

# Article 27 Requisition

## Standard Operating Procedure No. TFS - 020

### Document Overview: -

This document outlines the procedure of preparing, issuing and receiving information from an Article 27 Requisition.

An Article 27 Requisition is a legal letter which is taken from the Regulatory Reform (Fire Safety) Order 2005. Article 27 requires persons to provide, information, assistance and facilities in order to enforce the general fire precautions under the Regulatory Reform (Fire Safety) Order 2005.

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Issue Date:	May 2007
Policy/Review Date:	May 2009
Policy/Revision Date:	
Version	1.0

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## 1.0 Introduction

1.1 An Article 27 Requisition (A27 Requisition) [Appendix A](#) is a legal letter which can be served on persons suspected to have an extent of control for provisions under Article 8 to 23 of the Regulatory Reform (Fire Safety) Order 2005 (The Order).

The A27 Requisition can require the recipient to provide information under fire safety inspectors' powers in Article 27, and can include the following:-

- The full name the occupier
- The Registered address
- Name of the employer
- Lease arrangements or basis of occupation
- Copy of the fire risk assessment
- Copy of testing and maintenance records of fire safety equipment
- Copy of records of staff training and drills

1.2 An A27 Requisition can be served if there is any doubt in any of the above details, and other matters covered by Article 27, such as records showing that the responsible person is properly managing fire safety in the premises.

## 2.0 Background

2.1 Under Article 27 (1) of The Order Inspectors have powers at any reasonable time to do anything necessary for the purpose of carrying out The Order and to make such inquiry as may be necessary for any of the following purposes;

2.2 To identify the responsible person in relation to the premises;

2.3 To require the production of, or where the information is recorded in computerised form, the furnishing of extracts from, any records (including plans) -

2.4 Which are required to be kept by The Order or regulations made under it; or

2.5 Which it is necessary for him to see for the purposes of an examination or inspection under The Order

2.6 And to inspect and take copies of, or of any entry in, the records;

2.7 To require any person having responsibilities in relation to any premises (whether or not the responsible person) 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 article;

### 3.0 Procedure

- 3.1 The A27 Requisition ([Appendix A](#)) can be served before or after an audit. However it is strongly recommended that information should be gathered and investigated via an audit before serving a Requisition so that it can be served more effectively on the correct person. If an A27 Requisition is needed before an audit to determine whether the premises is covered by The Order, then it should only contain the questions relating to the responsible person, occupancy and or lease.
- 3.2 During an audit if any of the details listed in the Introduction can not be substantiated or there is reason for doubt, then those details should not be completed on the audit form. It is advised that during an audit the Inspector request a copy of letter headed paper or compliment slip to provide evidence of the registered address.
- 3.3 Upon returning to the office the Inspector should make an attempt to ascertain the information before issuing an A27 Requisition.

Possible sources of information may include:

- Details provided by the person present during the Audit
  - Fish or CFRMIS
  - Internet searches
  - Companies House Search (see below)
  - Trading Standards
- 3.4 Any of the areas of enquiry mentioned above can be removed from the A27 Requisition if necessary. Furthermore, additional information covered by the inspectors' powers in Article 27 can be required. However, to gain the most benefit from the A27 Requisition it is advised that generally all nine fields are utilised. Do not add any fields of enquiry without first consulting with the Technical Fire Safety Procedure Manager. If the number of questions has been altered then the reference to the number of questions in the letter needs to be amended to reflect the alteration.

- 3.5 The numbering system for A27 Requisitions is:

CFRIMS Number/A2701

The A2701 section is a consecutive numbering system. Therefore, if you were to issue a second A27 Requisition for the same property the next number would be:

CFRIMS Number/A2702 and so on.

- 3.6 The A27 Requisition has to be reviewed and signed by a Designated Manager before issue, to ensure that it has been completed properly and the procedure has been followed.
- 3.7 As an A27 Requisition is a legal document; it must be served by recorded delivery or by hand; and in the case of a company addressed to the company secretary. If the registered address is in doubt send the A27 Requisition to the address of the

premises covered by the audit: though attempts should always be made to initially ascertain the registered address. If served by hand a note should be made in the Inspector's notebook as a contemporaneous account.

3.8 A flow chart is provided to demonstrate the A27 Procedure ([Appendix D](#)).

#### **4.0 Companies House Search**

4.1 Companies House is an official government register of UK companies. It can be searched for details of a company which are required by law to register when it is formed.

4.2 You can search on Companies House for the following types of companies:

- Limited Companies (Ltd), either limited by shares or limited by guarantee
- Private Unlimited Companies
- Public Limited Companies (PLC)

4.3 To undertake a search on Companies House it requires a payment. Consequently if a search is needed, the Inspector needs to contact the Technical Fire Safety Procedure Manager.

4.4 For more information about Companies House visit the website: <http://www.companieshouse.gov.uk/index.shtml> with reference to the 'about us' section.

#### **5.0 Trading Standards**

5.1 Under The Business Names Act 1985 companies need to display the following details in a prominent position so that it can be read easily, in all the places where they carry out their business and where they deal with customers or suppliers.

- the corporate name
- the name of each partner, or
- the individual's name, and
- in relation to each person named, an address in Great Britain at which documents can be served

5.2 If you believe that the company is in breach of this law, then Trading Standards may be contacted to intervene where necessary.

5.3 If the Inspector needs to contact Trading Standards then they should contact the Technical Fire Safety Procedure Manager first.

#### **6.0 Receipt of Information from the A27 Requisition**

6.1 Once the information has been received, it will need to be reviewed to ensure that it is the information required under the A27 Requisition. If the information is correct, then it can be used as required.

6.2 If the information received is not what was required then the matter should be passed to the Technical Fire Safety Procedure Manager for review.

## **7.0 Time Extensions**

7.1 If the recipient request an extension of time for compliance then the Inspector dealing with the case is required to make a judgment as to whether it is granted. The time extension period should be discussed with the recipient. The Inspector should ask the recipient what time extension they require and it is for the Inspector to agree what is reasonable.

7.2 Areas for consideration when making a decision on whether to grant a time extension and to what extent is granted include;

- The level of fire risk of the building concerned.
- The required works to make the building compliant with the Regulatory Reform (Fire Safety) Order 2005.
- The type of enforcement action likely to be undertaken.
- The evidential inclination of the person.
- Whether any information has been received to date.
- If their account is reasonable.

7.3 It is recommended that as a guide the maximum extension should not be more than fourteen days. Where the documentation is extensive, however, a longer period can be considered.

7.4 Any contact with recipient should be documented in the Inspectors logbook as a contemporaneous account.

7.5 If a time extension is granted, then the [Appendix B](#) letter should be sent.

7.6 If a time extension is not granted, then the [Appendix C](#) letter should be sent.

7.7 If no information was received after the fourteen days period (or agreed time extension) has passed, then that is considered a criminal offence and the matter should be passed to the Technical Fire Safety Procedure Manager for review.

## Appendix A

Please ask for:  
Tel No: (01793) 401240  
Email: swindon.firesafety@wiltshire.gov.uk  
Our Reference:  
Your Reference:  
Date:

Dear Sir/Madam,

### **The Regulatory Reform (Fire Safety) Order 2005 – Article 27 Number XXXXXXX**

#### **Re:**

On 1<sup>st</sup> October 2006 the Regulatory Reform (Fire Safety) Order 2005 (“The Order”) came into force. Persons defined as “responsible persons” in Article 3 of The Order, together with Article 5, are required to comply with the provisions of The Order.

**Article 27** of The Order gives Inspectors powers, which are further referred to below. Please treat this letter as a requisition hereby served on you, which requires provision of the information, listed from ‘*insert no.*’ to ‘*insert no.*’ below, pertaining to matters at the premises known as the ‘*.....insert name and address of the premises.....*’ (“the Premises”). The information is required within 14 days from the date of this letter, under the said Article 27 of the Order. The information should be sent for the attention of ‘*.....insert name and address of the fire safety inspector.....*’

1. Please provide the full name of the individual, or organisation, which is the occupier of the premises known as ‘*.....insert premises name and address.....*’
2. Please state the address at which statutory documents pertaining to the Regulatory Reform (Fire Safety) Order 2005 can be served on the said occupier. If the Premises are occupied by a limited company, this should be the company’s registered address.
3. Please state the name and address of the individual or organisation employing persons who work in the Premises.
4. If the Premises are occupied under a lease, please provide a copy of the said lease.
5. If the Premises are not occupied under a lease, please state the legal basis of the occupation of the Premises, for example as freeholder.
6. Please provide a copy of the fire risk assessment.
7. Please provide copies of all paperwork pertaining to the maintenance and testing of provisions provided in respect of fire safety for the period (*insert appropriate period*).
8. Please provide copies of any records of staff training and fire drills for the period (*insert appropriate period*).

It may be helpful to draw your attention in more detail to the provisions of Article 27 of the Regulatory Reform (Fire Safety) Order 2005.

Inspectors' powers to carry the Order into effect include, under Article 27(1)(b), the power "to make such inquiry as may be necessary .....(i) to ascertain, as regards any premises, whether the provisions of this Order or any regulations made under it apply or have been complied with; and (ii) to identify the responsible person in relation to the premises".

Article 27(1)(d) adds that an inspector has the power, for the aforementioned purpose, "to require any person having responsibilities in relation to any premises (whether or not the responsible person) 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 article".

Article 32(2) states that " It is an offence for any person to—  
.....(d) obstruct, intentionally, an inspector in the exercise or performance of his powers or duties under this Order; (e) fail, without reasonable excuse, to comply with any requirements imposed by an inspector under article 27(1)(c) or (d)".

If you have a valid reason why you are unable to provide the abovementioned information, or any part of it, you must notify the Service in writing within the said 14 days that such information cannot be provided, with full reasons.

This information is required by Virtue of Article 27(1)(d) of the Regulatory Reform Fire Safety Order 2005, and a person who without reasonable excuse fails to comply with any requirements imposed by an inspector under article 27(1)(c) or (d) will be guilty of an offence under Article 32(2)(e) of the said Order.

Yours faithfully

Community Safety Manager

## Appendix B

Please ask for:  
Tel No: (01793) 401240  
Email: swindon.firesafety@wiltshire.gov.uk  
Our Reference:  
Your Reference:  
Date:

Dear Sir/Madam

### **The Regulatory Reform (Fire Safety) Order 2005 – Article 27 Number XXXXXXX**

#### **Time Extension Granted**

In response to your request for further time to enable you to comply with Article 27 Requisition, reference number XXXX which expires on, XXXX the date by which the information is required is now XXXX.

If after the expiration of this extended time, the information has not been received and unless circumstances justify a further extension of time, then the matter may be referred for legal action.

Yours faithfully

Community Safety Manager

## Appendix C

Please ask for:  
Tel No: (01793) 401240  
Email: swindon.firesafety@wiltshire.gov.uk  
Our Reference:  
Your Reference:  
Date:

Dear Sir/Madam

### **The Regulatory Reform (Fire Safety) Order 2005 – Article 27 Number XXXXXXX**

#### **Time Extension Not Granted**

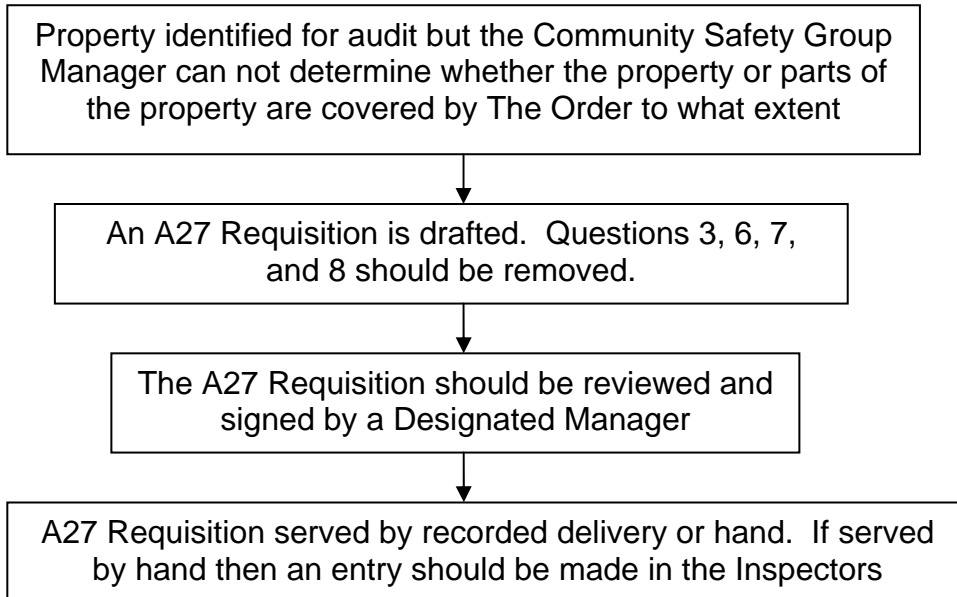
In response to your request for further time to enable you to comply with Article 27 Requisition reference number XXXX the request has not been granted. The Requisition will expire as stated on the YYY.

If after the YYY, the named Inspector above has not received the required information, the matter may be referred for legal action.

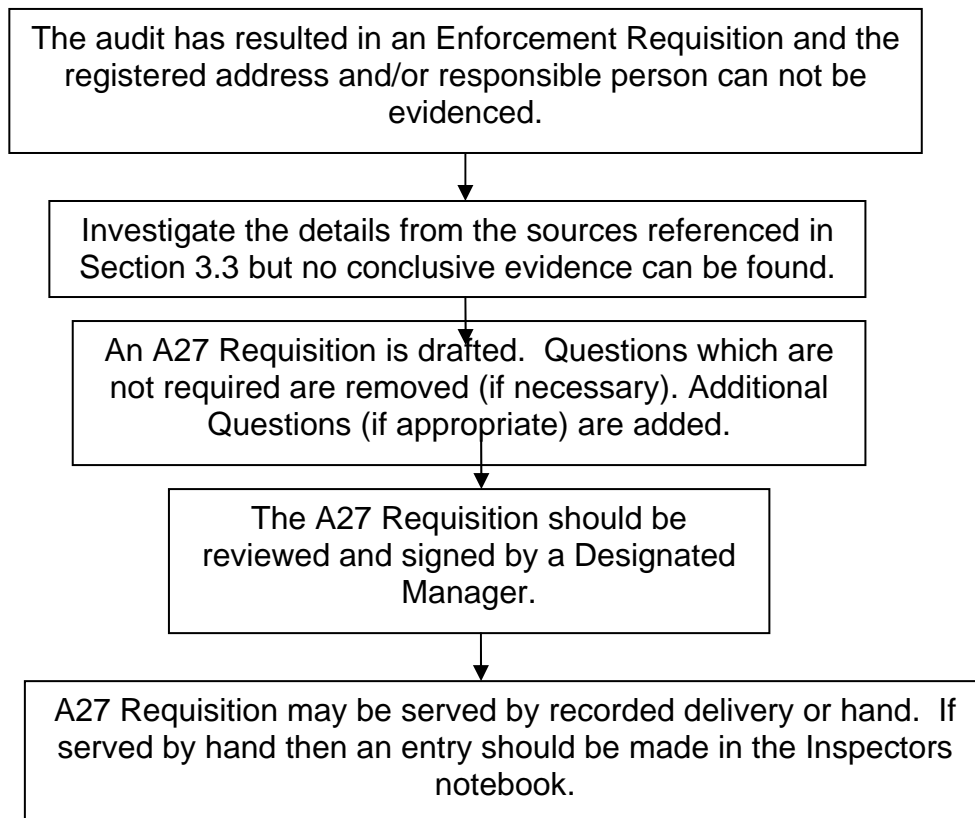
Yours faithfully

Community Safety Manager

**Serving an A27 Requisition before an Audit**



**Serving an A27 Requisition after an Audit**



## Receipt of A27 Requisitions and Time Extension Procedure

