

# FIRE PREVENTION IN THE FALKLAND ISLANDS

G. J. N. ALLISON

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Between 5th January 1988 and 18th March 1988 I was seconded to the Overseas Development Administration to act as an Advisor to the Falklands Island Government on fire prevention.

My terms of reference were:-

To assess where United Kingdom fire prevention legislation and codes of practice can be applied and to direct as to how it may be adopted within local law.

To assist with the training of fire service personnel in fire prevention matters and if practicable also in general fire fighting techniques.

These areas have been investigated and the following report details the recommendations made.

Since the investigation involved the proposing of legislation and in view of the procedure which needs to be followed in order to adopt this. The recommendations concerning new legislation was passed to the Government Secretary for consideration by the Executive Council.

I wish to acknowledge the assistance and support of the following;

Government Secretary	Mr.C.Redston
Chief Fire Officer	Mr.M.T.Clarke
Chairman, Building Committee	Mr.T.Betts
Chief Police Officer	Supt.K.Greenland
County Fire Officer Cheshire Fire Brigade	Mr.D.Davis

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**SECTION 2**  
**THE FALKLANDS AN UPDATE**

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Whilst the general description given in the Davis Report published in 1977, remains accurate a number of developments have taken place since the Falklands War.

#### STANLEY

Stanley remains the administrative centre and capital of the Falklands. The town lies on the edge of a natural harbour which has access through Port William to the South Atlantic. This natural facility has developed greatly since the conflict. Immediately after Stanley was liberated the Armed Forces used both Stanley Airport and the harbour to land men and equipment. A floating dock was constructed in order to improve the facilities for large vessels to enter the harbour. This facility known locally as FIPASS has now been taken over by the Falkland Islands Government. The dock consists of floating pontoon type mooring platforms linked to the shore by a causeway. Dockside facilities are provided by further pontoons on which Warehouses and Office accommodation are located. Vessels using this facility vary from Warships to Cruise and Fishery Protection ships.

Stanley Airport which was damaged at the outbreak of the conflict has been reinstated and is operated by the Falkland Island Government Air Service (FIGAS). Three Islander aircraft are based here providing an inter-island air service for passengers and mail.

In 1987 the area around the islands for 150 miles was declared a Fishery Protection Zone and control of fishing within this area was developed. The Fisheries Control Service issue licences to ships which permits them to fish within the zone. This control is enforced by two patrol ships and an aircraft. The growth in this fishing industry has had a vast effect on the economic life of the islands. The main catch for these ships is Squid which is then transferred to into transport ships which anchor in Berkley Sound, North East of Port Stanley. Port Stanley is also used as a base for supply and minor repairs. A small fleet of vessels based in Stanley act as water taxi's and supply ships to the main fishing fleet.

Two vessels M.V. Forrest and M.V. Monsunen are used for supply and transport around the settlements.

About 36 miles outside Stanley the Royal Air Force have built an airport and complex at Mount Pleasant. This is now the international airport although at present only RAF aircraft fly into it. In addition to this complex East Cove has been developed as the military supply area for shipping, although, some non-military ships use the facility.

Development within the town is taking place particularly in the demand for housing. A number of projects are under way in this respect. Tourism is becoming a prominent feature with the development of houses, former 'camp' bunkhouses and managers houses into hotels and guest houses. In order to be able to meet the demand traditional methods of construction are being augmented by the importation of pre-fabricated designs from overseas.

The Falkland Island Development Corporation is a major part of this general change. It assists with advice, planning and motivation. Any of the development as described above places a strain on the existing resources and Stanley is not unusual in this respect. At present the water supply system is being upgraded by the provision of new storage tanks, filtration plant and distribution system.

It is strongly evident that the future of the Falkland Islands means more of this type of development. The speed of this development rests in the hands of the Falkland Islands Government but influences from other sources are evident. All aspects of the community must be aware of and be able to respond to these changes. In this respect the Falkland Island Fire and Rescue Service would play a major role.

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SECTION 3

THE FALKLAND ISLANDS FIRE AND RESCUE SERVICE

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The provision of the existing service is by virtue of the Stanley Town Public Services Ordinance 1973. At present the brigade consists of three full time staff supported by fifteen volunteer staff who are paid on turnouts and training attendances.

Whilst a Chief Fire Officer is appointed the Chief Police Officer has direct responsibility to the Chief Executive for Police and Fire Services. The Chief police Officer has agreed with the Chief Fire Officer their individual areas of responsibility and command.

The three full time staff are responsible for the following duties:-

- maintenance of brigade vehicles
- maintenance of brigade equipment
- brigade training
- brigade administration
- existing fire prevention duties
- maintenance of fire fighting equipment in government premises
- maintenance of fire fighting equipment on 'camp' airstrips
- operational fire cover

Within each of these categories limitations are inherent;

#### Maintenance of brigade vehicles

the range of vehicles at present in use are-

- 2 Major Pumping Appliances
- 1 Hose Laying Lorry
- 2 Firefly Landrovers
- 2 Water Tankers
- 6 Trailer Pumps
- 3 Lightweight Pumps
- 2 Landrover Utility Vehicles

In addition to these vehicles a Rapid Intervention Vehicle based on a Range Rover chassis is currently on order.

These vehicles vary in age from almost new to very old. Vehicles are housed in a number of locations around the town.

A new central fire station facility has been agreed and work started. However, no work has been carried out on this project since October/November last year. When enquiries were made as to a completion date the Chief Officer was told "the work would have been finished but for the fact that the Chief wants a Rolls Royce job". The only query that has been put up by the Chief Officer is over office and ancillary accommodation.

One member of the full time staff has been specifically employed for the purpose of vehicle maintenance. This man appears to be fully employed with this workload and manages well despite limited workshop facilities.

#### Maintenance of brigade equipment

A programme of standard tests has been prepared and implemented. The lack of basic facilities means however, that some testing needs to be done by other agencies. Breathing Apparatus for example (the brigade has 9 sets) must be sent to Ministry of Defence staff at Mount Pleasant Airport. The main reason for this is due to the small workshop available is not suited for this type of maintenance.

#### Brigade training

At present only the Chief Officer has received any formal training. This was done through the Ministry of Defence and by some assistance from Kent Fire Brigade.

Other staff attend a weekly drill session either in an afternoon or evening. No facilities are available for drill purposes and local

Sites have to be utilised. Ladder drills are carried out using the Town Hall whilst a local former Ministry of Defence site and building are used as drill yard and breathing apparatus chamber.

No area exists for technical training. The local area and limited traffic does allow for on site practical exercises and these aspects are used to the full.

Plans are in preparation for a full scale exercise in conjunction with other services.

#### Brigade administration

The three full time staff are based in two first floor offices in the Police Station. Clerical work is usually done by the officers themselves. If larger amounts of typing are necessary this would be typed by other departments or on a contract basis.

The Chief Officer prepares, maintains and issues all financial statements, budgets, wages and orders for equipment.

Fire prevention reports are typed by the officer himself and files are maintained in these offices. The existing space available is already limited and any increase in this respect would create difficulties.

#### Existing fire prevention duties

The Chief Officer has attended a Royal Air Force fire prevention course in the United Kingdom. He has also been involved with the British Forces Fire Officer during inspections. This fire prevention involvement now continues on a goodwill basis or with his involvement on the local Building Committee.

Fire prevention files only date back to around 1984/85. The existing establishment is not much older and previous files may well be in existence with other departments. Even following the hospital fire in 1984 the local fire officer has had no sight of the fire reports on the plans for the new hospital. Only limited information was passed over from the Ministry of Defence.

Much of the work done so far has been done on an "ad hoc" basis and with a limited effectiveness.

#### Maintenance of fire fighting equipment

The brigade is responsible for all government and camp airstrip fire fighting equipment. These duties are in the main based in Stanley however a review of the status of the camp airstrips is underway. This would involve staff in visits to each airstrip on at least an annual basis.

The small workshop is capable of most extinguisher maintenance but no purchase policy is in being. This means that occasions have occurred when spares are not available for some extinguishers.

The brigade took a recent opportunity to purchase a quantity of extinguishers from a local contractor. These extinguishers are now available for sale to residents. This has resulted in requests from the public for extinguisher maintenance.

Whilst the cost of this type of service is recoverable through charges the time and manpower available creates difficulty.

The brigade is well equipped in respect of communications in that in addition to the local 2 metre radio they share the use of the police radio scheme

Turnouts and general contacts are maintained by the use of a paging system capable of multi tone signals, voice or digital read out facilities. Both radio and paging system uses the police station as a central control. This being the only 24 hour manned point.

It was evident that whilst being established the brigade was still

trying to develop along the lines recommended in the Davis Report published in 1977. This development is being placed as a priority by the present Chief Officer. Within the fire brigade staff and volunteers a feeling of comradeship is beginning to develop, however, this identity must be transmitted to and encouraged within the local community. At present only the Chief Officer has a uniform, other than fire fighting rig, the provision of an easily maintained working rig would permit easy identification and increase status within the community.

The completion of the central fire station and provision of adequate training facilities are also essential. The benefits of these provisions will be efficiency, professionalism and willingness for the commitment involved.

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**SECTION 4**  
**EXISTING LEGISLATION**

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Whilst my terms of reference were to investigate new legislation it became apparent that number of statutes were already in existence.

These statutes are :

The Licensing Ordinance 1949

The Dangerous Goods Ordinance 1987

The Stanley Town Council Public Services Ordinance 1973

Although these statutes are not directly concerned with fire safety they each have a part to play.

#### The Licensing Ordinance 1949

part 11 of this legislation deals with Liquor Licences. No person may sell any intoxicating liquor without a licence and in order to get a licence notification of the application must be made Twenty One Days before the application is submitted.

Objections to the application may be taken on a number of grounds. Objections must be heard and determined by the Magistrate. It would appear therefore that the Fire Officer may make objections to the granting of a licence on the grounds that the premises are not maintained to the required standard or that the premises are not structurally suitable to that class of licence which is required. Both these areas of objection could deal with means of escape and fire safety in general.

No objections of this nature have been made to date.

Section 18 deals with the licensing of singing, dancing or theatrical entertainment on licenced premises. This licence is granted by the Magistrate without allowing for objections. No licences of this nature have been granted.

Applications for liquor licences are normally made to and issued by the Treasury. Only if objections are made or for an issue of a special licence does the Magistrate become involved.

#### The Dangerous Goods Ordinance 1987

This legislation was introduced in order to control dangerous materials. It applies to all explosives, compressed gases, petroleum and a number of other dangerous materials. The Police have been appointed the licensing authority. A licence is required for the use, storage, conveyance and manufacture of any dangerous goods.

The licence may impose such conditions to ensure defence, internal security, public safety, public order and peace. It also requires that when an accident by explosion or fire occurs a report shall be made.

It would certainly appear that this legislation involves fire safety as a major part of its basis. At the present time the fire brigade have no involvement with its enforcement or in an advisory capacity.

No licensing system has yet been introduced and therefore whilst available the legislation is not enforced.

#### The Stanley Town Public Services Ordinance 1973

Part 1 of this legislation deals solely with fire brigade provisions and specifically in Section 10(a)(iii) with matters relating to fire risk or precautions in or connected with any premises, vessel or other property.

This section allows the Governor to make regulations to provide for the making and issue of reports and certificates on fire precautions. This would seem to clearly indicate that existing controls are available, however, no such regulations appear to have been made.

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**SECTION 5**

**EXISTING FIRE PREVENTION DUTIES**

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At present the Chief Officer is involved in giving advice on a goodwill basis only. Existing premises files indicate that in some cases approaches have been made by individuals direct to the fire brigade. Whilst having been trained in fire prevention matters generally the Chief Officer has limited experience in carrying out inspections or application of codes of practice. This is understandable in view of his other responsibilities and the size and style of the community. Following the fire in the hospital in 1984 most government buildings were inspected jointly by the British Forces Fire Officer and the Chief Fire Officer. These reports were on a goodwill basis only and only limited aspects have been implemented. No overall policy has been produced, until now, for any enforcement of fire prevention or use of legislation. The existing reports do not indicate any formal standard or follow any code of practice. The basis has been on the experience of the officer concerned.

The Chief Officer is a member of the local Building Committee. This committee, which is made up from Councillors, Public works Department, Medical Department and the Fire Brigade, was formed with a view to try to place some control over building development and building design. Anyone who wishes to build, extend or alter his premises must submit details to this committee for approval. However, it is not unusual to find this committee discussing an application which has already been completed or is being built. Plans which are submitted often do not supply full details (e.g. block plans only). The members of the committee are also unsure as to their status or powers to make applicants comply with their comments. The Chief Officer maintains pressure at this committee to ensure that he receives all applications, with plans, in order that he can make the appropriate comments. Despite this it appears from the records thus far that any advice or comments by this committee are only advisory.

The English Building Regulations are used as a basis for comments but they have not been formally adopted by the Islands. The committee have raised the question of their liability in the event of a serious occurrence being related to their advice. An explanation of the situation in the United Kingdom was given to them and that the onus for compliance should be on the applicant. They are still however unsure of their position.

In general the attitude to fire prevention and fire safety is lax. There is even a situation on file where a maximum occupancy figure for the Town Hall, which was laid down by the Chief Officer, being overruled by the Governor.



With the development taking place within the community it is essential that basic standards are met and maintained. Whilst tradition and availability has dictated the building methods and materials it has not taken full account of fire safety or fire prevention. The community's fire service is still in an early development stage and it is therefore essential that its expertise be utilised to the full. The Fire Officer must be involved at the earliest possible stage of development not only for life safety but to ensure that his operational capabilities are maintained. The present goodwill basis for this type of advice is not working to its best advantage. It has been said also that people will operate to a standard once the standard is laid down. Therefore the control of life safety standards by suitable legislation is recommended. Finally because of the style of life within the community it is necessary for flammable materials and liquids to be stored or used. The use of these materials creates a potentially high risk of fire and possible fatal consequences. Controls suitable for this type of community can be used and enforced within existing legislation.

It is therefore recommended that the following be adopted:-

#### Building Control

Section 10(a)(iii) permits the Governor in Council to make regulations with regard to fire risk. Regulations should be made such that plans submitted to the Building Committee be rejected unless they show that the proposals comply with the standards laid down in respect of:

#### Means of Escape

- Internal Fire Spread (surfaces)
- Internal Fire Spread (structure)
- External Fire Spread
- Heat Producing Appliances

A suggested wording for these regulations is shown in appendix A which is based on the Building Regulations as used in England and Wales. They have however been adapted to suit the local conditions. The use of these standards would greatly assist in the development of buildings which will be-

- Of a more fire resisting nature
- Capable of allowing better escape for the occupants
- Better able to withstand collapse in order to allow fire fighters to enter in safety

#### Life Safety

Within the community a range of risks exist both large and small. In particular the growth of tourism is leading to the use of many premises as hotels and guest houses. Little or no control over fire safety has been enforced and therefore some buildings both structurally and in respect of means of escape leave a lot to be desired.

It is felt that this type of control should take the form of a new piece of legislation following similar lines to The Fire Precautions Act 1971 in the United Kingdom. It does require some amendment to suit local situations. In the proposed wording in appendix B this amendment has been carried out taking into account the local situation and views of a number of local individuals.

This legislation requires the issue of fire certificates for a use of a premises. It also allows for exemptions to hold a fire certificate to be granted. This exemption would be determined by the Chief Fire

Officer and be conditional. It is expected that all small premises unless of high risk would be granted such exemption. In support of the legislation the necessary administrative documents have been prepared and this is shown in appendix C. The legislation is to be introduced by Designating orders which can allow for a gradual introduction to each area of application.

During this investigation visits were made to a number of establishments and reports prepared (see appendix D). These reports recommended standards acceptable under the proposed legislation.

#### Control of Flammable Materials

The Dangerous Goods Ordinance 1987 is an existing piece of Island Legislation currently in force. It is intended to control the storage, use, conveyance and manufacture of a wide range of materials. During discussions with the Chief Police Officer, who has the enforcement powers for this Ordinance it was recommended that licences for flammable materials be dealt with by the Chief Fire Officer. A system of licensing and associated standards have been formed in conjunction with the Chief Police Officer and Chief Fire Officer. Further consultations on this particular area of legislation is continuing locally. Appendix E shows the existing Ordinance.

Once legislation is adopted it will be necessary to maintain the requirements of it. In this respect it will be necessary to provide the administrative facility for enforcement. This will include;

- Report Writing
- Certification
- Re-inspection
- Legal Enforcement

A suitable series of pre-written standard letters and other documents are shown in appendix C these could be produced on a word processing system.

A re-inspection programme would be necessary in order to maintain the legislation and to spread the workload. In order to assist in this matter the following schedule is recommended:-

PREMISES	PERIOD	TYPE OF INSPECTION
Hotels (e.g. Certificated)	* Every Twelve Months	* Full Inspection
Shops/Offices (Certificated)	* Every Twelve Months	* Full Inspection
(Non-Cert. or exempted)	* Every Two Years	* Full Inspection
Factories (Certificated)	* Every Twelve Months	* Full Inspection
(Non-cert or Exempted)	* Every Two Years	* Full Inspection
Schools	* Every Two Years * Every Twelve Months	* Full Inspection * Extinguisher Check
Dangerous Goods Licences		
Explosives	* Every Twelve Months	* Joint Inspection with Police
Petroleum (High Risk or Major Inst.)	* Every Twelve Months	* Full Inspection
(Low risk or Minor Inst.)	* Every Two Years	Full Inspection
L.P.G. (High Risk)	* Every Twelve Months	* Full Inspection
(Low Risk)	* Every Two Years	* Full Inspection
Other Flammable Materials	*	*
(High Risk)	* Every twelve Months	* Full Inspection
(Low Risk)	* Every Two/Three Years	* Full Inspection
Hospital	* Every Twelve Months	* Full Inspection
Places of Public Entertainment	* * * Every Six Months * Every Two Years	* During Performance * Full Inspection

Full Inspection- Means all aspects of the Fire Certificate/Licence is Checked.

During Performance-Means a spot check whilst a function is taking place.

These periods do not detract from the normal twelve monthly requirement for checks on fire fighting equipment.

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**SECTION 7**

**ADMINISTRATIVE PROCEDURES**

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If the proposed legislation is adopted the workload in respect of report writing, document preparation and administration will dramatically increase. The present administrative facilities are not fully capable of meeting existing requirements let alone the needs of these proposals. The limited resources available within the community and within financial budgets is understood.

Existing manpower is fully utilised at present and therefore this suggests the need for an additional full time member of staff who would provide the resources to carryout fire prevention duties. The individual employed could be trained in some of the duties at present carried out by existing staff thereby reallocation of duties/responsibilities could create the resources for fire prevention.

Discussion has already taken place with the Government Secretary on this matter and it was indicated that this would be considered on receipt of this report.

At present secretarial facilities to the fire brigade are extremely limited and would be impossible of coping with the proposals. In view of this a system has been devised of using standard letters, recommendations/phrases and document preparation which is capable of being stored on computer/word processing systems. The basic format for reports, letters etc. can thus be called up by the fire prevention officer himself, the final layout arranged and then printed out. The equipment required for this type of system would be a small computer and a printer.

This type of equipment is available at present within the Government establishment and is under imminent review. The necessary software to deal with this type of system is also available in various departments.

In addition to its use as a word processing system the equipment could be usefully use for:

- Vehicle maintenance records
- Equipment maintenance records
- Training records
- Personel records
- Financial control and records
- Annual returns
- Budget returns and records
- Fire prevention records

It is accepted that in the initial stages some specialised assistance would be required but once the fire brigade staff are trained the system would become self supporting.

It is understood that suitable equipment is immediately available in the very near future. In view of this the necessary copies of basic documents have been prepared ready for storage on disk.

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**SECTION 8**

**OTHER FIRE PREVENTION DEVELOPMENTS**

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Any community at some time resents the intrusion of rules and regulations. It will not merely be sufficient to issue and enforce the legislation proposed. The public need to be made aware of the danger from fire and the reasoning behind the fire legislation.

This can often be seen working after a major tragedy when public pressure exerts the influence. This was last seen in this community after the hospital fire and the resultant loss of life. That impetus has now relaxed.

A programme of fire safety education is therefore needed. Every possible opportunity should be taken to promote the Fire Brigade, its work, fire prevention and fire safety. Some aspects of achieving this are described below but are by no means exhaustive.

#### Schools

In cooperation with Teachers a series of projects might be designed which can cover both the chemistry of fire and the fire dangers. In this respect the Home Office "Project Fire" may be adapted to suit local needs.

With younger children the use of a "cartoon" character could be used to put over simple lessons about fire safety. Again the use of "Project Fire-Infant Package" issued by the Home Office would help.

#### Home Safety and General Awareness

The Falkland Islands are very probably unique in respect of the reliance the community places on the regular news magazine programme. This is transmitted three times a day and covers items of particular relevance to the population. The use of a regular discussion, interview or similar session on various aspects of fire prevention would ensure that information was passed directly to the public. The Chief Fire Officer has now discussed this matter with the Falkland Islands Broadcasting Service who have agreed that a suitable 5-10 minutes slot could be arranged.

No leaflets are available locally which deal with fire prevention. The facilities for printing leaflets are available however.

The use of simple, inexpensive literature of this nature can achieve a great deal. The postal service could be used to distribute these leaflets and all public buildings be kept supplied with a number for display purposes.

Newspaper or gazette articles written on different aspects and regularly published can be directed to suit the time of year and its associated risks.

#### Industry

By the involvement of the full time staff in lectures, discussions with management and workforce both legislation is enforced and awareness increased.

These aims cannot, of course, be achieved over night or without some manpower implication or effect on other workloads. But a regular and sustained effort in this respect will pay long term dividends. The public will feel involved in the development of a safer community.

THE FEDERAL BUREAU OF INVESTIGATION AND OTHER AGENCIES OF THE DEPARTMENT OF JUSTICE

AND THE ATTORNEY GENERAL'S OFFICE HAVE JOINTLY DEVELOPED THIS GUIDE TO THE FEDERAL BUREAU OF INVESTIGATION AND OTHER AGENCIES OF THE DEPARTMENT OF JUSTICE

FOR THE PURPOSE OF PROVIDING INFORMATION TO THE PUBLIC CONCERNING THE FUNCTIONS AND ACTIVITIES OF THESE AGENCIES

AND TO ASSIST THE PUBLIC IN OBTAINING SERVICES FROM THESE AGENCIES

THIS GUIDE IS BEING PUBLISHED AS A SERVICE TO THE PUBLIC AND IS NOT TO BE CONSIDERED AN OFFICIAL STATEMENT OF THE POLICIES OR PROCEDURES OF THESE AGENCIES

IT IS THE POLICY OF THESE AGENCIES TO MAKE THIS GUIDE AVAILABLE TO THE PUBLIC IN AN ACCESSIBLE AND USEFUL MANNER

AND TO KEEP IT UP TO DATE AS CHANGES IN THE FUNCTIONS AND ACTIVITIES OF THESE AGENCIES REQUIRE

FOR INFORMATION CONCERNING THE FUNCTIONS AND ACTIVITIES OF THESE AGENCIES, CONTACT THE AGENCIES DIRECTLY

FOR A LIST OF THE AGENCIES AND THEIR OFFICES, CONTACT THE BUREAU OF INVESTIGATION, DEPARTMENT OF JUSTICE, WASHINGTON, D. C. 20535

**SECTION 9**  
**CODES OF PRACTICE**

THE BUREAU OF INVESTIGATION AND OTHER AGENCIES OF THE DEPARTMENT OF JUSTICE HAVE DEVELOPED A SERIES OF CODES OF PRACTICE WHICH SET FORTH THE STANDARDS AND PROCEDURES WHICH SHOULD BE FOLLOWED BY ALL AGENTS AND EMPLOYEES OF THESE AGENCIES IN THE PERFORMANCE OF THEIR DUTIES. THESE CODES OF PRACTICE ARE BEING PUBLISHED AS A SERVICE TO THE PUBLIC AND TO ASSIST THE PUBLIC IN OBTAINING SERVICES FROM THESE AGENCIES. IT IS THE POLICY OF THESE AGENCIES TO MAKE THESE CODES OF PRACTICE AVAILABLE TO THE PUBLIC IN AN ACCESSIBLE AND USEFUL MANNER AND TO KEEP THEM UP TO DATE AS CHANGES IN THE FUNCTIONS AND ACTIVITIES OF THESE AGENCIES REQUIRE.

## Fire Prevention Publications and Codes of Practice Investigation

The following Publications have been left with or are available to the Chief Fire Officer.

- a) Guide to the Fire Precautions Act 1971:
  - 1. Hotels and Boarding Houses
  - 2. Factories
  - 3. Offices, Shops and Railway Premises
- b) Draft Guide to Fire Precautions in Hospitals
- c) Fire Prevention Guide No.4
  - Safe Use and Storage of LPG in Residential Premises
- e) Code of practice Means of Escape in Case of Fire (GLC)
- f) British Standard BS 5839 : Part 1 : 1980
  - Fire Detection and Alarm Systems in Buildings
- g) British Standard BS 5266 : Part 1 : 1975
  - The Emergency Lighting of Premises
- h) Building Bulletin No 7.
  - Fire and the Design of Schools
- i) Health and Safety Guidance Notes
  - CS2 The Storage of Highly Flammable Liquids
  - CS4 The Keeping of LPG in Cylinders and Similar Containers
  - CS5 The Storage of LPG at Fixed Installations
  - CS8 Small Scale Storage and Display of LPG at Retail Premises
- j) Cheshire Fire Brigade
  - Standard Phrases- For use with word processing system
  - Principles of Construction for Petroleum Installations
  - Conditions of Licence for Petroleum Installations
  - Guidance Notes:-
    - Fire Routine Notices
    - Extracts from British Standards
    - Upgrading of walls and Doors for Fire Resistance
- h) The highly Flammable Liquid Regulations
  - Fire Service Technical College Student Note

In order to give the Chief Fire Officer a guideline to work to the publications listed on the attached sheet were left with or are already available to him. Some of these documents are capable of being used as they are written since the environment will not affect their recommendations.

The question of using the guides to the Fire Precautions Act 1971 becomes difficult. These guides assume that all walls, floors and ceilings achieve at least a standard of half hour fire resistance. Existing traditional island construction cannot meet this. The upgrading of many existing buildings would be either too difficult or too expensive. This has meant that adaptation of these documents has had to be made using other items as compensating features.

These features include:

- Automatic fire detection
- Reduction of permitted travel distances
- Provision of additional means of escape

The reports in the attached Appendix have been made using the codes of practice and whilst following the spirit of the code suitably adapted to take into account local conditions.

Guidance has also been left on a number of matters dealing with fire routine, fire drills and general fire prevention advice. It is hoped that this will form a basis of a reference library from which the fire brigade staff can seek guidance.

It was decided to avoid many very new codes of practice since their application in the islands type of environment would be impracticable.

The Chief Fire Officer and myself are keeping in close contact in order that any updates, replacement, alteration to or withdrawing of these documents can be monitored. This will also allow for him to seek any further advice he may require.

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**SECTION 10**

**THE FUTURE**

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The hospital fire and its aftermath caused the government to act in respect of fire safety. The existing fire brigade is still in its infancy in respect of its development. This does not however reduce the demands made upon it. The impetus from the memory of the hospital fire is fading. Major problems are to be found over finishing the central fire station building programme, provision for training or further development.

Enthusiasm and professional feeling within the brigade is high but this is suffering by the lack or feeling of a lack of support. The recommendation of the Davis Report that the Fire Brigade become a "separate unit of government" has still not been fully implemented since the Fire Brigade and Police are interconnected. The Chief Fire Officer may well have operational control, financial and budgeting control but the Chief Police Officer remains the nominal head who deals with the government.

It is therefore recommended that each department (Police and Fire Brigade) be separated and each department head be responsible for their own areas, both operationally and administratively. Since both forces are active in a similar area (e.g. Public Safety) the use of a nominated Councillor for both departments would give means by which the Executive Council can get a full insight into the work they each undertake.

This may also lead to less time being taken up in full meetings of the Council by having to explain minor details.

The Stanley Town Public Services Ordinance 1973 permits for an appointment of this nature.

In addition to this a middle to long term plan for development is essential. At present the Chief Officer has submitted his aim and objectives for the immediate future and whilst he is ensuring these are followed he is having to react to other outside influences. Following a discussion with the Government Secretary it was understood that the appointment of an individual to oversee the Islands Development Policy was in hand. Since this would be someone with a financial background it would be necessary to use specialists with each department.

The regular evaluation of the work, training and efficiency of the brigade is not only essential but cost effective. The Chief Officer can and should supervise his department he cannot be so detached as to oversee the whole picture. The use of an inspector of the Fire Brigade would ensure this.

The Stanley Town Public Services Ordinance 1973 permits the appointment of such an inspector.

The legislation proposed appears at this stage to be capable of most development that will take place in the near future. Its implications on the community or its difficulty in use will need to be checked and verified or adapted. Additionally the training of staff will need to be 'topped' up in respect of new developments or changes in standards. This verification could be carried out at the same time as the inspection of the brigade.

Since I have been, in conjunction with the Chief Officer, instrumental in the writing and development of the proposed legislation I have arranged that should the Chief Officer require further advice or support I am available.

If the recommendations in connection with the legislation and Fire Brigade inspection are adopted I should be only too pleased to assist in any way.

APPENDIX A  
APPENDICES A, B, C and E



## Mandatory Rules for Means of Escape in Case of Fire

1. This requirement applies only to:
  - a. A building which is erected or altered and which:
    1. is or contains a dwelling house of three or more stories,
    11. contains a flat,
    111. is or contains an office,
    - 1V. is or contains a shop.
  - b. A dwelling house which is extended or materially altered and will have three or more stories.
  - c. A building of three or more storeys, the use of which is materially changed to use as a dwelling house.
2. The means of escape provided need only in the case of a dwelling house or a building containing a flat, afford escape for people from the third storey and above and, in the case of a building containing an office or a shop, afford escape for people from the office or shop.

### Definitions:

Means of Escape is the structural means whereby a safe route is provided for persons to travel from any point in a building to a place of safety without outside assistance.

Dwelling houses are to be constructed in accordance with Appendix B.

Shops and Offices are to be constructed in accordance with Guides to the Fire Precautions Act 1971 "Offices, Shops and Railway Premises" published by the Home Office.

**Regulation 1. - Means of Escape.**

1. There shall be means of escape in case of fire from the building to a place of safety outside the building capable of being safely and effectively used at all material times.
2. This requirement may be met only by complying with the relevant requirements of the attached "Mandatory Rules for Means of Escape in Case of Fire".

**Regulation 2. - Internal Fire Spread (surfaces)**

1. In order to inhibit the spread of fire within the building, surfaces of materials used on walls and ceilings -
  - a. Shall offer adequate resistance to the spread of flame over their surfaces; and
  - b. shall have, if ignited, a rate of heat release which is reasonable in the circumstances.

**Regulation 3. - Internal Fire Spread (structure)**

1. The building shall be so constructed that, in the event of fire it's stability will be maintained for a reasonable period.
2. The building, or the building as extended, shall be sub-divided into compartments where this is necessary to inhibit the spread of fire within the building.
3. Concealed spaces in the structure or fabric of the building, or the building as extended, shall be sealed and sub-divided where this is necessary to inhibit the unseen spread of smoke.
4. A wall common to two or more buildings shall offer adequate resistance to the spread of fire and smoke.

**Regulation 4. - External Fire Spread.**

1. The external walls of the building shall offer adequate resistance to the spread of fire over walls and from one building to another, having regard to the height, use and position of the building.
2. The roof of the building shall offer adequate resistance to the spread of fire over the roof and from one building to another, having regard for the use, and position of the building.

**Regulation 5. - Heat Producing Appliances.**

Heat producing appliances and flue pipes shall be so installed, and fire-places and chimneys shall be so constructed, as to reduce to a reasonable level the risk of the building catching fire in consequence of their use.

**Note:** In order to comply with regulations 2, 3 and 4, your attention is directed to "The Building Regulations 1985 - Approved Document B - B2/3/4 Fire Spread"

APPENDIX B  
PROPOSED LEGISLATION

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# THE FIRE PRECAUTIONS ORDINANCE 1988

## Arrangement of Sections

### Section

1	Citation and Commencement
2	Interpretation
3	Premises for which a fire certificate is compulsory
4	Application for and issue of a fire certificate
5	Contents of a fire certificate
6	Changes of conditions affecting the adequacy of matters specified in a fire certificate
7	Exemptions
8	Enforcement
9	Powers of Inspectors
10	Offences
11	Service of documents
12	Right of appeal

### Citation and Commencement

1. This Ordinance may be cited as the Fire Precautions Ordinance 1988 and shall come into force on such day as the Governor shall appoint by Order published in the Gazette and the Governor may appoint different days for the bringing into force of different provisions.

### Interpretation

2. (1) In this Ordinance unless the context otherwise requires

"building" includes a temporary or movable building and also includes any permanent structure and any temporary structure other than a movable one;

"contravention" includes failure to comply, and  
"contravene" has a corresponding meaning;

"the court" means magistrates court;

"designated use" has the meaning assigned by section 3 (1) of this Ordinance;

"fire certificate" has the meaning assigned by section 3 (1) of this Ordinance;

"notice" means notice in writing;

"responsible person" in relation to any premises means the person having control of those premises whether as occupier or otherwise, in connection with the carrying on by him of a trade, business or other undertaking; and

"premises" means building or part of a building.

Premises for which a fire certificate is required

3. (1) A certificate issued under this Ordinance by the fire authority shall subject to any exemption conferred by or under this Ordinance be required in respect of any premises which are put to a use for the time being designated under this section.
- (2) For the purposes of this section the Governor may by order designate particular uses of premises, but shall not so designate any particular use unless it falls within at least one of the following classes of use, that is to say -
  - (a) use as or for any purpose involving sleeping accommodation;
  - (b) use as, or as part of, an institution providing treatment or care;
  - (c) use for purposes of entertainment, recreation or instruction or for the purposes of any club, society or association;
  - (d) use for purposes of teaching, training or research;
  - (e) use for any purpose involving access to the premises by members of the public, whether on payment or otherwise; and
  - (f) use as a place of work.

Application for and issue of a fire certificate

4. (1) An application shall be made by the responsible person to the Falkland Islands Fire and Rescue Service on the prescribed form.
- (2) Where an application for a fire certificate has been made it shall be the duty of the Fire Authority to cause an inspection to be carried out; and if satisfied that -
  - (a) the means of escape which are provided in case of fire;
  - (b) the means (other than means for fighting fire) which are provided for securing that such means of escape can be safely and effectively used at all material

times;

- (c) the means which are provided on the premises for fighting fire; and
- (d) the means which are provided on the premises for giving warning in case of fire.

Are such as may be reasonably be required in the circumstances of the case the Fire Authority shall issue a Fire Certificate.

- (3) Where the Fire Authority after causing such an inspection to be carried out is not satisfied as aforesaid, it shall by notice served on the applicant -
  - (a) inform the applicant of the fact and of the steps which would have to be taken to satisfy it; and
  - (b) notify him that it will not issue a fire certificate unless those steps are taken within such time as may be specified in the notice.

And if at the end of that time or such further time as may be allowed by the Fire Authority those steps have not been taken the fire certificate shall be deemed to have been refused.

#### Contents of a Fire Certificate

5. (1) Every fire certificate shall specify -
- (a) the address of the premises;
  - (b) the name of the responsible person;
  - (c) the use or uses of the premises;
  - (d) the means of escape which are provided in case of fire;
  - (e) the means (other than means for fighting fire) which are provided for securing that such means of escape can be safely and effectively used at all material times;
  - (f) the type, number and location of the means of fighting fire which are provided; and
  - (g) the type and location of the means which are provided for giving warning in case of fire.

And may do so by means of or by reference to a plan or photograph.

- (2) Where the responsible person proposes to make any material change which will affect any of the matters specified or referred to in a fire certificate which is in force, he shall, before commencing to make the change, notify the Fire Authority in writing of the proposal.
- (3) If the Fire Authority is satisfied that if the proposed changes were made, all of the matters mentioned in section 5 (1) and 5 (2) would still be adequate, it shall on production of the fire certificate cause a copy of the notice to be attached to it together with a statement that it is so satisfied or it may vary the certificate or cancel it and issue a new one.
- (4) If the Fire Authority is satisfied that if the proposed change were made any of the matters mentioned in section 5 (1) and 5 (2) would be inadequate it shall -
  - (a) inform the responsible person of that fact and of the steps which would have to be taken to prevent their becoming inadequate in the event of the change being made;
  - (b) notify him that the fire certificate will be cancelled if the change is made without those steps being taken.
- (5) Where a notice has been given under (4) (b) of this section the Fire Authority may cancel the certificate if the changes are made without the steps referred to in paragraph (4) (a) having been taken; and where the steps are taken it may vary the certificate or cancel it and issue a new one.

#### Exemptions

7. (1) Where the Fire Authority is satisfied in respect of any particular premises or in respect of any description of premises that any requirement of sections 3 to 6 is inappropriate or is not reasonably practicable it may by notice in writing (which it may at its discretion revoke) exempt those premises or that part of them or that description of premises from such requirements to such an extent and subject to such conditions as may be specified in the certificate.

#### Enforcement

8. It shall be the duty of the Falkland Islands Fire and Rescue Service to enforce the provisions of this Ordinance and to appoint inspectors.

- (2) A fire certificate may impose such conditions as the Fire Authority consider appropriate in the circumstances
- (a) for securing that the means of escape in case of fire are properly maintained.
  - (b) for securing that the means provided as mentioned in paragraph (1) (e) to (g) of this regulation are properly maintained.
  - (c) for securing that the means provided as mentioned in paragraph (1) (f) and (g) of this regulation are tested and examined at regular intervals and that records are kept of such tests and examinations.
  - (d) for securing that persons that work on the premises receive appropriate instruction and training in what to do in case of fire and that records are kept of instruction and training given for that purpose.
  - (e) for limiting the number of persons who may be on the premises at any one time or at such times as the Fire Authority may specify.
  - (f) for limiting the quantity and disposition of any substance or article which may be on the premises at any one time or at such times as the Fire Authority may specify; and
  - (g) as to other precautions to be observed in relation to the risk to persons in case of fire.
- (3) Any conditions imposed by virtue of paragraph (2) of this Ordinance may be framed so as to apply to the whole of the premises or so as to apply to one or more parts of them and different conditions may be imposed in relation to different parts.
- (4) A fire certificate shall be sent to the responsible person and shall be kept on the premises and available for inspection at reasonable times by any person who might be affected by any of its provisions.

Changes of Conditions affecting the Adequacy of matters specified in a fire certificate

6. (1) So long as a fire certificate is in force with respect to any premises, the Fire Authority may cause any part of the premises to be inspected at any reasonable time for the purpose of ascertaining whether there has been a change of conditions by reason of which the matters mentioned in Section 5 (1) (a) to (g) of this Ordinance have become inadequate in relation to any use of the premises covered by the certificate.

### Powers of Inspectors

9. (1) An inspector appointed under this Ordinance may do anything necessary for the purpose of carrying this Ordinance into effect and in particular, shall, so far as may be necessary for that purpose, have power to do at any reasonable time any of the following things namely -
- (a) to enter any such premises as are mentioned in subsection (2) below, and to inspect the whole or any part thereof and any thing therein;
  - (b) to require the production of and to inspect, any fire certificate in force with respect to any premises or any copy of any such certificate;
  - (c) to require any person having responsibilities in relation to any such premises as are referred to in paragraph (a) above to give him such facilities and assistance with respect to any matters or things to which the responsibilities of that person extend as are necessary for the purpose of enabling the inspector to exercise any of the powers conferred on him by this subsection.
- (2) The premises referred to subsection (1) (a) above are the following, namely -
- (a) any premises requiring a fire certificate
  - (b) any premises not falling within any of the foregoing paragraphs which form part of a building comprising any premises so falling
  - (c) any premises which the inspector has reasonable cause to believe to be premises falling within any of the foregoing paragraphs
- (3) The purposes referred to in subsection (1) (b) above are the following, namely -
- (a) to ascertain, as regards any premises, whether they fall within any of the paragraphs (a) to (c) above;
  - (b) to identify the responsible person of any premises falling within any of those paragraphs;
  - (c) to ascertain, as regards any premises falling within any of the said paragraphs (a) to (c), whether the provisions of this Ordinance are complied with and, where a fire certificate is in force in respect of any such premises, whether the requirements imposed are being complied with.

- (4) A person who -
- (a) intentionally obstructs an inspector in the exercise or performance of his powers or duty under this Ordinance; or
  - (b) without reasonable excuse fails to comply with any requirement imposed by an inspector under subsection (1) (c) above, shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400.

#### Offences

10. (1) Subject to subsection (2) below of this Ordinance, if any premises are at any time put to a designated use, being premises such that, where they are put to that use a fire certificate is by virtue of section 2 of this Ordinance required in respect of them, then, if no fire certificate covering that use is at the time in force or a notice of exemption granted in respect of the premises, the responsible person shall be guilty of an offence.
- (2) A person shall not be guilty of an offence under subsection (1) above by reason of any premises being put to a designated use at a time after an application for a fire certificate with respect to them covering that use has been duly made and before the certificate has been granted or refused.
- (3) If while a fire certificate is in force in respect of any premises, any requirement imposed thereby is contravened by reason of anything done or not done or in relation to any part of the relevant building every person who is responsible for that contravention shall be guilty of an offence.
- (4) A person guilty of an offence under subsection (1) and (3) above shall be liable -
- (a) on summary conviction, to a fine not exceeding £2,000;
  - (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or both.
- (5) In the event of failure to keep the fire certificate of the premises the responsible person shall be guilty of an offence and liable, on summary conviction to a fine not exceeding £400.
- (6) If a person -

- (a) with intent to deceive, forges a fire certificate or makes or has in his possession a document so closely resembling a fire certificate as to be calculated to deceive; or
- (b) for the purpose of procuring the issue of a fire certificate, makes any statement or gives any information which he knows to be false in a material particular or recklessly makes any statement or gives information which is so false; or
- (c) in purported compliance with any obligation to give information to which he is subject under or by virtue of this Ordinance or in response to any inquiry made by virtue of section 9 (1) (b) of this Ordinance, gives any information which he knows to be false in material particular or recklessly gives any information which is so false; or
- (d) makes in any register, book, notice or other document required by or by virtue of this Ordinance to be kept, served or given, an entry which he knows to be false in material particular -

he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £2,000.

#### Service of Documents

- 11. (1) Any notice or other document required or authorised by or by virtue of this Ordinance to be served on any person may be served on him either by delivering it to him or by leaving it at his proper address or by sending it by post.
- (2) Any notice or other document so required or authorised to be served on a body corporate or a firm shall be duly served if it is served on the secretary or clerk of that body or a partner of that firm.

#### Right of Appeal

- 12. (1) A person who is aggrieved -
  - (a) by anything mentioned in a notice served under section 4 (3) of this Ordinance as a step which would have to be taken as a condition of the issue of a fire certificate with respect to any premises, or by the period allowed by such a notice for the taking of any steps mentioned in it; or
  - (b) by the refusal of the Fire Authority to issue a fire certificate with respect to any premises or

- (c) by the inclusion of anything in or the omission of anything from, a fire certificate issued with respect to any premises by the fire authority; or
- (d) any direction given in pursuance of section 6 (4) of this Ordinance; or
- (e) by the refusal of the fire authority to cancel or to amend a fire certificate issued with respect to any premises; or
- (f) by the amendment or cancellation in pursuance of section 6 (5) of this Ordinance of a fire certificate issued with respect to any premises -

may within fourteen days from the relevant date, appeal to the court; and on any such appeal the court may make such order as it thinks fit.

- (2) The "relevant date" means the date the matter was first made known to him.

#### SCHEDULE I

Conditions to be satisfied if a fire certificate is not required for premises specified in section 7 above.

1. The premises are provided with such means of escape in case of fire as may be reasonably required in the circumstances of the case.
2. In the premises there is provided and maintained appropriate means for fighting fire which are so placed as to be readily available for use.
3. The contents of any room are so arranged or disposed that there is a free passage way to a means of escape in case of fire.
4. While a person is in the premises the doors of the premises, of any room therein and any doors which afford a means of exit are not so locked or fastened in such a manner that they cannot be easily and immediately opened.
5. Every door, window or other exit affording a means of escape from the premises is distinctively and clearly marked.



## FIRE CERTIFICATE UNDER THE FIRE PRECAUTIONS ORDINANCE 1988

Address of the premises \_\_\_\_\_  
 with respect to which \_\_\_\_\_  
 this certificate is \_\_\_\_\_  
 issued \_\_\_\_\_

Responsible person for \_\_\_\_\_  
 the premises \_\_\_\_\_

Use or uses of the \_\_\_\_\_  
 premises covered by \_\_\_\_\_  
 this certificate \_\_\_\_\_

1. IT IS HEREBY CERTIFIED that:
  - a the premises described above, being premises put to the use or uses designated by Order under Section 3 (2) of The Fire Precautions Ordinance 1988 specified above are provided with the MEANS OF ESCAPE IN CASE OF FIRE specified on the plan(s); and that
  - b the building described above is provided with the MEANS (other than means for fighting fire) FOR SECURING THAT THE MEANS OF ESCAPE with which the premises are provided CAN BE SAFELY AND EFFECTIVELY USED AT ALL MATERIAL TIMES specified on the plan(s) and in schedule 1; and that
  - c the building described above is provided with the MEANS FOR FIGHTING FIRE (whether in the premises or affecting the means of escape) for use in case of fire by persons in the building , and with the MEANS FOR GIVING to persons in the premises WARNING IN CASE OF FIRE specified on the plan(s) and in schedule 1; and that
  - d the location and quantities of explosive or highly flammable material stored or used in or under the premises are as specified in the Explosive and Highly Flammable Materials Appendix attached to this certificate.
- 2 The REQUIREMENTS in schedule 2 are HEREBY IMPOSED.
- 3 The plan(s), plan key and schedules attached hereto all form part of this certificate. Attention is drawn to these parts.

Date \_\_\_\_\_

Signed \_\_\_\_\_  
 Chief Fire Officer

FALKLAND FIRE AND RESCUE SERVICE  
FIRE PRECAUTIONS .ORDINANCE 1988

CERTIFICATE NO \_\_\_\_\_

OCCUPIERS

SERIAL NO FOR PURPOSES OF SCHEDULE 2	NAME OF OCCUPIER	USE OF PREMISES

FALKLAND ISLANDS FIRE AND RESCUE SERVICE  
FIRE PRECAUTIONS ORDINANCE

CERTIFICATE NO \_\_\_\_\_

EXPLOSIVE AND HIGHLY FLAMMABLE MATERIALS

NATURE OF MATERIAL	QUANTITY STORED OR USED	LOCATION AND MODE OF STORAGE

FIRE PRECAUTIONS ORDINANCE

Means for securing that the means of escape can be safely and effectively used at all material times, and means for giving warning in case of fire, additional to the means specified on the plan(s).

MEANS	DEFINITION
FIRE RESISTANCE OF FLOORS	Having regard to the relevant British Standard and the need to provide 30 minutes fire resistance, the fire authority was satisfied at the time of the inspection with the standard provided by the floor(s).
SURFACE SPREAD OF FLAME	The linings of ceilings, walls and partitions except as otherwise stated are accepted as being of the standard detailed in the " <u>Surface Finish of Walls and Ceilings</u> " Appendix attached to this Schedule.
FIRE ALARM	The Fire Alarm provided in the relevant building is as detailed in the " <u>Fire Alarm</u> " Appendix attached to this Schedule.
EMERGENCY LIGHTING	The Emergency Lighting provided in the relevant building is as detailed in the " <u>Emergency Lighting</u> " Appendix attached to this Schedule.
WIDTH OF DOORWAY OPENINGS AND WALL OPENINGS	Where the width of a doorway or wall opening forming part of the means of escape is not indicated on the plan(s), the width of that doorway or wall opening, or part thereof, is accepted as providing an opening not less than 762mm wide for means of escape purposes.

**SURFACE FINISHES OF WALLS AND CEILINGS**

**SPECIFICATION**

\* Except for the permitted variation shown on the plan.  
The linings of ceilings, walls and partitions are accepted by the Fire Authority as complying with the following specification:-

GROUP	DESCRIPTION	ACCEPTED LOCATIONS
A	Inorganic Materials:  Brickwork, blockwork, concrete, plaster board, ceramic tiles, plaster finishes (including rendering on wood or metal laths), asbestos boards.	All locations
B	Cellulosic Materials: (not flame retardant treated) Timber, hardboard, particle-board (chipboard), blockboard. Not flame retardant treated.	Small rooms of floor area not exceeding 30m <sup>2</sup> . Small areas of other rooms, these areas not exceeding half the floor area of the room or 60m <sup>2</sup> , whichever is the lesser.  Not acceptable on escape routes, ie staircases, corridors, entrance halls.
C	Cellulosic Materials which have been flame retardant treated and evidence of such provided.	All rooms. Not acceptable on escape routes, ie staircases, corridors, entrance halls.
D	Woodwool Slab	All locations.
E	Plastics - Thermosetting (Decorative laminates)	As for Group B unless shown to be of flame retardant grade (evidence to be provided) in which case acceptability will be as for Group C.

\* delete as necessary

## FIRE PRECAUTIONS ORDINANCE

## SURFACE FINISHES OF WALLS AND CEILINGS

## SPECIFICATION

- \* Except for the permitted variation shown on the plan.  
The linings of ceilings, walls and partitions are accepted by the Fire Authority as complying with the following specification:-

GROUP	DESCRIPTION	ACCEPTED LOCATIONS
A	Inorganic Materials:  Brickwork, blockwork, concrete, plaster board, ceramic tiles, plaster finishes (including rendering on wood or metal laths), asbestos boards.	All locations
B	Cellulosic Materials: (not flame retardant treated) Timber, hardboard, particle-board (chipboard), blockboard. Not flame retardant treated.	Small rooms of floor area not exceeding 40 feet <sup>2</sup> (3.7m <sup>2</sup> ). Small areas of other rooms, these areas not exceeding half the floor area of the room or 200 feet <sup>2</sup> (18m <sup>2</sup> ).  Not acceptable on escape routes, i.e. staircases, corridors, entrance halls.
C	Cellulosic Materials which have been flame retardant treated and evidence of such provided.	All rooms.  Not acceptable on escape routes, i.e. staircases, corridors, entrance halls.
D	Woodwool Slab	All locations.
E	Plastics - Thermosetting (Decorative laminates)	As for Group B unless shown to be of flame retardant grade (evidence to be provided) in which case acceptability will be as for Group C.

\* delete as necessary

FALKLAND ISLAND FIRE AND RESCUE SERVICE  
FIRE PRECAUTIONS ORDINANCE

CERTIFICATE NO \_\_\_\_\_

SPECIFICATION

GROUP	DESCRIPTION	ACCEPTED LOCATION
F	Plastics - Thermoplastics (Expanded Polystyrene wall and ceiling linings)  Provided plastics are applied to inorganic surfaces in thicknesses not exceeding 5mm on walls, and 12mm on ceilings, and are not finished with gloss paint.	As for Group B
G	Thick vinyl and paper coverings (other than heavy flock wallpapers) applied to inorganic surfaces.	All locations
H	Heavy flock wallpapers	As for Group B unless shown to be of flame retardant grade (evidence to be provided) in which case acceptability will be as for Group C.

FIRE PRECAUTIONS ORDINANCE

FIRE ALARM SPECIFICATION

FALKLAND ISLAND FIRE AND RESCUE SERVICE  
FIRE PRECAUTIONS ORDINANCE

CERTIFICATE NO \_\_\_\_\_

EMERGENCY LIGHTING SPECIFICATION

1. PURPOSE	1.1 To specify the minimum requirements for the installation and maintenance of emergency lighting systems.
2. SCOPE	2.1 This Ordinance applies to all premises where the fire risk is such that the provision of emergency lighting is necessary to ensure the safe evacuation of the premises.
3. DEFINITIONS	3.1 "Premises" means any building, structure, or part thereof, whether or not it is a separate structure, and whether or not it is occupied.
4. GENERAL REQUIREMENTS	4.1 Every premises where the fire risk is such that the provision of emergency lighting is necessary shall have such lighting installed and maintained in accordance with the provisions of this Ordinance.
5. TYPES OF EMERGENCY LIGHTING	5.1 There shall be two types of emergency lighting, namely: (a) "Escape lighting" which shall be provided to ensure that the means of escape from the premises are clearly visible; and (b) "Safety lighting" which shall be provided to ensure that the premises are not left in total darkness.
6. ESCAPE LIGHTING	6.1 Escape lighting shall be provided in the form of self-luminous strips, panels, or signs, which shall be installed in the following locations: (a) Along the main routes of escape; (b) At the exits from the premises; (c) At the exits from the means of escape; and (d) At the exits from the premises where the fire risk is such that the provision of such lighting is necessary.
7. SAFETY LIGHTING	7.1 Safety lighting shall be provided in the form of self-luminous strips, panels, or signs, which shall be installed in the following locations: (a) In the main areas of the premises; (b) In the corridors; (c) In the staircases; and (d) In the areas where the fire risk is such that the provision of such lighting is necessary.
8. TESTING AND MAINTENANCE	8.1 The emergency lighting system shall be tested and maintained in accordance with the following requirements: (a) The system shall be tested at least once every month; (b) The system shall be tested in accordance with the manufacturer's instructions; (c) The system shall be maintained in accordance with the manufacturer's instructions; and (d) The system shall be replaced if it is found to be defective.
9. ENFORCEMENT	9.1 The Fire Officer shall be responsible for enforcing this Ordinance.
10. COMMENCEMENT	10.1 This Ordinance shall come into force on the day on which it is passed.

Certain requirements are imposed in this schedule which the responsible person shall be responsible for any contravention of the corresponding requirement.

ITEM	REQUIREMENT
SPECIFIED MEANS Maintenance	All the means specified on the plan(s) and in the schedule shall be properly maintained.
SPECIFIED MEANS Unobstructed no combustible storage	All the means specified on the plan(s) and in the schedule shall be kept free from obstruction and all means of escape in case of fire shall be kept free from combustible storage.
SELF CLOSING DOORS	Doors fitted with SELF CLOSING DEVICES specified on the the plan(s) other than those specified as being fitted with AUTOMATIC RELEASES shall be maintained self closing at all times and shall not be provided with any means of keeping them in an open position.
AUTOMATIC RELEASES	DOORS fitted with SELF CLOSING DEVICES and AUTOMATIC specified on the plan(s) shall not be provided with any means of keeping them in the open position other than AUTOMATIC RELEASES.
DOORS NOT TO BE LOCKED OR FASTENED	All doors specified on the plan(s) through which a person may have to pass shall not be or fastened that they cannot be so easily and immediately opened by persons leaving the premises.
EXIT(S) TO ADJOINING PREMISES	The exit(s) specified on the plan(s) which give access to the adjoining premises where indicated shall be maintained freely available at all times for exit purposes and shall be kept free and unobstucted.
STAIRS,STEPS and STAIR COVERINGS Surfaces	All stairs and steps comprising parts of the means of escape in case of fire specified on the plan(s) shall be maintained with non-slippery and even surfaces.
STAIRS,STEPS and STAIR COVERINGS Danger to persons	All stair coverings shall be secured and maintained so they will not in any way be a source of danger to persons escaping in case of fire.
HANDICAPPED PERSONS	On those occasions when disabled or handicapped persons are present on the premises such specialarrangements as may be necessary in the circumstances shall be made, so as to enable allpersons to leave the premises safely in the event of fire.
FIRE RESISTANCE OF FLOORS,WALLS AND CEILINGS	Floors,walls and ceilings shall be kept in a satisfactory state of repair.
FIRE RESISTANCE OF DOORS	Any proposed change in the construction of the Fire Resisting Doors specified on the plan(s) must be notified to the Fire Authority.

ITEM	REQUIREMENT
SURFACE SPREAD OF FLAME	Any proposed change to the surface finishings on walls partitions and ceilings from those specified in the schedule which would have the effect of increasing the rate of surface spread of flame must be notified to the Fire Authority.
FIRE EQUIPMENT TESTING AND MAINTENANCE	<p>All fire equipment specified on the plan(s) shall be maintained in efficient working order.</p> <p>i. Portable fire extinguishers shall be examined at least once annually and tested by a competent person, in accordance with the relevant British Standard. The date of such tests shall be clearly marked on the extinguisher or on a stout tab attached thereto.</p> <p>ii. Hose reels shall be tested at least once annually to ensure that they are in good working order and will produce a satisfactory jet of water as described in the Key to Plan Symbols and Abbreviations.</p>
LOG BOOK	A log book shall be kept in which there shall be recorded details of tests, examinations and fire drill instruction. The log book must be readily available for inspection as and when required by an Authorised Inspector.
FIRE ALARM - TESTING AND MAINTENANCE	<p>i The fire alarm specified in the schedule and on the plan(s) shall be maintained in efficient working order and shall be tested or examined whenever so required by the appropriate authority. In addition it shall be tested weekly using a different call point for each successive test to ensure that it operates satisfactorily, and that all doors fitted with automatic releases are operating efficiently and are effectively self-closing. The results of such tests shall be recorded in the log book.</p> <p>ii The automatic detectors specified in the schedule and on the plan(s) shall be serviced, tested for operation and maintained in efficient working order in accordance with the manufacturers instructions except that detectors designed for once only operation shall not be subject to routine testing. The results shall be recorded in the logbook.</p> <p>iii The manual fire alarm sounders specified in the schedule and on the plan(s) shall be tested weekly and whenever so required by the appropriate authority and the results shall be recorded in the log book.</p>

ITEM	REQUIREMENT
EMERGENCY LIGHTING	<p>i The emergency lighting specified in the schedule and on the plan(s) shall be maintained in effective working order and always available for use. The emergency lighting shall be tested or examined whenever so required by the appropriate authority and tested by a competent person at regular intervals not exceeding 6 months and the results of such tests shall be recorded in the log book.</p> <p>ii The handlamps specified in the schedule and on the plan(s) shall be maintained in efficient working order and checked at weekly intervals and whenever so required by the appropriate authority, the results to be entered in the log book. The batteries shall be replaced at intervals not exceeding 6 months, and such replacements shall likewise be recorded.</p>
ARTIFICIAL LIGHTING	<p>Artificial lighting shall be operative during the whole of the time it may be required to facilitate escape from the premises and shall be effectively maintained in good working order. Where artificial lighting is supplied for stairs, ramps or passages external to the premises and is operated by a switch adjacent to an exit door, it need not be in continuous operation but it shall be maintained readily available for use.</p>
FIRE INSTRUCTIONS AND DRILLS	<p>All persons employed to work in the premises shall be given instruction and training in what to do in case of fire, as described in the FIRE INSTRUCTION AND DRILLS APPENDIX attached to this schedule, and records kept to that effect.</p>
NOTICES	<p>The notices specified on the plan(s) shall be maintained legible and unobstructed in their allotted positions.</p>
MAXIMUM PERMITTED NUMBERS- GENERAL	<p>The maximum number of persons permitted to use parts of the premises shall not exceed the number shown on the plan(s) forming part of the certificate. The total for the premises as a whole being</p>

ITEM	REQUIREMENT
Maximum Permitted Numbers	<p>The maximum number of persons permitted to use</p> <ul style="list-style-type: none"><li>(a)</li><li>(b)</li><li>(c)</li></ul> <p>shall not exceed:-</p> <ul style="list-style-type: none"><li>i When used for dancing;<ul style="list-style-type: none"><li>(a)</li><li>(b)</li><li>(c)</li></ul></li><li>ii When used for functions utilising seating at tables;<ul style="list-style-type: none"><li>(a)</li><li>(b)</li><li>(c)</li></ul></li><li>iii When used for purposes combining i and ii above;<ul style="list-style-type: none"><li>(a)</li><li>(b)</li><li>(c)</li></ul></li><li>iv When used for a closely seated audience (movable seating);<ul style="list-style-type: none"><li>(a)</li><li>(b)</li><li>(c)</li></ul></li></ul>
Closely seated audience - Movable seating	<p>The arrangements for a closely seated audience (movable seating) shall accord with the following:-</p> <ul style="list-style-type: none"><li>i The seating must at all times be so disposed as to provide free and unobstructed access to all exit doors.</li><li>ii Width of Gangways-Minimum 1m.</li><li>iii Width of seatways-Minimum 305mm</li><li>iv Securing of seats-Secured together in sections of not less than 4 seats</li><li>v Where permitted number exceeds persons the rows of seats flanking the front, back and cross gangways and seats near to exits must be secured in position.</li><li>vi No seat shall be more than                      from a gangway when measured along the line of seating.</li></ul>

**FIRE INSTRUCTION AND DRILLS**

All persons employed to work in the premises shall be given instruction and training in the procedure to adopt in the event of fire. Such instruction shall be based on the following -

- (i) All employees shall receive instruction and training appropriate to their responsibilities in the event of an emergency. It shall be based on written instructions.
- (ii) The instruction shall be given by a competent person, at the commencement of employment and subsequently at intervals not exceeding Six months.

The instruction shall include training in the following:-

- (a) The action to be taken on discovering a fire.
- (b) The action to be taken on hearing a warning of fire.
- (c) The manner of raising the alarm in the event of fire and the location of the actuation points, together with the fire alarm indicator panels.
- (d) The correct method of calling the Fire Brigade.
- (e) The escape routes available within the premises.
- (f) The evacuation procedure for the premises and the location of the assembly point, outside the building, in emergency circumstances.
- (g) The importance of the protection afforded by fire doors and of the need to ensure that such doors, protecting the means of escape, are kept shut except when in normal use.
- (h) The location and practical use of fire-fighting equipment.
- (i) The emergency close down procedures for specialised machines and processes together with security measures appropriate to the risk.

In addition to the above, certain categories of staff will require to be trained in matters peculiar to their particular responsibilities at the time of the fire, eg Department Heads, Supervisors, Security Staff.

- (iii) At least once in every period of Six months a practice fire drill should be carried out simulating conditions in which one or more of the escape routes from the building is obstructed. During these drills the fire alarm should be operated by a member of the staff who is told of the supposed outbreak and, thereafter the fire routine should be rehearsed as fully as circumstances allow.
- (iv) A record of the instruction and training given, together with the fire drills held shall be entered in the log book, and shall include the following matters:
  - (a) The date of the instruction or drill.
  - (b) The duration of the instruction or drill.
  - (c) The name of the person giving the instruction.
  - (d) The names of the persons receiving the instruction.
  - (e) The nature of the instruction or drill.
- (v) In all premises one person should be responsible for organising fire instruction and training and in larger premises a person or persons should be nominated to co-ordinate the actions of persons in the event of fire.

FALKLAND ISLAND FIRE AND RESCUE SERVICE  
FIRE PRECAUTIONS ORDINANCE

CERTIFICATE NO \_\_\_\_\_

STAFF FIRE PROCEDURE

FALKLAND ISLAND FIRE AND RESCUE SERVICE  
FIRE PRECAUTIONS ORDINANCE

CERTIFICATE NO \_\_\_\_\_

GENERAL FIRE PROCEDURE

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*[Faint, illegible text]*

PROPOSED STANDARD LETTERS

<u>CODE</u>	<u>DESCRIPTION</u>
Steps/1	Issue of steps to taken notice
Steps/2	Extension of steps to be taken notice
Exempt/1	Exemption for Fire Cert.Premises sat.
Exempt/2	--"--- " " " " not sat.
Issue/1	Issue of Fire Certificate
Change /1	Change of conditions no amendment
Change /2	" " " steps notice
General/1	Goodwill standard letter
General/2	Report form
Return/1	Return Cert. for amendment
Return/2	" " " cancelling

# FALKLAND ISLANDS FIRE AND RESCUE SERVICE

Your Ref. ....

Our Ref. ....

Fire Officer,  
Fire Headquarters,  
Stanley,  
Falkland Islands.

Tel. 471

Dear sir,

Premises:-

I refer to your application for a Fire Certificate dated  
and following an inspection of the above premises.  
I write to inform you that the matters inspected are not considered satisfactory and therefore a Fire Certificate cannot be issued unless the attached steps are taken to rectify the situation on or before  
or any further such time as the Fire Service may allow.

Should you require any further advice or information please do not hesitate to contact me.

Yours faithfully,

**FALKLAND ISLANDS FIRE AND RESCUE SERVICE**

Your Ref. ....

Our Ref. ....

**Fire Officer,  
Fire Headquarters,  
Stanley,  
Falkland Islands.  
Tel. 471**

Dear Sir,

Premises:-

Further to a visit by my Fire Prevention Officer I hereby extend the completion date in my letter dated until

Should you fail to carry out the steps to be taken by this or any such further time that may be allowed the Fire Certificate shall be deemed to be refused.

Yours faithfully,

**FALKLAND ISLANDS FIRE AND RESCUE SERVICE**

Your Ref. ....

Our Ref. ....

**Fire Officer,  
Fire Headquarters,  
Stanley,  
Falkland Islands.  
Tel. 471**

Dear Sir,

Premises;

I refer to your application for a Fire Certificate dated  
and following an inspection of the premises I  
hereby grant an exemption of the requirement to hold a Fire  
Certificate for the following reasons:-

This exemption is conditional on the items shown on the  
attached document being complied with.

At the time of the inspection these items were found to  
be satisfactory.

Yours faithfully,

Exempt/1

**FALKLAND ISLANDS FIRE AND RESCUE SERVICE**

Your Ref. ....

Our Ref. ....

**Fire Officer,  
Fire Headquarters,  
Stanley,  
Falkland Islands.  
Tel. 471**

Dear Sir,

Premises:-

I refer to your application for a Fire Certificate dated  
and following an inspection of the premises I  
hereby grant an exemption of the requirement to hold a Fire  
Certificate for the following reasons;

This exemption is conditional on the items shown on the  
attached document being complied with. At the time of the inspection  
these items were not satisfactory and a fire prevention report in  
this respect is attached herewith.

Yours faithfully

Exempt/2

# FALKLAND ISLANDS FIRE AND RESCUE SERVICE

Year Ref. ....

Our Ref. ....

Fire Officer,  
Fire Headquarters,  
Stanley,  
Falkland Islands.  
Tel. 471

Dear Sir,

Premises;

I enclose herewith Fire Certificate No.        issued under

The document should be kept on the premises at all times  
and available for inspection at reasonable times.

It is in your own interests to peruse the document fully  
and acquaint yourself fully with its conditions.

Should you wish to discuss the matter further please do  
hesitate to contact me.

Yours faithfully,

# FALKLAND ISLANDS FIRE AND RESCUE SERVICE

Your Ref. ....

Our Ref. ....

Fire Officer,  
Fire Headquarters,  
Stanley,  
Falkland Islands.

Tel. 471

Dear Sir,

Premises:-

Further to your notification of proposed alterations date  
I write to confirm that the items do not affect  
the adequacy of the matters specified in the Fire Certificate No.

This letter and the returned copy of the notification  
to be kept with the Fire Certificate and available for inspection  
at all reasonable times.

Should you require any further advice please do not  
hesitate to contact me.

Yours faithfully,

# FALKLAND ISLANDS FIRE AND RESCUE SERVICE

Your Ref. ....

Our Ref. ....

Fire Officer,  
Fire Headquarters,  
Stanley,  
Falkland Islands.

Tel. 471

Dear Sir,

Premises:-

Further to your notifications of proposed alterations date  
I write to inform you that the proposals will  
affect the adequacy of Fire Certificate No. .

I attach herewith those steps to be taken to prevent them  
becoming inadequate in the event of the changes being made.

Should those changes be made without those steps being  
taken or having been taken the Fire Service may cancel the  
Fire Certificate.

Should you require any further advice please do not  
hesitate to contact me.

Yours faithfully

# FALKLAND ISLANDS FIRE AND RESCUE SERVICE

Your Ref. ....

Our Ref. ....

**Fire Officer.  
Fire Headquarters.  
Stanley,  
Falkland Islands.**

**Tel. 471**

Dear Sir

Premises.

Further to a recent <sup>inspection</sup> ~~visit~~ by my Fire Prevention Officer I attach a fire prevention report in connection with the above premises. Should you require any further advice or information please do not hesitate to contact me.

Yours faithfully

GENERAL / 11

ADDRESS.....  
.....  
.....  
.....  
.....

FILE REF.....

INSPECTING OFFICER.....

ACCOMPANIED BY .....

DATE .....

LEGISLATION.....

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**APPLICATION FOR A FIRE CERTIFICATE**

**FP 1 (Rev)**

**FOR OFFICIAL USE ONLY**

**To the Chief Fire officer Falklands Islands Fire and Rescue Service**

**Dear Sir**

I hereby apply for a fire certificate in respect of the premises of which details are given below. I make the application as, or on behalf of, the occupier/owner of the premises.

Yours faithfully,

Signature \_\_\_\_\_

Name \_\_\_\_\_

(in block capitals)

If signing on behalf of a company or some other person, state capacity in which signing.

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_ Date \_\_\_\_\_

*To be completed by the Applicant:-*

1. Postal address of the premises

2. Name and address of the responsible person for the premises.

3. Details of the premises

(If the fire certificate is to cover the use of two or more premises in the same building, details of each premises should be given on a separate sheet.)

(a) Name of occupier (and any trading name if different) \_\_\_\_\_

(b) Use(s) to which premises put \_\_\_\_\_

(c) Floor(s) in building on which premises situated \_\_\_\_\_

/over

3. (contd.)

- (d) Maximum number of persons employed or proposed to be employed to work in the premises at any one time
- (i) below the ground floor of the building \_\_\_\_\_
  - (ii) on the ground floor of the building \_\_\_\_\_
  - (iii) above the ground floor of the building \_\_\_\_\_
  - (iv) in the whole of the premises \_\_\_\_\_
- (e) Maximum number of persons other than employees likely to be in the premises at any one time \_\_\_\_\_
- (f) Number of persons (including staff, guests and other residents) for whom sleeping accommodation is provided in the premises
- (i) below the ground floor of the building \_\_\_\_\_
  - (ii) above the first floor of the building \_\_\_\_\_
  - (iii) in the whole of the premises \_\_\_\_\_

4. If the premises consist of part only of a building, the uses to which the other parts of the building are put:

5. Number of floors in the building in which the premises are situated _____	6. Approximate date of construction of the premises _____
--	---

7. Nature and quantity of any explosive or highly flammable materials stored or used in or under the premises

Materials	Maximum quantity stored	Method of storage	Maximum quantity liable to be exposed at any one time

(continue on a separate sheet if necessary)

8. A copy of plans of the premises to be attached to this application. The plans to such that all parts of the premises are clearly shown together with doorways, stairways, and existing fire precautions. A scale of 1:100 or 1:50 single line drawing would be acceptable.

APPENDIX E  
THE DANGEROUS GOODS ORDINANCE 1987

The Dangerous Goods Ordinance 1987

Appendix E

1. General
2. Definitions
3. Licensing
4. Transport
5. Storage
6. Disposal
7. Offences
8. Miscellaneous
9. General
10. Definitions
11. Licensing
12. Transport
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23. Offences
24. Miscellaneous
25. General
26. Definitions
27. Licensing
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33. General
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35. Licensing
36. Transport
37. Storage
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41. General
42. Definitions
43. Licensing
44. Transport
45. Storage
46. Disposal
47. Offences
48. Miscellaneous
49. General
50. Definitions
51. Licensing
52. Transport
53. Storage
54. Disposal
55. Offences
56. Miscellaneous
57. General
58. Definitions
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61. Storage
62. Disposal
63. Offences
64. Miscellaneous
65. General
66. Definitions
67. Licensing
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97. General
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101. Storage
102. Disposal
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105. General
106. Definitions
107. Licensing
108. Transport
109. Storage
110. Disposal
111. Offences
112. Miscellaneous
113. General
114. Definitions
115. Licensing
116. Transport
117. Storage
118. Disposal
119. Offences
120. Miscellaneous
121. General
122. Definitions
123. Licensing
124. Transport
125. Storage
126. Disposal
127. Offences
128. Miscellaneous
129. General
130. Definitions
131. Licensing
132. Transport
133. Storage
134. Disposal
135. Offences
136. Miscellaneous
137. General
138. Definitions
139. Licensing
140. Transport
141. Storage
142. Disposal
143. Offences
144. Miscellaneous
145. General
146. Definitions
147. Licensing
148. Transport
149. Storage
150. Disposal
151. Offences
152. Miscellaneous
153. General
154. Definitions
155. Licensing
156. Transport
157. Storage
158. Disposal
159. Offences
160. Miscellaneous
161. General
162. Definitions
163. Licensing
164. Transport
165. Storage
166. Disposal
167. Offences
168. Miscellaneous
169. General
170. Definitions
171. Licensing
172. Transport
173. Storage
174. Disposal
175. Offences
176. Miscellaneous
177. General
178. Definitions
179. Licensing
180. Transport
181. Storage
182. Disposal
183. Offences
184. Miscellaneous
185. General
186. Definitions
187. Licensing
188. Transport
189. Storage
190. Disposal
191. Offences
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194. Definitions
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# The Dangerous Goods Ordinance 1987

## ARRANGEMENT OF SECTIONS

### Section

1. Citation and commencement.
2. Interpretation.
3. Licensing Authority.
4. Application.
5. Power of Governor to give directions.
6. Licence required for manufacture of dangerous goods.
7. Prohibited goods.
8. Licence required for supplying labour etc. for handling dangerous goods on vessels.
9. Grant, variation and revocation of licences.
10. Marking of dangerous goods and giving of notice of their character.
11. Removal of dangerous goods in contravention of regulations.
12. Search warrants.
13. Search without warrant.
14. Report of accident by explosion or fire.
15. Government explosives depots.
16. Offences and penalties.
17. Liability of licence holder for offences committed by his employees and agents.
18. Cancellation of licence on conviction.
19. Forfeiture.
20. Regulations.
21. Repeals.
22. Saving for other enactments.

## ELIZABETH II



## Colony of the Falkland Islands

GORDON WESLEY JEWKES, C.M.G.  
Governor.

## The Dangerous Goods Ordinance 1987.

No. 3 of 1987

## An Ordinance to control dangerous goods

*(Assented to : 14th May 1987)*

*(Commencement : to be fixed)*

*(Published : 19th October 1987)*

ENACTED by the Legislature of the Colony of the Falkland Islands, as follows —

1. This Ordinance may be cited as the Dangerous Goods Ordinance 1987, and shall come into force on such day as the Governor shall appoint by Order published in the Gazette and the Governor may appoint different days for the bringing into force of different provisions.

Citation and commencement.

2. In this Ordinance, unless the context otherwise requires —

Interpretation.

“carrier” includes all persons carrying goods or passengers for hire by land, water or air;  
“dangerous goods” means any of the goods or substances to which this Ordinance applies under Section 4;

“explosive” includes any substance used or manufactured with a view to producing a practical effect by explosion or a pyro-technic effect;

“licensed premises” means any premises in which dangerous goods are permitted to be manufactured or stored by virtue of a licence issued under this Ordinance;

“licensing authority” means the person appointed by the Governor as such under Section 3;

“manufacture” includes process, compress, liquefy or otherwise alter the nature or form of any substance;

“occupier” includes any number of persons and a body corporate and, in the case of any manufacture, includes any person carrying on such manufacture;

“owner” in respect of any vessel or aircraft includes a charterer and any person acting as agent for the owner or charterer;

“owner” in respect of dangerous goods, includes any person acting as agent for the owner;

“petroleum” includes crude petroleum, oil made from petroleum or from coal, shale, peat or other bituminous substance, and other products of petroleum or of any of the above-mentioned oils, and mixtures containing petroleum or any of the above mentioned oils;

“prohibited goods” means any dangerous goods declared by any regulation made under Section 20 to be prohibited goods for the purposes of this Ordinance;

“store”, when used as a verb, includes to have possession or custody of or control over that to which the verb relates;

“warehouse owner” includes any person owning or managing any warehouse, store, quay, pier or other premises in which goods are deposited.

3. The Governor shall appoint a person to be the Licensing Authority for the purposes of this Ordinance. Licensing Authority.
4. This Ordinance shall apply to all explosives, compressed gases, petroleum and other substances giving off inflammable vapours, substances giving off poisonous gas or vapour, corrosive substances, substances which become dangerous by interaction with water or air, substances liable to spontaneous combustion or of a readily combustible nature, radioactive material and to such other substances to which it is applied by regulations made under Section 20: Application.
- Provided that this Ordinance shall not apply —
- (a) to any dangerous goods carried in any vessel or aircraft of Her Majesty's armed forces or of the armed forces of any foreign nation;
  - (b) subject to Section 15, to any dangerous goods in the possession and control of the Crown;
  - (c) subject to any regulations made under Section 20, to dangerous goods (other than explosives and radioactive material) normally used for domestic, office, light industrial, farming or horticultural purposes or as fuels, lubricants or cleaning materials in vehicles, vessels or aircraft, in quantities reasonably required by the user for such use; or
  - (d) to any goods exempted from the operation of this Ordinance or any provision hereof by regulations made under Section 20.
5. (1) The Governor may, subject to the Constitution, give such directions as he thinks fit (either generally or in any particular case) with respect to the exercise or performance by any public officer of any powers, functions and duties under this Ordinance. Power of Governor to give directions.
- (2) A public officer shall, in the exercise or performance of any powers, functions and duties under this Ordinance, comply with any directions given by the Governor under subsection (1).
6. (1) Except under and in accordance with a licence granted under this Ordinance, no person shall manufacture, store, convey or use any dangerous goods: Licence for manufacture of dangerous goods.
- (2) Subject to any regulations made under Section 20 to the contrary subsection (1) shall not be construed to apply to any dangerous goods —
- (a) while in the course of transit as cargo in any vessel, aircraft or vehicle;
  - (b) while being loaded into or discharged from any vessel by any person or his servants or agents, licensed for that purpose under this Ordinance;
  - (c) while being loaded onto or discharged from any aircraft or vehicle; or
  - (d) in respect of which any valid licence or permit authorizing possession thereof and issued pursuant to any Ordinance relates, or in respect of which any exemption from the provisions of any Ordinance has been granted.
7. No person shall manufacture or cause to be manufactured any prohibited goods or have any prohibited goods in his possession, custody or control or in the possession, custody or control of any servant, agent or warehouse owner. Prohibited goods.
8. No person shall hire out or supply labour, vessels or equipment for loading, discharging or moving dangerous goods on vessels except under and in accordance with a licence issued under this Ordinance. Licence for supplying labour, vessels or equipment for handling dangerous goods on vessels.
9. (1) A licence for the purposes of Section 6 or 8 may be obtained on application to the Licensing Authority and on payment of the appropriate fee and shall be in the prescribed form or, if no form is prescribed, in such form as the Licensing Authority may consider appropriate. Grant, variation and revocation of licences.
- (2) Such licence shall be an annual licence expiring on the anniversary of the day on which it is issued, and an annual fee shall be prescribed:
- Provided that on payment in advance of the appropriate fee the Licensing Authority may issue a licence valid for a period of up to five years.

(3) The Licensing Authority may require such information as he shall consider necessary from any applicant for a licence.

(4) Any person who knowingly makes a false statement in or in connection with an application for a licence shall be guilty of an offence and liable to a fine of £500 or to imprisonment for six months or to both such fine and such imprisonment.

(5) The Licensing Authority shall grant an application for a licence if he is satisfied that —

- (a) the applicant has good reason for requiring the licence;
- (b) defence, internal security, public safety, public order and the peace will not be endangered by the grant of the licence; and
- (c) the applicant is not of intemperate habits or unsound mind or for any other reason not fit to hold the licence.

(6) The Licensing Authority may include in any licence such conditions as he shall consider necessary in the interest of defence, internal security, public safety, public order and the peace, and may during the currency of a licence introduce, add to, delete or vary any such conditions and for such purpose he may give the holder of the licence written notice to deliver his licence to the licensing authority within 21 days for amendment.

(7) Any holder of a licence who fails to comply with any condition therein shall commit an offence and be liable to a fine of £1000 or to imprisonment for six months or to both such fine and such imprisonment.

(8) The Licensing Authority may revoke a licence if —

- (a) due to a change of circumstances or the acquisition of new information he is no longer satisfied concerning the matters specified in subsection (5); or
- (b) the holder of the licence fails to comply with a notice given under subsection (6).

(9) When he revokes a licence the Licensing Authority shall give written notice to the holder requiring him to surrender his licence to the Licensing Authority within 21 days, and if the holder fails to comply with such notice he shall be guilty of an offence and liable to a fine of £50.

(10) Any person aggrieved by a refusal of the Licensing Authority to grant him a licence or renew his licence, or by the conditions included in his licence or by the revocation of his licence may appeal to the Senior Magistrate.

10. No person shall deliver to any warehouse owner or carrier, or send or carry or cause to be sent or carried to or from any part of the Falkland Islands by land, water, or air, or sell or expose for sale, or store any dangerous goods, or deposit any dangerous goods in or on any warehouse, wharf or quay unless —

- (a) the true name or description of such goods is distinctly written, printed or marked in English on the outside of the drum, tin, case or other package containing such goods;
- (b) the prescribed label, if any, is attached to the outside of the drum, tin, case or other package containing such goods; and
- (c) in the case of delivery to any warehouse owner or carrier, notice in writing has been given to such warehouse owner or carrier of the true name or description of such goods and the dangerous nature thereof.

Marking of dangerous goods and giving of notice of their character.

11. Where any dangerous goods are possessed, landed, shipped, transhipped, stored or are otherwise dealt with, or where any vessel or aircraft carrying any dangerous goods is berthed or has anchored or landed or stopped contrary to any regulations made under Section 20, the Licensing Authority, the Harbour Master or any other person acting under the orders of either of those officers, may cause such dangerous goods, or such vessel or aircraft to be removed, at the expense of the owner thereof, to such place as may be in conformity with the said regulations, and all expenses incurred in such removal may be recovered from the owner thereof in like manner, in all respects, as a sum of money due or payable to the Crown in respect of a fee is recoverable.

Removal of dangerous goods in contravention of regulations.

12. (1) Any judge, magistrate or justice of the peace may, if satisfied by information on oath that there is reasonable ground for suspecting that an offence against this Ordinance has been, is being or is about to be committed, grant a search warrant authorising any police officer —

Search warrants.

- (a) to enter at any time any premises, place or vessel named in the warrant, if necessary by force, and to search the premises, place or vessel and every person found therein;
- (b) to seize and detain any dangerous goods which he may find on the premises, place or vessel or on any such person in respect of which he has reasonable grounds for suspecting that an offence under this Ordinance has been, is being or is about to be committed; and
- (c) if the premises are those of a licensed dangerous goods manufacturer, to examine any books or records relating to the business.

**13. Any police officer may stop and search —**

- (a) for dangerous goods any person whom he may find in any public place at any time who acts in a suspicious manner or whom he may suspect of having any dangerous goods in his possession; and
- (b) seize and detain any dangerous goods that he may find upon such person.

Search without warrant.

**14. Whenever there occurs any accident by explosion or fire in or about or in connection with any premises licensed under Section 6, the occupier of such premises shall forthwith report such accident, and any loss of life or personal injury occasioned thereby, to the Officer in Charge of Police.**

Report of accident by explosion or fire.

**15. (1) The Governor may, by notice published in the Gazette, designate any place or vessel as a Government explosives depot for the storage of explosives.**

Government explosives depots.

(2) Any place so designated shall be placed under the control of the Director of Public Works, and any vessel so designated shall be placed under the control of the Harbour Master.

(3) Regulations made under Section 20 may provide for the management, safety and security of any such depot.

**16. (1) Any person who contravenes any of the provisions of Section 6, 7, 8 or 10 shall commit an offence and be liable to a fine of £1000 or to imprisonment for six months or to both such fine and such imprisonment:**

Offences and penalties.

Provided that any person accused of having contravened any of the provisions of Section 10 shall not be liable to be convicted thereof if he shows to the satisfaction of the court that he did not know the nature of the goods to which the charge relates, and that he could not, with reasonable diligence, have obtained such knowledge.

(2) The occupier of any premises who fails to report an accident in contravention of the provisions of Section 14 shall commit an offence and shall be liable to a fine of £100.

**(3) Any person who —**

- (a) obstructs or delays any officer in the exercise of any of the powers conferred upon him by this Ordinance; or
- (b) wilfully or recklessly gives false information or withholds information, as to the source from which any dangerous goods were obtained or as to the manufacture, conveyance, storage, packing, labelling or use of any dangerous goods,

shall commit an offence and be liable to a fine of £500 or to imprisonment for six months or to both such fine and imprisonment.

**17. Whenever it is proved to the satisfaction of the court that an offence against this Ordinance has been committed by any employee or agent of any person holding a licence issued under this Ordinance, such person shall be held to be liable for such offence and to the penalty provided therefor, unless he proves that the offence was committed without his knowledge or consent and that he had exercised all due diligence to prevent the commission of the offence:**

Liability of licence holder for offences committed by his employees and agents.

Provided that —

- (a) no such person shall be sentenced to imprisonment (except in default of payment of a fine) for any offence under this Section;
- (b) this Section shall not exempt the employee or agent from the penalties provided for the offence committed by him.

18. (1) On the conviction of any person for an offence against this Ordinance, the court may, in addition to any other penalty, order that any licence issued under this Ordinance held by such person shall be cancelled and any licence in respect of which any such order is made shall be forthwith delivered by the holder thereof to the Licensing Authority for cancellation. Cancellation of licence on conviction.
- (2) A person required to deliver a licence under subsection (1) who fails to do so commits an offence and shall be liable on conviction to a fine of £50.
19. A court may order to be forfeited to the Crown any dangerous goods and any container thereof with respect to which any offence against this Ordinance has been committed, whether any person has been charged with such offence or not. Forfeiture.
20. The Governor may by Order in Council make regulations providing for anything that may be prescribed under this Ordinance or otherwise for the better carrying out of the provisions hereof. Regulations.
21. Sections 15, 16, 17, 18 and 22 of the Harbour Ordinance, Cap. 30, are repealed and the Explosives Act 1875 shall not apply in the Falkland Islands. Repeals.
22. The provisions of this Ordinance shall be in addition to and not in derogation of the provisions of any other enactments relating to dangerous goods. Saving for other enactments.

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Passed by the Legislature of the Colony of the Falkland Islands this 1st day of April 1987.

P. T. KING,  
*Clerk of Councils.*

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This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and is found by me to be a true and correctly printed copy of the said Bill.

P. T. KING,  
*Clerk of Councils.*

Ref: LEG/10/64.