance properly connected to a mains gas supply or to a piped supply of gas from a cylinder or vessel located outside the building;
- (b) any oil- or paraffin-fired appliance other than an appliance properly connected to a fixed storage tank located inside or outside the building;
- (c) any cylinder, tank or pressure vessel containing liquid petroleum gas or any flammable gas (whether or not under pressure);
- (d) any contained, tank or vessel containing petroleum spirit or alcohol of any kind (except spirits for human consumption).

Contravention is an offence, punishable by a fine of any amount, or even by imprisonment.

MADE

1996

Minister for Home Affairs

Fire Precautions (Flats) Regulations 1996

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations specify the fire precautions to be taken in flats, and in buildings of which flats form part. Contravention of the Regulations is an offence under Part I of Schedule 8 to the Fire Precautions Act 1975 and carries a maximum penalty on conviction on indictment, of 2 years' imprisonment and/or a fine or, on summary conviction, a fine of £5,000 (section 22). Provision is made for the exemption for 3 years of all existing flats, and for further exemptions for particular buildings or flats to be given by direction of the fire authority.