

PUBLIC NOTICE

Anguilla Fire and Rescue Service Certificate of Compliance

Notice is hereby given to the general public and all owners of businesses in Anguilla, pursuant to the Fire and Rescue Service Act and the Fire Precautions and Safety Regulations.

Section 4 of the Fire Precautions and Safety Regulations provides as follows:-

Certificate of Compliance

4. (1) Subject to subsection (2) and any exemptions conferred under these Regulations, **no person shall use any premises or public building for any regulated purpose** specified in Schedule 3 of the Act unless there is in existence a valid certificate of compliance in respect of the premises or public building.
- (2) A person who before 31 July 2013 is using any premises or public building for any regulated purpose referred to in subsection (1) shall, within 24 months of 31 July 2013 or such further period as the Governor in Council may in writing allow, apply for and obtain a certificate of compliance in respect of the premises or public building in accordance with the provisions of the Act.

Schedule 3 of the Fire and Rescue Service Act as printed below, lists the premises and public buildings in relation to which a certificate of compliance is required under section 4 of the Fire Precautions and Safety Regulations.

Fire and Rescue Service Act SCHEDULE 3 REGULATED PURPOSES RESPECTING BUILDING USE

1. A building in which there is a room at a level other than ground level used for the purpose of the sale of food or drink to the public or the provision of entertainment or dance facilities.
2. A building used to provide residential accommodation at a floor level other than ground level.
3. A building used to provide residential accommodation within an educational institution or a daycare facility.

4. A building used to provide residential accommodation for medical, psychiatric or geriatric care.
5. A building used to sell goods or services to the public in which there is an aggregate sales area exceeding 1000m² at any floor level.
6. A building used to accommodate a shop or shops selling goods or services to the public from which the only means of escape is through an enclosed arcade, mall or like structure.
7. Premises or a building used for oil or fuel storage or delivery or used for storage of explosive or toxic or hazardous materials including any open dump.
8. A building other than a drive-in picture theatre used to accommodate more than 50 persons attending for a public meeting or for recreational or conference purposes.
9. A building used to provide office accommodation or used as a factory or workplace in which persons are employed to work in a room or rooms at any floor level.
10. A building used for educational or research purposes containing—
 - (a) a laboratory or machinery or trade equipment operated for training or research purposes; or
 - (b) a classroom, canteen or recreational facilities on a floor more than 2 floors above ground level.

Section 6 of the Fire Precautions and Safety Regulations also provides information in relation to what is to be included in the certificate of compliance issued by the Chief Fire Officer.

Contents of certificate of compliance

6. (1) The Chief Fire Officer in issuing a certificate of compliance shall specify, in the certificate of compliance—
 - (a) the use or uses of the public building or prescribed undertaking to which such certificate relates;
 - (b) the means of escape from the public building or prescribed undertaking in the event of a fire;
 - (c) the means for ensuring that the means of escape can be safely and effectively used at all material times;
 - (d) the type, number and location of the fire-fighting equipment for use by persons in the public building or prescribed undertaking; and
 - (e) the type, number and location of fire alarms, if any.

Failure to Comply

Pursuant to section 47 of the Fire and Rescue Service Act the Governor in Council may by Regulations mandate that public buildings used for a regulated purpose as specified in Schedule 3 of the Act, must obtain a valid certificate of compliance. Subsection (1) of section 4 provides as follows:-

Requirement for certificate of compliance

47. (1) The Governor in Council may, by regulations, prohibit the use of any public building for any regulated purpose specified in Schedule 3 unless there is in existence a valid certificate of compliance issued under section 48 in relation to the use of the public building for that purpose.

Subsection (3) of section 47 further provides as follows:-

- (3) An occupier of any public building who makes use of a public building in contravention of any regulation made under this section commits an offence and is liable on summary conviction to a fine of \$10,000, and in the case of a continuing offence to a further fine of \$500 for each day during which the offence continues after conviction for the offence.

Section 6(3) of the Fire Precautions and Safety Regulations also provides that where a certificate of compliance is issued, a holder of the certificate of compliance who contravenes or fails to comply with any requirement specified or incorporated in the certificate of compliance commits an offence.

FEES FOR CERTIFICATE OF COMPLIANCE

Area of Building	Fee EC \$	
	Application for Certificate of Compliance	Application for Renewal of Certificate of Compliance
0-1499 sq. ft.	\$200	\$100
1500-1999 sq. ft.	\$250	\$125
2000-2499 sq. ft.	\$300	\$150
2500-2999 sq. ft.	\$350	\$175
3000-3499 sq. ft.	\$400	\$200
3500-3999 sq. ft.	\$450	\$200
4000-4499 sq. ft.	\$500	\$250
4500-5000 sq. ft.	\$550	\$300
5000 sq. ft.+	\$600	\$350

Any questions contact the Anguilla fire and rescue service fire prevention unit between the hours of 8am-4pm for additional information on 1264-498-3344 (FSO C. LAKE, LFF O. BOURNE, FF R. RICHARDSON).