This is a revised edition of the Substantive Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

This edition contains a consolidation of the following laws-

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BELIZE

NATIONAL FIRE SERVICE ACT
CHAPTER 137

REVISED EDITION 2003
SHOWING THE SUBSTANTIVE LAWS AS AT 31ST MAY, 2003

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CHAPTER 137

NATIONAL FIRE SERVICE

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CHAPTER 137

NATIONAL FIRE SERVICE

[6th September, 2001]

PART I

Preliminary

1. This Act may be cited as the National Fire Service Act.

2. In this Act, unless the context otherwise requires:

   “Fire Chief” means the Fire Chief appointed pursuant to section 6 of this Act;

   “fire equipment” includes all equipment, tools, implements, fire engines, fire boats, appliances and apparatus used by the Service in fighting fires;

   “National Fire Service” or “the Service” means the National Fire Service established under section 3 of this Act;

   “Officer-in-Charge” means the officer for the time being in charge of a fire station or zone or who is in charge at the scene of a fire;

   “other disasters” include earthquakes, floods, hurricanes, windstorms, the escape of dangerous fumes of fluids, explosions, oil spills and other dangerous pollutants of the air, sea or land, and any other disasters;
“public premises” means any building or part thereof to which the public has access either generally or conditionally, whether on payment of a fee or otherwise;

“specified building” means-

(a) any public premises or part thereof; or

(b) any office, factory, warehouse, or other building used by workers during or in the course of their employment; or

(c) any building in which hazardous substances, dangerous goods or materials are stored, manufactured or processed; or

(d) any building of more than one floor level constructed or intended for the dwelling of more than one family; or

(e) any place of entertainment or other building to which the public has access, whether on payment of a fee or otherwise.

Schedule. “zone” means a zone specified in the Schedule hereto.

PART II

Establishment And Powers Of The Service

Establishment of the Service. 3. There shall be and is hereby established in and for Belize a Department of Government called “the National Fire Service.”
4. (1) The Service shall have stations in each of the zones listed in the Schedule hereto in order for it to effectively protect life and property in Belize from fires occurring in any of the zones.

(2) The Minister may, by Order published in the Gazette, add a zone to or delete a zone from, the list of zones specified in the Schedule hereto.

(3) An Order made by the Minister under subsection (2) above shall be subject to negative resolution by the House of Representatives.

5. (1) Subject to the provisions of this Act, the Service shall have the functions and duties of protecting life and property in and within Belize from fires, and without prejudice to the generality of the foregoing, such functions and duties shall include the functions and duties of:-

(a) extinguishing any fires occurring in any part of Belize;

(b) protecting life and property endangered by any fires occurring in Belize;

(c) obtaining, analysing and disseminating information regarding potential risks to life and/or property arising from fires;

(d) inspecting specified buildings to ensure that reasonable steps are being taken by owners and occupiers for the prevention of fires and other disasters, and for the protection of life and property against the dangers of fire;

(e) making arrangements for ensuring that reasonable steps are taken to prevent or mitigate loss or injury to life or property arising from fire;
(f) extricating casualties from accidents arising from traffic accidents and collapsed buildings.

(2) The Minister may, by Order published in the Gazette, require the Service to perform and provide additional duties and functions not specified in subsection (1) above, if such additional duties and functions will, in his opinion, prevent or mitigate the loss of life or property from fires and other disasters.

(3) Every member of the Service at the scene of a fire or other disaster shall report to the most senior officer of the Service or the Belize Police Department at the scene of the fire or other disaster, any act or omission occurring either before, during or after the fire or other disaster which, in his opinion, directly or indirectly contributed to the occurrence of the fire or other disaster, or to any damage or danger arising therefrom.

PART III

Administrative Provisions

6. (1) There shall be appointed a Fire Chief who shall be responsible for the administration of this Act, and for the efficient conduct and administration of the Service.

(2) The Fire Chief shall be appointed pursuant to section 106 of the Belize Constitution and, without prejudice to the generality of subsection (1) above, shall perform and discharge the following duties and functions, namely -

(a) having overall control and responsibility over the expenditure of all monies appropriated to the Service from time to time by the National Assembly;

(b) carrying out all necessary measures to ensure the
proper and efficient functioning of the Service;

(c) overseeing and ensuring that all fire equipment, including fire engines and fire boats, are kept in good operating order and state of repair, and are used for the sole purpose of the Service;

(d) submitting to the Minister, on such dates as the Minister may specify, reports and information on the operations of the Service during the previous year, and including in any such reports -

(i) information on the conditions of fire equipment and other property of the Service, especially the mechanical condition and adequacy of fire engines and fire boats;

(ii) detailed information on the income and expenditure of the Service during the previous year;

(iii) information about any fires or other disasters known to him to have occurred in Belize during the previous year, and the estimated damage caused by such fires or other disasters, as well as the action taken by the Service in mitigating damage to, or loss of, life and property;

(iv) information related to such other aspects of the Service, not specifically referred to in subparagraphs (i) to (iii)
7. (1) The Public Services Commission, acting pursuant to section 106 of the Belize Constitution, may appoint such number of public officers to the Service as may be necessary for the proper administration of this Act.

(2) Without prejudice to the generality of subsection (1), officers appointed pursuant to that subsection may include Deputy Fire Chiefs, Assistant Fire Chiefs, Divisional Fire Officers, Assistant Divisional Fire Officers, Station Fire Officers, Leading Fire-Fighters, and Fire-Fighters.

(3) Every officer appointed pursuant to subsection (1) above shall have such powers, and perform such duties and functions, as may from time to time be assigned to him by the Fire Chief.

(4) Where an officer or a subordinate officer is transferred or posted to any zone, he may be required -

(a) to be the Officer-in-Charge of the zone, and in that capacity to provide general direction and control over members of the Service in that zone; or

(b) to be the Officer-in-Charge of any specified part of a zone, and in that capacity to provide general direction and control of members of the Service in that part of the zone, but he shall be under the control of the Officer-in-Charge of the zone.

(5) For the purpose of subsection (4) above, “officer” includes every officer of the Service of or above the rank of Sub-Station Officer.
8. (1) The Fire Chief may, with the approval of the Minister, make Regulations for the proper management of the Service, and such Regulations may apply to the whole Service or to certain officers specified therein.

(2) Regulations made by the Fire Chief under subsection (1) above may provide a fine for their contravention not exceeding one hundred dollars and, in the case of a continuing contravention, ten dollars for each day the contravention continues.

9. (1) For the purpose of defraying expenses of the Service, there shall be paid annually to the appropriate local authority on all lands situate in any town, such rate not exceeding four percent of the annual value of the land as the Minister may by order published in the Gazette prescribe.

(2) Every such rate shall become due and payable on the first of April in respect of the ensuing period of twelve months beginning on such date.

(3) The rate levied for any year may be paid by two equal instalments on 15th May and 15th October in that year, but if the instalment payable on 15th May in any year is not paid on or before that date, the whole of the rate levied for that year shall become due and payable immediately after that date.

(4) If the rate levied under this section is not paid by the dates specified above it shall constitute a charge upon the land in respect of which it is payable.

(5) This section shall not apply to-

(a) national land not disposed of by lease, grant or otherwise; or

(b) buildings and places used exclusively for public religious worship, not including any school or schoolroom being part of or annexed to any such
building or place.

(6) The term “annual value” as used in this section shall have the same meaning as assigned to it in the Towns Property Tax Act.

PART IV

Responses Of The Service To Fires and Other Disasters

10. (1) The Officer-in-Charge of a fire station or the Fire Chief, on receiving a notification that a fire or other disaster has broken out or occurred, or is imminent, shall immediately dispatch to the scene of the fire or other disaster such officers of the Service as he may deem necessary, to put out the fire or contain and control the other disaster and protect life and property.

(2) An officer referred to in section 7(4) may order any subordinate officer to report to any place within Belize and there to execute his duties for the purpose of dealing with an outbreak of fire or other disaster which has come to the notice of the Service.

11. (1) On the occurrence of a fire or any other disaster, the Fire Chief or the Officer-in-Charge at the scene of the fire or other disaster may in his absolute discretion -

(a) call upon any onlooker or other person to assist in anyway in which the services of such onlooker may be required either at the scene of the fire or other disaster, or at any fire station, or while proceeding to or from the scene of the fire or other disaster;

(b) take command of and supervise other persons (hereinafter referred to as “volunteers”) who may
volunteer their services to him and place such persons at his disposal;

(c) remove, or order a subordinate officer of the Service to remove, any person who by his presence or conduct interferes with or obstructs the operations of the Service;

(d) cause any water supply to be disconnected from the main water supply system and pipe of any district or area in order to give a greater supply and pressure of water in the district or area in which the fire or other disaster has occurred;

(e) direct any officer of the Service or any of the persons referred to in paragraphs (a) and (b) above to enter in or upon any public or private premises whereon water is stored and to remove and use such water for the purpose of extinguishing or preventing the spread of the fire or other disaster.

(2) Every onlooker who refuses to assist when called upon to do so by the Fire Chief or the Officer-in-Charge at the scene of a fire or other disaster commits an offence and shall be liable on summary conviction to a fine not exceeding four hundred dollars or to imprisonment for a period not exceeding two months.

(3) Every person who prevents or attempts to prevent, or aids or assists in preventing or attempting to prevent, or molests or hinders the Fire Chief, Officer-in-Charge, officers of the Service, volunteers or persons referred to in paragraph (a) of subsection (1) above from executing any duty or lawful orders provided in, or given pursuant to, subsection (1) above commits an offence and shall be liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a period not exceeding six months, or
to both such fine and period of imprisonment.

12. (1) An officer of the Service, if he considers it necessary for the purposes of performing his functions and discharging his duties under this Act, may enter or break into any building which he has reasonable cause to believe to be on fire or at risk from the spread of fire or other disaster, and such entry or breaking in may be done with or without the knowledge or consent of the owner, occupier or person in charge of such building.

(2) Where an entry or breaking-in is done into any building under subsection (1) above without the knowledge of the owner, occupier or person in charge of the building, it shall be the duty of the officer of the Service making the entry or breaking into the building to notify the owner, occupier or person in charge of such building of the entry or breaking-in within a reasonable time.

(3) No claim shall be made and no action, demand or other proceeding whatsoever shall be brought against the Government of Belize or such officer in respect of any action done pursuant to this section.

(4) Any person who obstructs, hinders, molests or prevents an officer of the Service from performing his functions pursuant to subsection (1) above commits an offence and shall be liable on summary conviction to a fine not exceeding four hundred dollars or to imprisonment for a period not exceeding two months, or to both such fine and period of imprisonment.

13. In discharging the duties imposed and powers conferred upon him by this Part or any other Part of this Act, an officer of the Service shall additionally have the powers, authorities and immunities of a member of the Belize Police Department in respect of arrests, and in that capacity may arrest without a warrant any person who assaults, hinders, obstructs or impedes him in the execution of his duties or performance of his functions.

14. On the occurrence of a fire or other disaster, it shall be the duty of members of the Belize Police Department to proceed immediately to the scene...
of the fire or other disaster in sufficient numbers and there to maintain law and order and render assistance to officers of the Service engaged in extinguishing the fire or containing and controlling the other disaster and, in discharging their duties under this section, members of the Belize Police Department may -

(a) close any street in or near the scene of the fire or other disaster;

(b) remove any person interfering, obstructing, or hindering the movement of officers of the Service;

(c) control vehicular and pedestrian traffic and generally assist the Service in the execution of any service not specifically referred to in paragraph (a) or (b) above.

PART V

Arrangements And Agreements With Other Persons Or Organisations

15. (1) The Minister may from time to time, for and on behalf of the Service, make arrangements with any person or organisation maintaining or providing fire or emergency services, and such arrangements or agreements may specify the type of assistance to be given to the Service by the person or organisation in order to protect life and property on the occurrence of any fire.

(2) It shall be an implied condition of any arrangement or agreement made and entered into by the Minister pursuant to subsection (1) above that the person or organisation providing the assistance shall, when rendering the assistance on the occurrence of a fire, be under the command of the Officer-in-Charge at the scene of the fire.
16. (1) It shall be the duty of the Fire Chief to take reasonable measures to ensure the provision of an adequate supply of water for use in extinguishing fires or controlling and containing other disasters and he may, for this purpose, with the approval of the Minister, enter into written agreements with any person or body duly authorised or licensed under the appropriate legislation to provide water.

(2) An agreement made by the Fire Chief with any person or body pursuant to subsection (1) above shall include the conditions specified in subsection (3) below.

(3) The conditions referred to in subsection (2) above are:

(a) that whenever the Fire Chief is satisfied that existing water supply provided by such person or body for domestic and industrial purposes is likely to be inadequate in case of the occurrence of a fire or other disaster, the Fire Chief shall notify such person or body and such person or body shall provide such additional supply of water as may be specified by the Fire Chief in writing;

(b) that such person or body shall, at the written request of the Fire Chief, and upon payment by the Government for that purpose, install and fix fire hydrants on the mains of all of that person or body’s water supply systems (other than trunk mains), at such places as may be most convenient for affording a supply of water for extinguishing any fire or controlling any other disaster that may occur within the limits of the water supply system, and shall keep and maintain such fire hydrants in a general state of good repair, or at the written request of the Fire Chief, replace any such hydrant;
(c) that the total number of fire hydrants that may be installed and fixed by such person or body under paragraph (b) above may be specified in writing by the Fire Chief and that the Fire Chief may request in writing that such person or body increase the total of such fire hydrants;

(d) that such person or body shall clearly indicate the position of each fire hydrant by placing a written notice or other distinguishing mark to that effect in any conspicuous place on any wall or fence adjoining any highway or other public place where the hydrant is located;

(e) that the Government of Belize shall bear a portion of the costs incurred by such person or body in installing, fixing, maintaining, renewing and replacing the fire hydrant, and specify the amount to be paid by the Government of Belize and the circumstance in which the Government of Belize shall be exempt from the payment of costs related to repairs of fire hydrants damaged after being used by or with the approval of such person or body for any purpose not directly related to the duties of the Service.

(4) The person or body referred to in subsection (1) shall not unreasonably refuse to enter into the agreement referred to in that subsection, and any question as to whether such person or body is unreasonably refusing to enter into the agreement shall be determined by the Cabinet, whose decision thereon shall not be open to challenge in any court of law.

(5) Where there is any difference of opinion between the Fire Chief and the person or body referred to in subsection (1) as to the number or proper
position of any fire hydrant referred to in the agreement made pursuant to that subsection, such difference shall be resolved by the Cabinet, whose decision thereon shall not be open to challenge in any court of law.

(6) Without prejudice to any other legal remedies which may be available to the Government of Belize and the Service, if such person or body wilfully or negligently fails to comply with any of its obligations under the agreement made pursuant to subsection (1) above, it commits an offence and shall be liable on summary conviction to a fine of seven hundred and fifty dollars, and if the offence is a continuing offence, to a further fine of seventy-five dollars for each day the offence continues.

(7) Any person who uses a fire hydrant otherwise than for fire fighting and for the other purposes of the Service, or for any purpose not approved by the person or body referred to in subsection (1), or who damages any fire hydrant in circumstances not related to the use of such fire hydrant as provided in this Act, commits an offence and shall be liable on summary conviction to a fine of one hundred dollars or to imprisonment for a period not exceeding one month, or to both such fine and period of imprisonment.

(8) Without prejudice to the foregoing provisions of this section, it shall be the duty of the Fire Chief to designate water heads and to require City and Town Councils to maintain access to these water heads at all times.

17. (l) Notwithstanding anything to the contrary contained in any legislation regulating the provision of water in Belize, where any person or body referred to in subsection (1) of section 15 proposes to carry out any works for the purpose of water supply to any place within his or its limits of supply, it shall be his or its duty to notify the Fire Chief in writing of the proposed works at least six weeks before the commencement of such works.

(2) Notwithstanding anything to the contrary in any legislation on regulating the provision of water in Belize, where the person or body referred to in subsection(1) above proposes to carry out any works which affect a fire
hydrant, it shall be his or its duty to notify the Fire Chief in writing of the proposed works not less than seven days before the commencement of such works, unless it is not practicable to give the notice within such time, in which case he or it shall give the notice as soon as possible.

(3) Notwithstanding anything to the contrary in any legislation regulating the provision of water, if the person or body referred to in subsection (1) intends to lay a water main, it shall notify the Fire Chief.

PART VI

Legal And General

18. (1) The Fire Chief may in writing, if he is of the opinion that the condition of any specified building, public premises or any building used for business constitutes or is likely to constitute a hazard, serve a notice on the occupier or owner of such building, requiring the occupier or owner, within such period as may be specified in the notice, to carry out such work on the building as may be specified in the notice, or to take such other action as may be required in order to render the building safe from fire in order to protect life and property.

(2) Where the work to be carried out pursuant to subsection (1) above is of a structural or similar nature, the notice to be served by the Fire Chief under that subsection shall be served on the owner of the building, or on the owner’s agent if the owner cannot be located, or on the occupier if both the owner and the owner’s agent cannot be located, and where no person can be identified as owner, agent or occupier, service by advertisement in two consecutive issues of the Gazette and of a newspaper in general circulation in the area or district where the building is situated shall be sufficient notice for the purposes of this subsection.
(3) The Fire Chief may, on the application of the owner or the owner’s agent, or on his own motion, extend the period of time specified in the notice issued under subsection (1) above to enable the requirements of the notice to be fully met.

(4) An application made by an owner or the owner’s agent under subsection (3) above shall -

(a) state reasons for seeking the extension of time;
(b) give the approximate date on which the requirements of the notice shall be met; and
(c) be in writing.

(5) Any person who fails to comply with the requirements of a notice issued under this section commits an offence and shall on summary conviction be liable to a fine not exceeding five thousand dollars or to imprisonment for a period not exceeding three years, or to both such fine and period of imprisonment, and if the violation continues after the first conviction, to a further fine of two hundred dollars for each day the violation continues.

(6) Where a person fails to comply with the requirements of this section, the Fire Chief may, without prejudice to any penalties provided for such failure under subsection (5) above, close the building down and apply to the District Court of the judicial district where the property is situated, for an order for such property to be vacated and kept closed down until such time as the work or other action specified in the notice is carried out on the property.

(7) An appeal shall lie against the decision of a District Court under subsection (7) above to the Supreme Court pursuant to Part VIII of the Supreme Court of Judicature Act.
19. (1) It shall be lawful for the Fire Chief, the Chief Engineer, or the Commissioner of Police to order the destruction of any building or other property or any part thereof which is on fire or which is under imminent danger from fire or other disaster.

(2) Every order made under subsection (1) above shall, as far as possible, be communicated to the owner, agent or occupier of such building as soon as is reasonably possible after the making thereof by the person who made it.

(3) No claim or any other demand whatsoever shall be made against the Government, the Service, the Police Department, the Fire Chief, the Commissioner of Police, the Chief Engineer or any other person in respect of an order made under subsection (1) above.

20. Notwithstanding the provisions of any other law, damage caused to any building or other property by the Service while putting out a fire or controlling and containing some other disaster in pursuance of the provisions of this Act shall be deemed, for the purposes of insurance claims on that building or other property, to be damage caused by the fire or other disaster.

21. Notwithstanding the provisions of any other law, it shall be lawful for officers of the Service in cases of emergency while on public roads to drive motor vehicles and fire equipment of the Service in excess of the prescribed maximum speed limits, or opposite to the direction of the normal flow of traffic, or in contravention of electric or other traffic signals, including traffic lights:

Provided that while doing so vehicles used by the Service shall have on sirens and warning lights to warn members of the public and other road users to move off the road and give way to such vehicles of the Service.

22. (1) Any person who knowingly gives or causes to be given to the Service or to any police officer a false report or alarm of the outbreak of a fire or other disaster commits an offence and shall be liable on summary conviction
to a fine not exceeding one thousand dollars or to imprisonment for a period not exceeding one year, or to both such fine and period of imprisonment.

(2) Where an officer or employee of the Service is given powers under this Act to enter any building, with or without giving prior notice of such entry to the owner, agent or occupier of such building, it shall be an offence for such officer or employee to disclose any information relating to manufacturing or trade processes, policies or secrets which comes to his knowledge as a result of such entry into the building:

Provided that disclosure of such information by such officer or employee shall not be an offence if it is made in the course of his duties and in furtherance of the objectives of this Act, or to prevent the commission of a crime.

(3) Any person who commits an offence under subsection (2) above shall be liable on summary conviction to a fine not exceeding two thousand dollars or to imprisonment for a period not exceeding two years, or to both such fine and period of imprisonment.

(4) Any person who -

(a) obstructs, impedes or assaults any officer or employee of the Service, or of the Belize Police Department or the Belize Defence Force, acting pursuant to this Act, or any volunteer or other person assisting the Service in any way whatsoever pursuant to this Act; or

(b) aids, abets, counsels or incites any other person to commit any of the acts specified in paragraph (a) above; or

(c) wilfully removes or moves or assists in removing or
moving any chain, rope or other barrier placed in, upon or on any street or other place under the authority of this Act; or

(d) wears, either in whole or in part, the dress, designation badges, caps and headdress, or other apparel worn by officers or employees of the Service as uniform while on duty, or who wears any dress, designation badge, cap or headdress resembling in any material particular that which is worn by officers or employees of the Service as uniform while on duty; or

(e) pretends or holds himself out as an officer or employee of the Service; or

(f) obstructs or prevents the use of any water-head or fire hydrant in any manner whatsoever; or

(g) wilfully damages any fire engine, fire boat, or some other fire equipment or other property of the Service; or

(h) unlawfully removes or causes to be removed any furniture, goods or some other property from any building on fire or in imminent danger of fire or some other disaster; or

(i) knowingly, by threats or through offers of money or some other reward, gift or thing, induces or endeavours to induce an officer or employee of the Service to do or not to do anything in contravention of the provisions of this Act or any other law,

commits an offence and shall be liable on summary conviction.
23. (1) The Minister may make Regulations generally for the better carrying out of the provisions of this Act, and without prejudice to the generality of the foregoing, may make Regulations in respect of any or all of the following-

(a) the uniform to be worn by officers and employees of the Service;

(b) the training and exercises to be done by officers and employees of the Service;

(c) the gratuity to be given to volunteers;

(d) the gratuities and awards to be given to officers and employees of the Service for outstanding and meritorious service;

(e) the occupancy load of any public premises or class of public premises and the requirement for all public premises to have fire exits as may from time to time be specified in any legislation regulating building standards and codes;

(f) the holding of periodic inspections and spot-checks by officers of the Service on any public premises or class of public premises;

(g) requirements that before a licence for the sale of liquor in any public premises, or for the holding of any public entertainment or function is granted, the owner or occupier of such premises should have a
fire certificate issued by the Service after inspecting the premises;

(h) the group insurance which shall be taken by the Government to cover members of the Service against accidents and loss of life, and the number of members of the Service (being not less than twenty) who shall be so insured at any one time;

(i) the establishment of a Reward Fund and the administration and purposes of such Fund;

(j) the establishment of the Volunteer Element of the Service, the qualifications needed for a person to be a Volunteer member of the Service, the remuneration or allowance to be paid to such members by the Fire Chief and the circumstances under which such members may be dismissed from the Service by the Fire Chief;

(k) the powers of the Fire Chief or any other Officer designated by the Fire Chief in that behalf to enter specified buildings, including hotels and places of business, for the purposes of inspecting them against the risk of fire;

(l) the control, repair and demolition of buildings declared by the Fire Chief to be unsafe;

(m) generally, for the better administration of the Service.

(2) Regulations made by the Minister under subsection (1) above shall be subject to negative resolution by the House of Representatives.
24. (1) On the commencement of this Act, the Fire Brigades Act shall stand repealed.

(2) Notwithstanding the repeal of the Fire Brigades Act pursuant to subsection (1) above, all regulations, bylaws, orders and other subsidiary legislation made under that Act shall continue in force until repealed and replaced by regulations, by-laws, orders and other subsidiary legislation made under this Act.

25. This Act or any provision or Part thereof shall come into force on a day to be appointed by the Minister by Order published in the Gazette.
SCHEDULE
[Sections 2 and 4]

1. Northern zone - Corozal and Orange Walk Districts
2. Central zone - Belize District, including Ambergris Caye, Caye Caulker and the other Cayes in this District and Belize City
3. Western zone - Cayo District
4. Southern zone - Stann Creek and Toledo District.

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