

STATES OF JERSEY



Jersey

DRAFT FIRE SAFETY (TALL RESIDENTIAL BUILDINGS) (JERSEY) REGULATIONS 202-

**Lodged au Greffe on 23rd December 2025
by the Minister for Justice and Home Affairs
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STATES GREFFE

REPORT

Summary

The Fire Safety (Tall Residential Buildings) (Jersey) Regulations 202- will enable important learnings from the Grenfell Tower tragedy to be implemented in Jersey's tall residential buildings (tall blocks of flats). This will significantly improve the safety of residents and firefighters in the event of a fire, benefitting approximately 8,500 islanders. Tall residential buildings are classified as over 11 metres tall, normally containing 5 storeys or more and includes new builds and existing buildings.

The Regulations are logical and proportionate in the wake of the Grenfell Tower inquiry phase 1 recommendations. They will ensure that the building's fire safety features are regularly checked, accurate building information is provided to the fire and rescue service to help them in the event of a fire and appropriate fire safety information is provided to residents.

Fire safety legislation in Jersey has fallen a long way behind the UK, other crown dependencies and the international community. If approved, this will be the first time a fire safety law has been directly applied to Jersey's tall residential buildings once they are occupied. This will provide clarity for building owners, reassurance for residents and allow the fire and rescue service to provide oversight of fire safety in these buildings for the first time.

Tall residential buildings over 11 metres tall (typically 5 storeys) generally present a higher fire safety risk than lower blocks of flats in the event of a fire. This is because there are likely to be more residents within the building and the difficulties related to conducting external rescues above 4 storeys using standard fire and rescue service equipment.

The steps leading to the proposed Regulations

In June 2017, 72 people died in a tragic fire at Grenfell Tower in London. In response, the UK Prime Minister immediately ordered an inquiry to establish the facts and take the necessary action to prevent a similar tragedy occurring again in the future.

The inquiry's phase 1 report highlighted a range of issues which occurred at Grenfell Tower and contributed to the severity of the fire and significantly increased the risk to residents. The report made 46 recommendations to the UK Government with the aim of reducing the risk of similar tragedies occurring in future. 31 recommendations related to organisational capabilities and the operational response of fire and rescue services. The remaining 15 recommendations related to improvements in building fire safety within tall residential buildings.

While the UK Government instructed its fire and rescue services to implement the 31 recommendations related to them, it considered how best to respond to the 15 recommendations related to building fire safety.

At the time of the Grenfell tragedy, tall residential buildings in England were already subject to England's principal fire safety law known as The Regulatory Reform (Fire Safety) Order 2005. This requires a broad fire risk assessment of the building to be conducted and action taken to address any deficiencies. The inquiry demonstrated that this legal requirement did not adequately mitigate all the fire safety issues that were found at Grenfell Tower.

In response, the UK Government introduced the Fire Safety (England) Regulations 2022 to address 8 of the 15 building fire safety recommendations and reinforce existing legislation. This created 7 new requirements to be conducted in addition to the fire risk assessment. These focussed on key areas that can reduce the risk to life during a fire. These are:

- Ensuring key fire safety elements of the building such as fire doors and key firefighting equipment are regularly checked, to reduce the risk of failure during a fire

- The provision of appropriate building information to firefighters to aid navigation, firefighting and rescue operations
- The provision of appropriate information to residents about what to do in a fire

The Regulations are now in their 3rd year in England with a formal evaluation due in 2028. The Regulations are still bedding in, so clear data on their impact is not yet available. However, recent UK inspection data has shown improvements in building fire safety standards in taller blocks of flats during 2024 and 2025, which is a promising sign.

The rationale for adopting similar Regulations in Jersey

Tall residential buildings make up a significant proportion of the housing stock in Jersey. There are approximately 140 buildings providing homes for an estimated 8,500 islanders or 8% of the total population. Jersey's tall residential buildings are in a different position to the remainder of the UK as presently there is no direct fire safety legislation that applies to them after they are built. Jersey is a significant outlier in this respect. This is a major concern as there is no explicit requirement for tall residential buildings to maintain key fire safety standards.

Additionally, the fire and rescue service currently have insufficient regulatory powers to inspect and where necessary to require improvements to fire safety where deficiencies are identified. This means that Jersey lacks legal safeguards to prevent similar building fire safety issues found at Grenfell Tower from occurring in one of Jersey's buildings.

This is not acceptable and residents have a right to expect better. English buildings are legally required to conduct a fire risk assessment under the Regulatory Reform (Fire Safety) Order 2005 in addition to complying with the Fire Safety (England) Regulations 2022 which focus on the Grenfell Tower inquiry phase 1 recommendations.

Ideally, Jersey's tall residential buildings would be required to mirror the English regime by conducting fire risk assessments in addition to complying with a set of Regulations which implement the Grenfell Tower recommendations. However it is not practical or realistic to introduce both requirements at this time.

Priority has therefore been given to implementing the relevant Grenfell Tower inquiry recommendations through a set of Regulations modelled on the Fire Safety (England) Regulations 2022. This is due to their importance in supporting life safety during a fire and the desire to ensure the inquiry recommendations are implemented in Jersey.

A voluntary scheme has been in place since 2024 to encourage tall residential buildings to follow the English Regulations. This has had a positive impact and increased awareness, with some buildings making good progress and others choosing to wait until the Regulations are finalised before investing in the requirements. Given this preparation, it is an optimum time to introduce the formal Regulations to increase resident and firefighter safety.

The Jersey Regulations will make several changes to the English Regulations to take account of consultation feedback, the Jersey context and anecdotal evidence from the UK and Jersey's voluntary scheme. These differences are described in the relevant section below. Wales, Scotland and Northern Ireland have slightly different regimes to England and have not yet adopted the Fire Safety (England) Regulations 2022. Scotland and Northern Ireland are currently reviewing the effectiveness of their existing fire safety legislation, whereas Wales has opted for a larger overhaul of its existing legislation for tall residential buildings.

For Jersey, aligning closely with the English Regulations is considered the best step as the Regulations will introduce 7 logical, sensible and achievable steps that will make a genuine difference to the safety of residents and firefighters in the event of a tall residential building fire.

While Jersey will continue to have a less comprehensive fire safety regime than the UK, the introduction of these Regulations represents a targeted and achievable first step in improving legal safeguards for residents. The Regulations would also complement any future additional legislation that may be proposed such as the requirement to complete a fire risk assessment.

The 7 requirements of the Regulations

Each requirement below refers to the ‘Responsible Person.’ This is the person(s) or entity that is responsible for ensuring the building complies with the Regulations. This is explained in greater detail in the next section.

The 7 specific requirements of the Regulations are:

1. Providing floor and building plans

This regulation requires the Responsible Person to provide updated floor and building plans to the fire and rescue service. This ensures the fire and rescue service can pre-plan their response to fires and emergencies in tall residential buildings. These plans are also crucial to firefighters at the scene in developing tactical plans and the deployment of firefighters. They help firefighters identify the location of key firefighting equipment within the building and the location of residents. This helps bring fires under control more quickly and manage rescue operations more effectively.

This was a specific recommendation of the Grenfell Tower inquiry. The inquiry found that while the lack of these plans did not unduly hamper rescue efforts on the night, the fire service response may have been more effective had plans of the building been available in the initial stages of the fire.

2. Installing a Secure information box

This regulation requires the Responsible Person to install a secure information box in or on the building in a location readily accessible to the fire and rescue service. It should contain hard copies of the floor and building plans and contact details for the building’s Responsible Person. The hard copy plans are essential tools used by incident commanders at the scene of a fire to coordinate firefighters in the building and assist with the location and evacuation of residents. They also provide an essential back up in the unlikely event of digital plan failure.

Responsible Person contact details are highly valuable as this person (s) can provide information on the building and the residents within it during a fire that can help create a more informed strategy. This was a specific recommendation of the Grenfell Tower inquiry.

3. Improving existing firefighting equipment

This regulation allows the fire and rescue service to require firefighting equipment present within the building to be improved if they find it is in poor condition or lacks maintenance. This aims to ensure the firefighting equipment provided in the building remains in efficient working order.

This power is limited to the pipe systems that deliver water to each floor (rising fire mains), the smoke control systems (which keep communal means of escape clear of smoke in the event of a fire), fire suppression systems such as sprinklers and evacuation alert systems.

A typical example of this power being used would be where a smoke control system is found not to be working during an inspection. In this case, the fire and rescue service would require the Responsible Person to repair and maintain the smoke control system so it works effectively, significantly reducing the risk to residents and firefighters.

While this was not a direct recommendation from the Grenfell Tower inquiry, UK buildings are already required to maintain this equipment under the Regulatory Reform (Fire Safety) Order 2005 which does not apply to Jersey. Given the importance of this equipment during a fire, it was felt appropriate to include this requirement.

Consultees did not support this power being extended to allow new equipment that was not required at the time of build to be installed. This was removed from the Regulations.

4. Regular checks of lifts and firefighting equipment

This regulation requires the Responsible Person to conduct basic 3 monthly checks of firefighting lifts, evacuation lifts and firefighting equipment. This equipment assists fire and rescue operations during a fire.

Typically these features are professionally serviced every 6 to 12 months. This 3 monthly basic check is designed to complement the professional servicing regime by increasing the chances that basic but critical defects are identified. This means they can be rectified more quickly than waiting 6 or 12 months for the professional service.

At Grenfell, the firefighting lifts were professionally serviced, but the lift over-ride switch which makes it work effectively during a fire did not work. This allowed residents to use the lifts in the fire, contributing to the difficulties they faced. More regular testing of this function may have identified and potentially resolved this simple issue prior to the fire, potentially saving lives.

The Grenfell Tower inquiry only recommended more frequent checks of lifts, the UK Government added the other pieces of firefighting equipment after support was received during consultation. The Jersey Regulations follow this approach as it provides more comprehensive checks of equipment which is essential during a fire.

5. Wayfinding signage

This regulation requires the Responsible Person to install special high-visibility signs known as wayfinding signage in the stairway landings and lift lobbies on each floor. The signs display the floor and flat numbers and help firefighters quickly re-orientate in the event they become confused or lost in low light and smoky conditions, which can easily occur.

The installation of wayfinding signage was a specific recommendation of the Grenfell Tower inquiry which found that firefighters were unable to identify floors clearly during the fire.

6. Information to residents

This regulation requires the Responsible Person to provide residents with basic fire safety instructions for their building and basic information about the importance of fire doors.

The purpose of this information is to improve residents' awareness of what to do in a fire, increasing their safety. The fire door information aims to reduce the chance that residents will damage fire doors or remove self-closing devices, which reduces the effectiveness of the door in a fire. This information is required to be recirculated to residents every 12 months to improve the chance it is retained.

Improved fire safety instructions was a direct recommendation from the Grenfell Tower inquiry. Fire door information is a logical addition given the issues the inquiry found with removed or damaged door self-closers.

7. Fire door checks

This regulation requires the Responsible Person to undertake basic checks of:

- communal fire doors every 3 months
- flat entrance doors every 12 months

The main aim of these checks is to ensure the self-closing device is fitted and working effectively. This device plays a key role in ensuring doors close behind evacuating residents. This prevents fire, smoke and toxic gases escaping from flats where residents are evacuating into the common means of escape as occurred at Grenfell Tower. There should also be a brief visual inspection of the door for clear and obvious damage using guidance issued by the fire and rescue service.

This was a direct recommendation from the Grenfell Tower inquiry. While the inquiry recommended 3 monthly checks for all fire doors, the UK Government opted for 12 monthly flat entrance door checks. Due to the additional access requirements and the lower foot fall than communal doors, this is considered a proportionate start point in Jersey.

Who will be ultimately responsible for complying with the Regulations?

Typically, the owners of the tall residential building will be ultimately responsible for complying with the Regulations. This is because they have the final say over funding and decision making within the building and therefore ultimately control any fire safety measures taken.

Some tall residential buildings are owned by individuals or companies who rent all the flats out. One example of this is in the social rented sector. Other tall residential buildings may be owned by a company, which is a share transfer company where ownership of a block of shares in the company gives the shareholder exclusive rights of occupation of a flat. Finally, they may be owned by an association of co-owners, commonly referred to as flying freehold properties.

The fire and rescue service will generally contact the building owners or their representatives to organise an inspection, make relevant enquiries or begin enforcement action. It is likely that some building owners will ask property management companies to be the main contact for the fire and rescue service on their behalf, which is acceptable.

Property management companies also play an important part in the management and safety of tall residential buildings. This is because they are often contracted by building owners to manage the common parts. This can include maintenance of some fire safety features. They also often support building owners to understand and comply with their legal responsibilities.

While property management companies are unlikely to be considered the overall Responsible Person for the building due to their lack of ultimate control, Regulation 2 will require them to ensure that relevant requirements they are contractually responsible for are fulfilled in accordance with the standards set by the Regulations. The same is true of professional firms such as lift engineers or smoke control engineers contracted by the owner of the building.

This provides safeguards to property managers and professional firms that they are only responsible under the Regulations for relevant matters within their control. It also provides reassurance that property managers and professional firms are required to carry out their relevant responsibilities in line with the Regulations, improving safety.

The Regulations will also state that employers can be Responsible Persons. This is relevant where tall residential buildings have employers within them (e.g. commercial premises) and simply ensures the employers are required to uphold any part of the Regulations that apply to them and cooperate with the main Responsible Person in the building. This is most likely to be relevant for communal fire door checks and floor plans.

Detailed guidance will be provided to support building owners and managers to understand their new responsibilities and provide practical examples of how these responsibilities can be discharged. The guidance will likely suggest that each building nominates a lead person to

coordinate the requirements within their building and be the key contact for the fire and rescue service.

Inspection and enforcement

The aim of the fire and rescue service will be to provide appropriate guidance and support to ensure the Regulations can be easily complied with. To support this, the fire and rescue service will conduct a 'risk based' inspection programme. To start with, buildings with the highest level of risk will be prioritised. Factors determining risk include height and complexity among others. Over time it is anticipated that all buildings will receive an inspection. Buildings will not be inspected every year unless there are issues requiring follow up.

Where the building is failing to comply with the requirements of the Regulations, the fire and rescue service will firstly seek to resolve this through an informal notice stating the issue and how it should be resolved. This can be progressed to a formal improvement notice and finally prosecution if the issue remains unresolved. Where the Responsible Person disagrees with the position of the fire and rescue service an appeal mechanism is in place. This mechanism is the same as for the [Fire Precautions \(Jersey\) Law 1977](#).

Consultation feedback

Formal consultation took place between 1 August and 12 September 2025. Consultation asked for views on the Regulations and their overall aims. Respondents included:

- 40 residents from over 15 different tall residential buildings. 25 respondents were owner occupiers, 13 were renters and 2 were close relatives of occupants
- 14 organisations with a direct involvement in the management, ownership, operation and regulation of tall residential buildings. This included property management companies, social landlords, industry bodies, health and safety companies and relevant government departments. Responses were detailed and technical

Feedback was broadly positive and responses directly influenced the final draft of the Regulations. The full consultation feedback and Minister's response is available at <https://www.gov.je/Government/Consultations/Pages/FireSafetyRegulations.aspx>.

The estimated cost of complying with the Regulations

Year 1 costs per building (largely one off)

- For a building with no requirements in place (the minority), the year 1 costs are estimated to be between £6,500 and £8,200. £6,500 would be for the lower blocks (5 and 6 storeys) and £8,200 would be for the tallest blocks (14 storeys)
- For an estimated 80 out of 140 (57%) buildings the year 1 costs for the whole building will be much lower at £1,800 to £3,500. This is because they already have the required floor and building plans, removing up to £4,700 from the year 1 cost
- Floor and building plans and installing wayfinding signage are the largest year 1 costs. However, these are one off investments
- Additional buildings already have other requirements such as wayfinding signage, further reducing year 1 costs

Year 2 and ongoing yearly costs per building

- estimated at between £360 and £770 per year
- These are largely time costs to conduct checks and update and send information to residents

Benefits of the investment

While it is extremely sensitive to place a financial figure on the value of preventing fatalities and injuries, the UK Government has estimated the overall value of a single prevented fatality as being more than £2 million and serious injuries to be more than £200,000.

While this figure should be treated with extreme caution, it indicates the value of the investment if fatalities and serious injuries can be prevented.

What impact (if any) could the Regulations have on flat sales within tall residential buildings?

The presence of the new Regulations is not anticipated to create significant additional burdens to flat sales within tall residential buildings. This is for 4 reasons:

1. The building's compliance with the Regulations will be simple for the seller's property manager or Company Secretary/Association Representative to confirm and provide evidence of to the buyer's legal representatives. If the Regulations are passed, the law society will be approached to discuss additional simple questions and requests for evidence that could be added to the standard seller questionnaire to support this process.
2. A significant proportion of buildings already comply with some or all of the Regulations. If passed, there will be a 12-month transition period before the Regulations come into force. This will provide time for buildings to comply with the Regulations and minimise delays in the sale process due to non-compliance.
3. In cases where some or all the Regulations are not being complied with, the overall cost for the whole building to achieve full compliance is estimated to be up to £8,200. In the absence of existing communal funds, this is expected to cost between £101 to £373 per flat which is not anticipated to unduly delay the sale process.
4. Should a buyer not want to proceed until the Regulations are complied with, the requirements can be achieved quite quickly. Floor and building plans, a secure information box and installing wayfinding signage all require the supply of goods or services from others, which are considered to be readily available. The other requirements can all be quickly initiated by building owners and managers.

A slight delay in sale may be possible if the building has been issued a notice following an inspection relating to either improving a piece of existing firefighting equipment (such as a dry riser or smoke control system) or where a substantial number of fire doors are without functioning self-closing devices or have major structural damage. These instances are expected to be rare, but remediation costs may exceed £8,200 depending on the extent of the required improvement work. In these rare circumstances a slightly longer discussion may be needed between the vendor and buyer to agree how the flat's contribution to this important fire safety work is funded.

How will the Jersey Regulations differ from the Fire Safety (England) Regulations 2022?

Difference 1: Information on the design and materials of external walls

The requirement for the Responsible Person to provide information on the design and materials used in the external wall of their building, including any cladding, will not be included in Jersey's Regulations. However the fire and rescue service will be seeking to gain this information through collaborative work with building owners and managers. This information is valuable because it helps the fire and rescue service better understand any risks and adapt their firefighting strategy for the building accordingly.

Anecdotal evidence from England and Jersey has shown this information can be hard for Responsible Persons to obtain, requiring expensive PAS9980 external wall surveys by engineers who are in high demand. The fire and rescue service will conduct further, more detailed inspections of all tall residential buildings with the intention to obtain more comprehensive information. This is under their existing powers to collect building risk information under Article 18 of the [Fire and Rescue Service \(Jersey\) Law 2011](#). This work is currently underway and is scheduled to conclude in July 2026.

Difference 2: Building height

In England, all 7 requirements of the Regulations apply to buildings of 18 metres or taller (usually 7 storeys +) and only 2 of the requirements relate to buildings over 11 metres (usually 5 storeys +).

The Jersey Regulations adopt a more cautious approach and apply all 7 requirements of the Regulations to all tall residential buildings over 11 metres. This is for 2 reasons:

- a. Due to Jersey being an island, it is unable to call on firefighters from neighbouring districts as the UK can. Therefore, less fire engines and firefighters typically attend a fire in Jersey compared to the UK. This further increases the importance of the building fire safety measures proposed by these Regulations.
- b. Increasingly across the UK, tall blocks of flats over 11 metres are considered to have a similar risk profile in the event of fire to those over 18 metres. This is because they can have a similar occupation density and complex internal layout.

Difference 3: The frequency of checks on lifts and firefighting equipment

The English Regulations require basic checks every month. The Jersey Regulations will require basic checks every 3 months. This longer interval is for 2 main reasons:

- a. Consultees asked for the frequency of different checks to be the same where possible. 3 months aligns with the communal fire door checks and is closer to professional servicing timescales allowing some checks to be done as part of the professional service.
- b. In Jersey, these checks have not been required before. 3 monthly intervals is a significant improvement on the current position and therefore meets the aim of more regular checking, while being less burdensome on those conducting the checks.

Difference 4: The Jersey Regulations will include a requirement allowing the fire and rescue service to request that existing firefighting equipment is improved if it is in poor condition or lacks maintenance and therefore creates significant risk to residents and firefighters. This is limited to the firefighting equipment defined in Regulation 1 of the draft Regulations.

This requirement is covered in the UK under the Regulatory Reform (Fire Safety) Order 2005 or similar legislation which does not apply to Jersey. It is therefore logical to include this within the Regulations to ensure the existing equipment remains in working order.

Difference 5: The Jersey Regulations will not require 3 monthly checks on fire detection and alarm systems or automatic door release mechanisms linked to fire alarm systems. The reason for excluding these is because tall residential buildings often apply a delayed evacuation strategy and therefore do not routinely have a fire detection and alarm system to raise the alarm in the event of fire. This makes it equally unlikely that automatic door release systems linked to fire detection and alarm systems will be present.

However, in the rare situations where a fire alarm system has been installed, the system and any accompanying automatic door release mechanisms should already be tested and maintained in accordance with current guidance. This would usually entail weekly and monthly testing, combined with six monthly routine maintenance inspections in line with the guidance on the Jersey Fire and Rescue Service website.

Difference 6: the Jersey Regulations will include an explicit requirement for the Responsible Person to fix any defects found in fire door self-closers and fire doors as a result of their checks. This is not included in the English Regulations because it is covered under the Regulatory Reform (Fire Safety) Order 2005. Because this law does not apply to Jersey, it is important to include the explicit requirement within the Regulations.

Why are these Regulations Triennial? (only last 3 for years)

Jersey's main fire safety law, the Fire Precautions (Jersey) Law 1977, does not allow Regulations to be made for tall residential buildings in a simple way. This is because the law is outdated. If the Regulations were made under this law, tall residential buildings would also have to gain a Fire Certificate. This is not currently considered appropriate for these buildings and would place significant additional burden on them and the fire and rescue service.

Therefore these Regulations must be created as a stand-alone set of Regulations. The only option for achieving this is through Triennial Regulations. This allows the Grenfell Tower inquiry recommendations to be implemented and the safety benefits to be felt by residents without creating undue burdens for building owners and managers. The Regulations will mirror or improve the safeguards for Responsible Persons that exist in the Fire Precautions (Jersey) Law 1977.

An alternative approach would be to wait until the Fire Precautions (Jersey) Law 1977 is replaced with a more modern law. Work on this is ongoing but is likely to take another 1 to 2 years before it is ready to be proposed to the States Assembly for debate. This would delay the implementation of the Grenfell Tower inquiry recommendations by up to 2 years and would continue to leave Jersey without appropriate fire safety legislation for its tall residential buildings.

It would be far more beneficial for islanders to implement the Regulations now. When the replacement for the Fire Precautions (Jersey) Law 1977 is ready, these Regulations can be adopted by it, which would remove the need to redebate them every 3 years.

Timescales

If the Regulations are approved by the States of Assembly, they will come into force on 1 April 2027. This period will provide time for building owners and managers to take the appropriate steps to comply and for guidance to be created to support them.

Financial and staffing implications

The proposals will create additional inspection and enforcement requirements for the fire and rescue service. Should the Regulations be approved, they will not come into force until 1 April 2027, therefore this requirement will be addressed in the Budget 2027 process.

Resource will be required to produce the guidance. This will be funded and resourced through the existing budget and staffing.

Data protection implications

A threshold assessment was completed which did not indicate any new high risk to rights and freedoms in relation to personal data in the draft legislation.

Children's rights impact assessment

A Children's Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.

EXPLANATORY NOTE

These Regulations, if passed, will set out new precautions that must be taken against the risk of fire for buildings over 11 metres high that contain 2 or more domestic premises (“tall residential buildings”).

Regulation 1 contains the definitions of terms used in the Regulations.

Regulation 2 extends the requirements that apply to “responsible persons”, meaning people who have control of the premises or if no-one has control of residential premises, the owner. Under this Regulation the requirements also apply to people with an obligation of maintenance or repair or the safety of the premises and they are brought within the definition “responsible person”.

Regulation 3 sets out the requirements in relation to the installation and maintenance of secure information boxes in the building and the information they must contain.

Regulation 4 requires the responsible person to prepare floor plans and a building plan to be put into the secure information box and sent to the States of Jersey Fire and Rescue Service (the “fire and rescue service”).

Regulation 5 requires the fire and rescue service to notify the responsible person to improve existing firefighting equipment if required to avoid a significant risk to people. The responsible person then must take the necessary action to avoid that risk.

Regulation 6 requires the responsible person to undertake quarterly routine checks of lifts and firefighting equipment and rectify faults.

Regulation 7 and the *Schedule* require the responsible person to ensure that the building complies with signage requirements.

Regulation 8 requires the responsible person to display, and update when necessary, fire safety instructions in a conspicuous part of the building and supply them to residents.

Regulation 9 requires the responsible person to provide advice to residents about fire doors. The responsible person also has obligations to check fire doors and rectify faults.

Regulation 10 contains requirements for responsible persons who share duties in respect of premises to co-operate with each other to enable compliance with the Regulations, to co-ordinate the measures taken to comply, and to inform each other of the risks arising out of or in connection with their duties.

Regulation 11 requires the Minister for Justice and Home Affairs to ensure that appropriate guidance is available to assist responsible persons in the discharge of the duties imposed by *Regulations 3 to 10*.

Regulation 12 empowers inspectors (fire and rescue service officers or other authorised people) to inspect buildings and make enquiries to identify the responsible person and whether the Regulations are being complied with.

Regulation 13 empowers the Minister for Justice and Home Affairs to serve improvement notices on responsible persons in the event of a failure to comply with any of *Regulations 3 to 10*, requiring them to remedy the failure.

Regulation 14 is concerned with the services of notices.

Regulation 15 sets out various offences, including failure to comply with a requirement of the Regulations that results in a risk of death or serious injury from fire and failing to comply with an improvement notice giving false information. These carry a sentence of 2 years’ imprisonment and/or a fine. Other offences involving obstructing or failing to comply with a requirement imposed by an inspector, disclosure of information by an inspector and pretending to be an inspector carry a fine of level 3 on the standard scale (£10,000).

Regulation 16 contains standard provisions about the liability of partners, directors, etc. in the case of offences committed by bodies corporate, partnerships, etc.

Regulation 17 provides that when an offence committed by 1 person is due to the fault of another person that other person commits the offence whether or not the first person is charged.

Regulation 18 provides a defence in the case of the person having taken all reasonable precautions and exercised due diligence.

Regulation 19 gives the title by which the Regulations may be cited. It provides for them to come into force on 1 April 2027 and to remain in force for 3 years, the maximum duration of Triennial Regulations.



Jersey

DRAFT FIRE SAFETY (TALL RESIDENTIAL BUILDINGS) (JERSEY) REGULATIONS 202-

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Made [date to be inserted]

Coming into force [date to be inserted]

THE STATES make these Regulations under the [Order in Council dated 28 March 1771](#) and the [Order in Council dated 14 April 1884](#) –

1 Interpretation

(1) In these Regulations –

“building” means a building that –

- (a) contains 2 or more separate domestic premises; and
- (b) is more than 11 metres in height;

“domestic premises” means premises occupied as a private dwelling (including any garden, yard, garage, outhouse or other similar part of the premises that is not shared with the occupants of more than 1 dwelling);

“evacuation alert system” has the same meaning as in British Standard 8629 as it is in force from time to time;

“evacuation lift” means a lift designed to help people evacuate the building in an emergency;

“fire and rescue service” means the States of Jersey Fire and Rescue Service;

“firefighting equipment” includes –

- (a) wet and dry rising mains;
- (b) inlets for dry rising mains;
- (c) inlets for wet rising mains;
- (d) outlets for dry rising mains;
- (e) outlets for wet rising mains;
- (f) smoke control systems;
- (g) suppression systems; and
- (h) evacuation alert systems;

“flat” means separate domestic premises of 1 or more storeys that forms part of a building and is divided horizontally from another part of the building;

“improvement notice” has the meaning given in Regulation 13;

“inspector” means any officer of the fire and rescue service and any other person authorised in writing by the Minister to be an inspector for the purposes of these Regulations;

“lift for the use of firefighters” means –

- (a) a lift located within a firefighting shaft; or
- (b) a passenger lift with an override switch that enables the fire and rescue service to take control of the lift;

“Minister” means the Minister for Justice and Home Affairs;

“premises” means a building or part of a building;

“relevant person” (except in Regulation 16) –

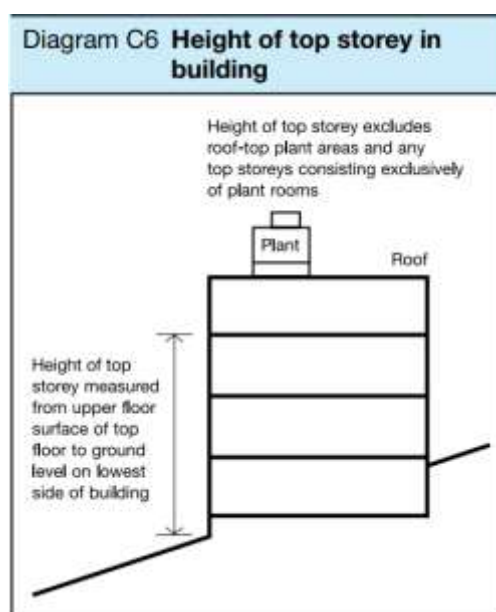
- (a) means a person (including the responsible person) who is or may be lawfully on the premises and a person in the immediate vicinity of the premises who is at risk from a fire on those premises;
- (b) does not mean a firefighter who is carrying out duties in relation to a fire and rescue function in relation to which the Minister has made provision under Article 7, 8 or 10 of the [Fire and Rescue Service \(Jersey\) Law 2011](#) (maintenance of firefighting capability, road traffic accidents and other emergencies);

“responsible person” means –

- (a) in relation to a workplace to any extent under the employer’s control, the employer;
- (b) in relation to any premises not falling within paragraph (a) –
 - (i) the person who has control of the premises (as occupier or otherwise); or
 - (ii) the owner, if no other person has control of the premises (as occupier or otherwise);

“secure information box” has the meaning given in Regulation 3.

- (2) For the purposes of these Regulations the height of a building is measured to the height of the top storey in accordance with the following diagram –



2 Requirement imposed on persons in addition to responsible persons

- (1) A requirement imposed by these Regulations on the responsible person in respect of premises is also imposed on a person who has, to any extent, control of those premises in so far as the requirements relate to matters within their control and a reference in these Regulations to a responsible person includes that person.
- (2) For the purposes of paragraph (1), a person has control of premises to the extent that, by virtue of a contract or tenancy, they have an obligation –
 - (a) to maintain or repair the premises, including anything in or on the premises; or
 - (b) in relation to the safety of the premises.

3 Secure information box

- (1) The responsible person must install and maintain a secure information box in or on the building in accordance with this Regulation.
- (2) The secure information box must –
 - (a) be positioned at a location in or on the building that is readily accessible to the fire and rescue service;
 - (b) be capable of containing the documents required under paragraph (3) and a hard copy of the floor plans and building plan required under Regulation 4(4); and
 - (c) be reasonably secure from unauthorised access or vandalism.
- (3) The responsible person must ensure that the following information is contained inside the secure information box –
 - (a) their name, an address for them in Jersey, an email address and a telephone number for them in Jersey;
 - (b) the name, an address in Jersey, an email address and a telephone number in Jersey of the other persons provided with the facilities of, or access to, the building that the responsible person considers appropriate;
 - (c) the floor plans and building plan required under Regulation 4.
- (4) The responsible person must provide the fire and rescue service with a means of access to the secure information box.
- (5) The responsible person must inspect the secure information box at least annually to ensure that the requirements of this Regulation continue to be met.

4 Floor plans and building plan

- (1) The responsible person must prepare a plan for each floor of the building that identifies –
 - (a) the location of all lifts;
 - (b) which lift is a lift for the use of firefighters and which are evacuation lifts; and
 - (c) the firefighting equipment in the whole building.
- (2) If the plans for 2 or more floors of a building are the same in all material respects, paragraph (1) is complied with if the responsible person prepares a single plan that clearly indicates the floors to which it relates.

- (3) The responsible person must also prepare a single-page building plan identifying the following –
 - (a) the building and its immediate surroundings;
 - (b) all uses of the building, for example, commercial or residential;
 - (c) access for fire and rescue appliances;
 - (d) the dimensions of the building;
 - (e) the number of storeys;
 - (f) the number of basement levels (if any);
 - (g) the number of maisonettes (if any);
 - (h) the number of flats with the interlocking design known as “scissor section flats” (if any);
 - (i) inlets for dry rising mains;
 - (j) inlets for wet rising mains;
 - (k) the location of shut-off controls for all sprinklers;
 - (l) access points for the building;
 - (m) the location of the secure information box;
 - (n) the location of the controls for all smoke control systems;
 - (o) the location of all firefighting shafts;
 - (p) the location of main stairways in the building;
 - (q) the location of the controls for all evacuation alert systems.
- (4) The responsible person must put a hard copy of the floor plans and building plan in the secure information box.
- (5) The responsible person must update the floor plans and building plan as soon as reasonably practicable after a change to the layout of the building or location of firefighting equipment.
- (6) The responsible person must provide the fire and rescue service with the floor plans and building plan by electronic means.

5 Improvements to firefighting equipment

- (1) This Regulation applies if the fire and rescue service considers that improvements to firefighting equipment at premises is required to avoid a significant risk to relevant persons and firefighters.
- (2) If this Regulation applies, the fire and rescue service must notify its findings to the responsible person of the improvements to the firefighting equipment that they are required to make.
- (3) A responsible person served with a notice under paragraph (2) must comply with the notice within the time specified in the notice and notify the fire and rescue service when they have complied with it.

6 Lifts and firefighting equipment

- (1) The responsible person must undertake quarterly routine checks of lifts for the use of firefighters, evacuation lifts and firefighting equipment in the building.

- (2) If the responsible person identifies a fault with a lift for the use of firefighters, evacuation lift or a piece of firefighting equipment, the responsible person must take steps to rectify the fault.
- (3) If the fault cannot be rectified within 24 hours of being identified, the responsible person must, as soon as reasonably practicable –
 - (a) report the fault to the fire and rescue service by electronic means; and
 - (b) report to the fire and rescue service by electronic means when the fault has been rectified.
- (4) The responsible person must make a record of the routine checks undertaken and make that record accessible to residents of the building.
- (5) In this Regulation, “routine check” means a check of a lift or piece of equipment in accordance with the guidance made available under Regulation 11.

7 Wayfinding signage

The responsible person must ensure that the building complies with the signage requirements set out in the Schedule.

8 Information for residents

- (1) The responsible person must display fire safety instructions in a part of the building where they are likely to catch the attention of residents and must update the display after any material change to the instructions.
- (2) The fire safety instructions must –
 - (a) be in a form that residents can be reasonably expected to understand; and
 - (b) include –
 - (i) instructions about the evacuation strategy for the building;
 - (ii) instructions about how to report a fire to the fire and rescue service; and
 - (iii) any other instruction that tells residents what they must do in the event of a fire.
- (3) The responsible person must provide a copy of the fire safety instructions –
 - (a) to new residents as soon as reasonably practicable after they move into the building; and
 - (b) to residents in each domestic premises within each period of 12 months beginning with the date these Regulations come into force and whenever there is a material change to the instructions.

9 Fire doors

- (1) The responsible person must provide the following advice about fire doors to residents of the building –
 - (a) fire doors should be kept shut when not in use;
 - (b) residents or their guests should avoid tampering with the self-closing devices; and
 - (c) residents should report faults or damage to doors immediately to the responsible person.

- (2) The advice must be provided by the responsible person –
 - (a) to new residents of domestic premises, as soon as reasonably practicable after they move into the premises; and
 - (b) to residents in each separate domestic premises within each period of 12 months beginning with the date these Regulations come into force.
- (3) The responsible person –
 - (a) must use their best endeavours to undertake checks of fire doors at the entrances of individual domestic premises in the building at least every 12 months; and
 - (b) must undertake checks at least every 3 months of fire doors in the shared areas of the building through which residents would need to evacuate in an emergency.
- (4) The responsible person must keep a record of the steps taken to comply with the obligation in paragraph (3) including, if access to the domestic premises was not granted during a 12-month period, the steps taken by the responsible person to try and gain access.
- (5) The checks required by paragraph (3) must –
 - (a) ensure that the self-closing devices for the doors are working; and
 - (b) comply with the guidance made available to responsible persons under Regulation 11.
- (6) If the responsible person identifies a fault with a fire door they must take steps to rectify the fault as soon as reasonably practicable.

10 Co-operation and co-ordination between responsible persons

If 2 or more responsible persons share, or have duties in respect of, premises (whether on a temporary or a permanent basis) they each must –

- (a) co-operate with the other responsible persons so far as is necessary to enable them to comply with the requirements and prohibitions imposed on them by these Regulations;
- (b) taking into account the nature of their duties, take all reasonable steps to co-ordinate the measures taken to comply with the requirements and prohibitions imposed on them by these Regulations with the measures the other responsible persons are taking for the same purpose; and
- (c) take all reasonable steps to inform the other responsible persons of the risks to relevant persons arising out of or in connection with their duties.

11 Guidance

- (1) The Minister must ensure that appropriate guidance is available to assist responsible persons to discharge the duties imposed by Regulations 3 to 10.
- (2) If the guidance adopts or incorporates by reference, annexation or otherwise, guidance or other technical documentation issued by the Government of the United Kingdom, that guidance or documentation is treated as if part of the guidance issued under this Regulation, including any update or replacement of the documentation or guidance that may be issued from time to time.

- (3) If in any proceedings it is alleged that a responsible person has contravened a provision of Regulations 3 to 10, the court may take the guidance into account in determining whether the responsible person has contravened that provision.
- (4) The Minister must revise the guidance when the Minister considers it is appropriate to do so.
- (5) The Minister is treated as having discharged the duty under paragraph (1) if –
 - (a) guidance has been made available before this Regulation comes into force; and
 - (b) the Minister considers that the guidance is appropriate for the purpose mentioned in paragraph (1).

12 Inspection

- (1) For the purpose of enforcing these Regulations an inspector has power at any reasonable time –
 - (a) to enter a building of any description and to inspect the whole or any part of it and anything in the building;
 - (b) to make enquiries as may be necessary for any of the purposes mentioned in paragraph (2); and
 - (c) to require a person having responsibilities in relation to the building (whether or not they are the responsible person, the owner or occupier of premises in the building or a person employed to work in the building) to give the inspector the facilities and assistance that are necessary to enable the inspector to exercise any of the powers conferred by this paragraph.
- (2) The purposes referred to in paragraph (1)(b) are –
 - (a) to identify the responsible person or owner or occupier of any premises in the building; and
 - (b) to ascertain whether these Regulations are being complied with.
- (3) When visiting premises in the exercise of powers conferred by this Regulation, an inspector must produce evidence of their authority if asked to do so by the occupier of the premises.
- (4) In the case of domestic premises, no power of entry conferred by paragraph (1) may be exercised as of right unless reasonable notice has been given to the occupier.

13 Improvement notices

- (1) If the Minister considers that the responsible person has failed to comply with a provision of Regulations 3 to 10, the Minister may serve on that responsible person a notice (an “improvement notice”).
- (2) An improvement notice must –
 - (a) state that the Minister considers that the responsible person has failed to comply with the Regulations;
 - (b) specify the provisions that have not been complied with; and
 - (c) require the responsible person to take steps to remedy the failure within the period specified in the notice (which must be not less than 28 days after the date of service of the notice).

- (3) An improvement notice may include directions as to the measures that the Minister considers are necessary to remedy the failure and those measures may be framed to give the responsible person on whom the notice is served a choice between different ways of remedying the failure.
- (4) If an improvement notice has been served –
 - (a) the Minister may withdraw the notice at any time before the end of the period specified in the notice; and
 - (b) if an appeal against the notice is not pending, the Minister may extend or further extend the period specified in the notice.
- (5) A responsible person on whom an improvement notice is served may, not later than 28 days after service, appeal to the Inferior Number of Royal Court.
- (6) On hearing the appeal the Court may either cancel the notice or affirm it, and if it affirms it, may apply the modifications it considers appropriate.

14 Service of notices

- (1) A notice required by these Regulations to be given to a person must be in writing and may be given to or served on that person –
 - (a) by delivering it to them;
 - (b) by leaving it at the person's last known address;
 - (c) by sending it by post to the person at that address; or
 - (d) by sending it to the person by electronic means.
- (2) The notice may –
 - (a) in the case of a company incorporated in Jersey, be served by being delivered to its registered office;
 - (b) in the case of a partnership, company incorporated outside Jersey or unincorporated association, be given to or served on the secretary or other similar officer of the partnership, company or association or any person who purports to act in any such capacity, by whatever name called, or on the person having the control or management of the business, as the case may be.

15 Offences

- (1) A responsible person who fails to comply with a requirement imposed by Regulations 3 to 10, if that failure results in a relevant person being placed at risk of death or serious injury from fire, commits an offence.
- (2) A responsible person who fails to comply with a requirement imposed by an improvement notice commits an offence.
- (3) A responsible person commits an offence if –
 - (a) in purported compliance with an obligation to give information to which they are subject under these Regulations or in response to an enquiry made under Regulation 12(1)(b), they knowingly or recklessly give information that is false in a material particular; or
 - (b) they make in a plan or information provided under these Regulations an entry that they know to be false in a material particular.

- (4) A person who commits an offence under paragraph (1), (2) or (3) is liable to imprisonment for 2 years and to a fine.
- (5) A person commits an offence if they –
 - (a) intentionally obstruct an inspector in the exercise or performance of their powers or duties under these Regulations; or
 - (b) without reasonable excuse fail to comply with a requirement imposed by an inspector under Regulation 12(1)(c).
- (6) An inspector who discloses, otherwise than in the course of their duties or for the purpose of any legal proceedings, information obtained by them in premises entered in the exercise of powers conferred by these Regulations commits an offence.
- (7) A person who with intent to deceive pretends to be an inspector commits an offence.
- (8) A person who commits an offence under paragraph (5), (6) or (7) is liable to a fine of level 3 on the standard scale.

16 Criminal liability of partners, directors and other officers

- (1) In this Regulation –

“relevant offence” means an offence under these Regulations that is committed by a limited liability partnership, a separate limited partnership, an incorporated limited partnership or another body corporate;

“relevant person” means –

 - (a) if the relevant offence is committed by a limited liability partnership, a partner of the partnership;
 - (b) if the relevant offence is committed by a separate limited partnership or an incorporated limited partnership –
 - (i) a general partner; or
 - (ii) a limited partner who is participating in the management of the partnership;
 - (c) if the relevant offence is committed by a body corporate other than an incorporated limited partnership –
 - (i) a director, manager, secretary or other similar officer of the body corporate; and
 - (ii) if the affairs of the body corporate are managed by its members, a member who is acting in connection with the member’s functions of management; and
 - (d) a person purporting to act in any capacity described in sub-paragraphs (a) to (c) in relation to the partnership or body that commits the relevant offence.
- (2) If a relevant offence is proved to have been committed with the consent or connivance of a relevant person, that relevant person also commits the offence and is liable in the same manner as the partnership or body corporate to the penalty provided for that offence.
- (3) Paragraph (4) applies if a relevant offence –
 - (a) is an offence that may be committed by neglect; and
 - (b) is proved to be attributable to any neglect on the part of a relevant person.

- (4) The relevant person also commits the offence and is liable in the same manner as the partnership or body corporate to the penalty provided for that offence.

17 Offences due to fault of other person

- (1) If the commission by any person of an offence under these Regulations is due to the act or default of another person, that other person commits the offence.
- (2) A person may be charged with and convicted of the offence under this Regulation whether or not proceedings are taken against the first-mentioned person.

18 Defence available to persons charged with offences

In proceedings for an offence under these Regulations, it is a defence for the person charged to prove that they took all reasonable precautions and exercised all due diligence to avoid committing the offence.

19 Citation, commencement and expiry

- (1) These Regulations may be cited as the Fire Safety (Tall Residential Buildings) (Jersey) Regulations 202-.
- (2) These Regulations come into force on 1 April 2027 and expire at the end of 31 March 2030.

SCHEDULE

(Regulation 7)

WAYFINDING SIGNAGE

1 Floor identification signs

- (1) Floor identification signs must meet the following conditions –
- (a) the signs must be located on every protected stairway landing, and every corridor, lobby or open access balcony that is protected and into which a lift for the use of firefighters opens;
 - (b) the signs must be visible from the top step of every protected stairway and, if possible, from inside a lift for the use of firefighters when the lift car doors open;
 - (c) the signs must be mounted between 1.7 m and 2 m above floor level and, as far as practicable, all the signs must be mounted at the same height;
 - (d) the text used on the signs must be –
 - (i) in sans serif typeface with a height of at least 50 mm;
 - (ii) in the case of a numeral that designates the floor number, of a height of at least 75 mm;
 - (iii) on a contrasting background, easily legible and readable in low level lighting or when illuminated with a torch; and
 - (iv) in the form “Floor X”, with “X” designating the number of the floor, as intended for reference by residents.
- (2) In this paragraph, “protected” means adequately protected from fire in adjoining areas by fire-resisting construction.

2 Floor number designations

Floor number designations must meet the following conditions –

- (a) the floor closest to the ground level must be designated as either “Floor 0” or “Ground Floor”;
- (b) each floor above the ground floor or floor 0 must be numbered sequentially beginning with “Floor 1”;
- (c) a lower ground floor must be designated as either “Floor –1” or “Lower Ground Floor”, but if there is more than 1 floor below ground level each of those floors must be numbered sequentially beginning with “Floor –1” or “Basement 1” for the floor nearest to the ground floor.

3 Signs relating to flats

Floor identification signs must be supplemented by signs that provide information relating to the flats accessed on each floor that meet the following conditions –

- (a) the signs must be sited immediately below the floor identification signs so that the top edge of the sign is no more than 50 mm below the bottom edge of the floor identification sign;
- (b) the text used on a sign must –
 - (i) take the form “Flats X–Y”, with the lowest flat number first;
 - (ii) be in sans serif typeface with a height of at least half that of the floor identification sign;
 - (iii) be supplemented by arrows if flats are in more than 1 direction.
- (c) the text and arrows must be on a contrasting background, easily legible and readable in low level lighting or when illuminated with a torch.
- (d) in the case of multi-storey flats with 2 or more entrances, the flat number must be indicated only on the floor normally used for access.