provide for reciprocity in relation to family allowances in Great Britain and child endowment in Australia and the Regulations modify the Family Allowances Acts, 1945 and 1952, in their application to persons affected by the Arrangements.

1953 No. 1059

The Family Allowances (Qualifications) Amendment Regulations, 1953

Made - - - -	*6th July*, 1953
Laid before Parliament	*7th July*, 1953
Coming into Operation	*14th July*, 1953

The Minister of National Insurance, in conjunction with the Treasury so far as relates to matters with respect to which the Treasury has so directed, in exercise of the powers conferred on him by sections 17 (1) (*b*), 21 (7) and 24 of the Family Allowances Act, 1945(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the Family Allowances (Qualifications) Amendment Regulations, 1953, shall be read as one with the Family Allowances (Qualifications) Regulations, 1946(**b**), as amended(**c**) (hereinafter referred to as " the principal regulations ") and shall come into operation on the 14th July, 1953.

Amendment of regulation 8 *of the principal regulations*

2.—(1) Regulation 8 of the principal regulations (which regulation contains definitions of " presence " and " absence " for the purposes of regulations 9, 10 and 11 of the principal regulations) shall be amended in accordance with the following provisions of this regulation and accordingly shall have effect as set out in Part I of the Schedule to these regulations.

(2) In the said regulation 8,—

(*a*) the words " unless the context otherwise requires " shall be omitted ;

(*b*) before each of the words " presence " and " absence " (where each such word occurs for the second time) there shall be inserted the word " actual " ;

(3) At the end of the said regulation 8 there shall be added the words " and ' present ' shall be construed accordingly ".

Amendment of regulation 9 *of the principal regulations*

3.—(1) Regulation 9 of the principal regulations (which regulation prescribes rules for determining whether an adult's presence in or absence from Great Britain is or is not to be treated as temporary) shall be amended in accordance with the following provisions of this regulation and accordingly shall have effect as set out in Part II of the Schedule to these regulations.

(**a**) 8 & 9 Geo. 6. c. 41.
(**b**) S.R. & O. 1946/138; Rev. VII, p. 607; 1946 I, p. 502.
(**c**) S.I. 1952/1457, 1999; 1952 I, pp. 996, 1001.

(2) In the said regulation 9,—

(*a*) in sub-paragraph (*a*) of paragraph (1) the words " in Great Britain " shall be omitted ;

(*b*) the following sub-paragraph shall be substituted for sub-paragraph (*b*) of paragraph (1):—

" (*b*) the absence of a person at any date shall be treated as temporary except in the following circumstances:—

(i) if it is or was when it began for a purpose other than a temporary purpose ; or

(ii) if it has lasted for a continuous period exceeding six months ; or

(iii) if the person is a member of a family for which there was no right to an allowance in existence immediately prior to that date, and for more than twenty-six weeks in the aggregate out of the twelve months immediately preceding that date he has neither been present nor been a member of the Forces, a merchant seaman or a person under treatment :

Provided that the absence of a person at any date while he is a member of the Forces, a merchant seaman or a person under treatment shall always be treated as temporary if for at least twenty-six weeks in the aggregate out of the twelve months immediately preceding that date he has either been present or, when not so present, been a member of the Forces, a merchant seaman or a person under treatment."

Amendment of regulation 10 *of the principal regulations*

4. In regulation 10 of the principal regulations (which regulation provides for the aggregation of periods of presence in Great Britain with periods as a member of the Forces, a merchant seaman or a person under treatment) the words " in Great Britain " shall be omitted.

Amendment of regulation 11 *of the principal regulations*

5.—(1) Regulation 11 of the principal regulations (which regulation prescribes rules for determining whether a child's presence in or absence from Great Britain is or is not to be treated as temporary) shall be amended in accordance with the following provisions of this regulation and accordingly shall have effect as set out in Part III of the Schedule to these regulations.

(2) In sub-paragraph (*a*) of paragraph (1) of the said regulation 11 the words " in Great Britain " shall be omitted.

(3) For paragraph (2) of the said regulation 11 there shall be substituted the following paragraph:—

" (2) The absence of a child who is ordinarily resident in Great Britain shall be treated as temporary—

(*a*) if and so long as it is not intended to exceed and has not exceeded six months, for the period of such absence ; or

(*b*) in any other case if it is for a temporary purpose, for such period or periods, if at all, as the Minister in his discretion may from time to time determine having regard to all the circumstances of the particular case:

Subject to the qualification that a child born during the absence from Great Britain of his mother shall not be treated as ordinarily resident in Great Britain during any period before he first becomes present in

Great Britain unless at the date of his birth the absence of his mother was temporary in accordance with the provisions of sub-paragraph (*b*) of paragraph (1) of regulation 9 of these regulations."

Amendment of regulation 13 *of the principal regulations*

6.—(1) As from the 5th April, 1955, regulation 13 of the principal regulations (which regulation prescribes rules for determining whether the absence of a child from a parent or the interruption or reduction of a parent's contribution is or is not to be treated as temporary) shall be amended in accordance with the following provisions of this regulation and accordingly shall have effect as set out in Part IV of the Schedule to these regulations.

(2) In paragraph (1) of the said regulation 13, for sub-paragraph (*c*), there shall be substituted the following sub-paragraph:—

"(*c*) any such absence which does not fall within sub-paragraph (*a*) of this paragraph shall be treated as temporary for a period of twelve weeks and no longer, and any such interruption or reduction which does not fall within sub-paragraph (*a*) or (*b*) of this paragraph shall be treated as temporary for a period of four weeks and no longer:

Provided that if the absence, interruption or reduction has been immediately preceded by an absence, interruption or reduction falling within sub-paragraph (*a*) or (*b*) of this paragraph, or by absence at a school, the said period of twelve weeks or four weeks shall not begin to run until after the termination of that immediately preceding absence, interruption or reduction as the case may be."

(3) In paragraph (2) of the said regulation 13, after the words "any absence from a parent", the words "and any interruption or reduction of a parent's contribution" shall be omitted.

Circumstances in which a person is to be treated as undergoing full-time instruction

7. The following regulation shall be substituted for regulation 17 of the principal regulations:—

"**17.**—(1) Subject to the provisions of paragraph (2) of this regulation, a person shall be treated for the purposes of the Act as undergoing full-time instruction in a school in any of the following circumstances:—

(*a*) if he is undergoing full-time instruction—

(i) in England or Wales, at any university or college or at any school as defined by the Education Act, 1944(**a**), or establishment for further education; or

(ii) in Scotland, at any university or at any educational establishment within the meaning of the Education (Scotland) Act, 1946(**b**); or

(iii) at any educational, instructional, training or other establishment or institution, whether in Great Britain or elsewhere, which, in the opinion of the Minister, should be treated as an establishment similar to any one of those referred to in (i) or (ii);

and for the purposes of this sub-paragraph any instruction received after the hour of 5 p.m. shall be disregarded; or

(*b*) if he is receiving primary or secondary education in England or Wales otherwise than at school, under special arrangements made under section 56 of the Education Act, 1944; or

(**a**) 7 & 8 Geo. 6. c. 31. (**b**) 9 & 10 Geo. 6. c. 72.

(*c*) if he is receiving education in Scotland elsewhere than at an educational establishment, under special arrangements made under section 14 of the Education (Scotland) Act, 1946.

(2) A person shall not cease to be treated as undergoing full-time instruction during any period during which he would have been undergoing instruction or receiving education in accordance with the provisions of paragraph (1) of this regulation but for the occurrence of any of the following events or, for the purposes of sub-paragraphs (*b*) and (*c*) of the said paragraph, any event which is analogous to any of the following events:—

(*a*) holidays of that person which are recognised by the responsible school authority;

(*b*) the temporary closure by the responsible school authority during a school term of the school which that person normally attends;

(*c*) absence from school of that person authorised by the responsible school authority by reason of contact with infectious disease;

(*d*) illness or disability of mind or body of that person;

(*e*) absence from school on not more than two occasions in any calendar year owing to illness (other than illness of that person) occurring at, or any absence from school owing to death at, the home of that person, so however that any such absence after the first two weeks shall not be treated as a period of full-time instruction;

(*f*) the temporary suspension of the ordinary means of transport of that person to school where alternative means of reaching school are not reasonably available;

(*g*) absence from school owing to the removal of that person from one school to another, so however that any such absence after the first four weeks shall not be treated as a period of full-time instruction."

Provisions to be added to the principal regulations

8. The following provisions shall be added after regulation 17 of the principal regulations:—

"PART VI

Circumstances in which a person is to be treated as undergoing full-time training

18. A person who is not in receipt of earnings which provide him wholly or substantially with a livelihood shall be treated for the purposes of the Act as undergoing full-time training during any period in which he is undergoing such training and any period in which such training would have continued but for—

(*a*) interruption due to holidays; or

(*b*) interruption due to illness or disability of mind or body of that person; or

(*c*) interruption due to change of employment by that person except during any period in which he is otherwise gainfully occupied or which continues after the first four weeks of such interruption; or

(*d*) any other interruption of that person's full-time training which is of a temporary nature and which it is reasonable to disregard in the circumstances of his case, so however that he shall not be treated as undergoing full-time training on account of any such interruption after the first four weeks thereof."

Amendment of the Schedule to the principal regulations

9. At the end of paragraph 1 of the Schedule to the principal regulations (which paragraph defines the expression "a member of the Forces" for the purposes of the said regulations) there shall be added the words "or is serving as a commissioned or enlisted member of the Royal Army Service Corps/Expeditionary Force Institutes."

Revocation of regulation 16 *of the principal regulations*

10. Regulation 16 of the principal regulations (which regulation defines the upper limit of the compulsory school age for the purposes of Part V of the said regulations) shall be revoked.

Dated this 2nd day of July, 1953.

Osbert Peake,
Minister of National Insurance.

Dated this 6th day of July, 1953.

Hendrie D. Oakshott,
T. G. D. Galbraith,
Two of the Lords Commissioners of Her Majesty's Treasury.

SCHEDULE

CONTAINING PROVISIONS OF THE PRINCIPAL REGULATIONS WHICH ARE AMENDED BY THESE REGULATIONS*

PART I — Regulation 2

REGULATION 8 OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS

Interpretation

8. In this Part of these regulations, "presence" and "absence" mean *actual* presence in and *actual* absence from Great Britain respectively, *and "present" shall be construed accordingly.*

PART II — Regulation 3

REGULATION 9 OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS

An adult's presence in or absence from Great Britain

9.—(1) For the purposes of subsection (2) of section 24 of the Act—

(*a*) the presence of a person at any date shall be treated as temporary except in the following circumstances:—

(i) if for at least twenty-six weeks in the aggregate out of the twelve months immediately preceding that date he has either been present or, when not so present, been a member of the Forces, a merchant seaman or a person under treatment; or

(ii) if the period of that presence has been immediately preceded by a period of absence throughout which there was a right to an allowance for his family;

* The additions and substitutions made by these regulations are shown in italics.

(b) the absence of a person at any date shall be treated as temporary except in the following circumstances:—

(i) if it is or was when it began for a purpose other than a temporary purpose; or

(ii) if it has lasted for a continuous period exceeding six months; or

(iii) if the person is a member of a family for which there was no right to an allowance in existence immediately prior to that date, and for more than twenty-six weeks in the aggregate out of the twelve months immediately preceding that date he has neither been present nor been a member of the Forces, a merchant seaman or a person under treatment:

Provided that the absence of a person at any date while he is a member of the Forces, a merchant seaman or a person under treatment shall always be treated as temporary if for at least twenty-six weeks in the aggregate out of the twelve months immediately preceding that date he has either been present or, when not so present, been a member of the Forces, a merchant seaman or a person under treatment.

(2) Where at any date there is already in existence a right to one or more allowances for the family of a man and his wife, that family shall, for the purposes of this regulation, be treated as continuing in existence despite the death of either of them occurring whilst they are living together.

PART III Regulation 5

REGULATION 11 OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS

A child's presence in or absence from Great Britain

11. For the purposes of subsection (3) of section 24 of the Act the presence or absence of a child at any date shall not be treated as temporary except in the following circumstances:—

(1) the presence at any date of a child whose place of birth is not in the United Kingdom and who would, if his presence were treated as other than temporary, be included for the purposes of the Act in the family of any person other than a parent, shall be treated as temporary unless—

(a) he has been present for the whole period of six months immediately preceding that date; or

(b) the period of that presence has been immediately preceded by a period of temporary absence;

(2) *the absence of a child who is ordinarily resident in Great Britain shall be treated as temporary—*

(a) if and so long as it is not intended to exceed and has not exceeded six months, for the period of such absence; or

(b) in any other case if it is for a temporary purpose, for such period or periods, if at all, as the Minister in his discretion may from time to time determine having regard to all the circumstances of the particular case:

Subject to the qualification that a child born during the absence from Great Britain of his mother shall not be treated as ordinarily resident in Great Britain during any period before he first becomes present in Great Britain unless at the date of his birth the absence of his mother was temporary in accordance with the provisions of sub-paragraph (b) of paragraph (1) of regulation 9 of these regulations.

PART IV Regulation 6

REGULATION 13 OF THE PRINCIPAL REGULATIONS AS AMENDED BY THESE REGULATIONS

Absence from a parent and interruption or reduction of a parent's contribution

13.—(1) Subject to the provisions of regulation 15, in determining whether any absence (other than at a school) of a child from a parent or any interruption or reduction of a parent's contribution to the cost of providing for a child is or is not to be treated as temporary for the purposes of subsection (7) of section 21 of the Act the following rules shall apply:—

(*a*) any such absence, interruption or reduction due to the child undergoing treatment as an in-patient at a hospital shall be treated as temporary while the child is undergoing such treatment;

(*b*) any such interruption or reduction due to the child being at a school shall be treated as temporary while the child is at that school;

(*c*) *any such absence which does not fall within sub-paragraph (a) of this paragraph shall be treated as temporary for a period of twelve weeks and no longer, and any such interruption or reduction which does not fall within sub-paragraph (a) or (b) of this paragraph shall be treated as temporary for a period of four weeks and no longer*:

Provided that if the absence, interruption or reduction has been immediately preceded by an absence, interruption or reduction falling within sub-pargraph (a) or (b) of this paragraph, or by absence at a school, the said period of twelve weeks or four weeks shall not begin to run until after the termination of that immediately preceding absence, interruption or reduction as the case may be.

(2) Notwithstanding the provisions of sub-paragraph (*c*) of paragraph (1) of this regulation, any absence from a parent falling within that sub-paragraph shall cease to be treated as temporary if provision has been made for the child, other than by a person within the meaning of paragraph (2) of regulation 12, for a period of four weeks during which no such person other than that parent has been providing in his own home for the child or contributing at the rate of eight shillings a week or more to the cost of providing for the child elsewhere.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend the Family Allowances (Qualifications) Regulations, 1946, in order to clarify the rules for determining whether presence in or absence from Great Britain is or is not to be treated as temporary and to vary the period of temporary interruption or reduction of a parent's contribution to the cost of providing for a child who is neither at school nor in hospital. They also extend the circumstances in which a person is to be treated as undergoing full-time instruction in a school and prescribe circumstances in which a person is to be treated as undergoing full-time training; and they add to the persons included in the expression "a member of the Forces" for the purposes of the said regulations.

FIRE SERVICES

CONDITIONS OF SERVICE

1953 No. 530 (S. 47)

The Fire Services (Appointments and Promotion) (Scotland) Regulations, 1953

Made - - - -	19*th March*, 1953
Laid before Parliament	25*th March*, 1953
Coming into Operation	1*st April*, 1953

In exercise of the powers conferred on me by subsection (1) of section eighteen of the Fire Services Act, 1947(a), I hereby make the following Regulations:—

1. These Regulations may be cited as the Fire Services (Appointments and Promotion) (Scotland) Regulations, 1953, and shall come into operation on the first day of April, 1953.

2.—(1) In these Regulations—

the expression "auxiliary fireman" means a member of a fire brigade who is enrolled for service therein which is restricted except in a war emergency to such duties as are desirable for training;

the expression "brigade" means a fire brigade maintained by a fire authority in Scotland under the provisions of the Fire Services Act, 1947;

the expression "control room or watchroom duties" means duties in connection with the reception, transmission and recording of calls for the assistance of a brigade and with the transmission of instructions regarding the provision of such assistance by a brigade as may be required in any case and performed by a person appointed on a contract under which he may not be required to engage in fire-fighting;

the expression "ill-health pension which has been cancelled" means an ill-health pension within the meaning of the Firemen's Pension Scheme set out in the Appendix to the Firemen's Pension Scheme Order, 1948(b), which has been cancelled under Article 25 of that scheme, or an ill-health pension within the meaning of the Firemen's Pension Scheme set out in the Appendix to the Firemen's Pension Scheme Order, 1952(c) which has been cancelled under Article 25 of that scheme;

the expression "the Institution of Fire Engineers" means the limited company incorporated by that name on the twenty-fifth day of July, 1924;

the expression "operational service", in relation to any person, means whole-time service, as a member of a brigade, of a fire brigade maintained by a fire authority in England and Wales under the Fire Services Act, 1947, or of the National Fire Service, during any period in which that person in the course of his duty, as a member of a brigade, of such said fire brigade or of the National Fire Service was under an obligation to attend at fires;

the expression "promotion" does not include promotion which is expressed to be temporary only;

(a) 10 & 11 Geo. 6. c. 41. (b) S.I. 1948/604; Rev. VII, p. 776; 1948 I, p. 1091.
(c) S.I. 1952/944; 1952 I, p. 1003.

the expression " rank " except in Regulation 4 means any of the following ranks, that is to say, assistant firemaster, divisional officer, column officer, senior company officer, company officer, section leader and leading fireman.

(2) The Interpretation Act, 1889(a), shall apply to the interpretation of these Regulations as it applies to an Act of Parliament.

3. The method of appointment of a firemaster of a brigade shall be as follows, that is to say—

(*a*) the fire authority maintaining the brigade shall advertise, in newspapers or otherwise, in such manner as to secure that members of brigades may have, a reasonable time before the date on which it is proposed that applications for the appointment are to be considered, an opportunity of knowing that the appointment is to be made and the said date ;

(*b*) the said authority shall consider all applications for the appointment received by them before the said date ;

(*c*) the said authority shall interview such of the persons making such applications as they consider necessary ;

(*d*) the said authority before appointing any person shall obtain the approval of the Secretary of State to the appointment of that person.

4.—(1) Subject as provided in paragraphs (2) and (3) of this Regulation, the qualifications for appointment to a brigade in the case of a male person who is to be appointed thereto as a whole-time member thereof holding the rank of fireman on terms under which he is or may be required to engage in fire-fighting shall be as follows, that is to say, such person at the time of his appointment—

(*a*) must be a British subject ;

(*b*) must be of good character ;

(*c*) must be not less than twenty years of age nor more than thirty-one years of age, or, in the case of a person who, having undertaken a fixed period of voluntary service in His Majesty's armed forces has completed that period of service, thirty-four years ;

(*d*) must, save for special reasons approved by the fire authority, be at least five feet seven inches in height with a chest measurement expanded of at least thirty-seven inches ;

(*e*) must have satisfied a duly qualified medical practitioner selected by the fire authority maintaining the brigade that he is fit to undertake fire-fighting duties and that he possesses no physical abnormality and is not suffering from any disease which in either case would be likely to incapacitate him temporarily or permanently for the performance of the said duties ;

(*f*) must have satisfied the firemaster of the brigade of his ability to pass the following test of strength, that is to say, a test of his ability to carry a man weighing between ten and twelve stones a distance of one hundred yards in a time not exceeding sixty seconds ; and

(*g*) must have passed such examination in educational subjects as the fire authority may require, being either an examination set by that authority or another examination, and being in either case such an examination as necessitates a reasonable standard of proficiency in reading, writing, arithmetic and such other subjects, if any, as the authority may require.

(a) 52 & 53 Vict. c. 63.

(2) Nothing in paragraph (1) of this Regulation shall apply with respect to—

(*a*) the appointment of a person if, at the time when he applies for the appointment, he is a whole-time member of another brigade or of a fire brigade maintained by a fire authority in England and Wales under the provisions of the Fire Services Act, 1947, serving therein on terms under which he is or may be required to engage in fire-fighting, not being a person who is serving in that other brigade or that fire brigade on terms under which his employment therein is temporary only; or

(*b*) the re-appointment to a brigade of a person who has previously retired therefrom and been in receipt of an ill-health pension which has been cancelled.

(3) Sub-paragraphs (*c*) and (*g*) of paragraph (1) of this Regulation shall not apply with respect to the appointment of a person to a brigade who has previously retired from the same or another brigade or from a fire brigade maintained by a fire authority in England and Wales under the provisions of the Fire Services Act, 1947, and was, immediately before his retirement, serving therein as a whole-time member on terms under which he was or might have been required to engage in fire-fighting, not being a person who was serving on terms under which his employment therein was temporary only.

5.—(1) Nothing in this Regulation shall apply in relation to the promotion of any person who is an auxiliary fireman, or a part-time member of a brigade or is serving in a brigade on terms under which he is solely engaged on control room or watchroom duties, but save as aforesaid the provisions of paragraph (2), (3), (4) or (5) of this Regulation shall apply with respect to the qualifications for promotion of any member of a brigade to the ranks respectively therein specified.

(2) For promotion to the rank of leading fireman the qualifications of a member of a brigade shall be as follows, that is to say, he shall have had not less than two years' operational service, and shall—

(*a*) have passed the educational examination specified in Part I of the First Schedule to these Regulations, or be, to the satisfaction of the fire authority maintaining the brigade, of an educational standard at least as high as that required to pass the said examination, and

(*b*) after having had such two years' operational service as aforesaid, have passed the test of technical attainments specified in Part II of the said Schedule.

(3) For promotion to the rank of section leader the qualifications of a member of a brigade shall be as follows, that is to say, he shall have had not less than four years' operational service, and shall—

(*a*) unless he is already a leading fireman, have passed the test of technical attainments specified in Part II of the First Schedule to these Regulations,

(*b*) unless he has passed the graduateship examination of the Institution of Fire Engineers, have passed the technical examination specified in the Second Schedule to these Regulations, and

(*c*) have passed, to the satisfaction of the fire authority maintaining the brigade, a practical test in the conduct of drills.

(4) For promotion to the rank of company officer the qualifications of a member of a brigade shall be as follows, that is to say, he shall have had not less than five years' operational service, and shall—

(*a*) unless he is already a section leader, have passed, to the satisfaction of the fire authority maintaining the brigade, a practical test in the conduct of drills, and

(*b*) have passed the technical examination specified in the Third Schedule to these Regulations.

(5) For promotion to any rank above that of company officer the qualification of a member of a brigade shall be that he is of a rank not lower than that of company officer.

6.—(1) The qualifications for appointment to any rank in a brigade of a male person who is not a member of the brigade and who is to serve therein as a whole-time member thereof on terms under which he will not be solely engaged on control room or watchroom duties shall be as follows, that is to say, he shall, at the time when it is decided to appoint him to the said rank, be—

(*a*) a whole-time member of another brigade, serving therein on terms under which he is or may be required to engage in fire-fighting, not being a person who is serving in that other brigade on terms under which his employment therein is temporary only, and either holding a rank not lower than the rank to which he is to be appointed or possessing such qualifications as would be required under Regulation 5 of these Regulations for promotion to that rank in such other brigade, or

(*b*) a person who is such a person as is mentioned in sub-paragraph (*b*) of paragraph (2) or in paragraph (3) of Regulation 4 of these Regulations and who immediately before his retirement either held a rank not lower than the rank to which he is to be appointed or possessed such qualifications as would be required under Regulation 5 of these Regulations for promotion to that rank:

Provided that a person who is such a person as is mentioned in paragraph (3) of the said Regulation 4 must also satisfy the qualifications for appointment as a whole-time member of a brigade specified in sub-paragraphs (*a*), (*b*), (*d*), (*e*) and (*f*) of paragraph (1) of the said Regulation 4.

(2) For the purposes of this Regulation membership of a fire brigade maintained by a fire authority in England and Wales under the provisions of the Fire Services Act, 1947, shall be deemed to be membership of a brigade, the ranks of station officer, sub-officer and leading fireman in such a fire brigade shall be deemed to be respectively the ranks of company officer, section leader and leading fireman in a brigade, and any person possessing such qualifications as may be required under any Regulations made under subsection (1) of section eighteen of the said Act of 1947, for promotion to any of the said ranks in such a fire brigade shall be deemed to possess the qualifications required under Regulation 5 of these Regulations for promotion to the said respective rank in a brigade.

7.—(1) The educational examination specified in Part I of the First Schedule to these Regulations, the test of technical attainments specified in Part II of the said Schedule and the technical examination specified in the Second and Third Schedules to these Regulations shall be conducted in accordance with the Scheme set out in the Fourth Schedule to these Regulations.

(2) Failure to pass an examination or test shall not disqualify a candidate from presenting himself at a future examination or test.

8.—(1) A fire authority shall secure that any vacancy in the rank of leading fireman, section leader or company officer for a whole-time male member who is to serve in the brigade maintained by that authority on terms under which he will not be solely engaged on control room or

watchroom duties shall be advertised in newspapers or otherwise in such manner as to secure that members of brigades maintained by all fire authorities whose areas are contiguous with the area of the first mentioned authority may have a reasonable opportunity of applying therefor.

(2) A fire authority shall secure that any vacancy in the ranks of senior company officer, column officer, divisional officer, or assistant firemaster for a whole-time member who is to serve on such terms as aforesaid in the brigade maintained by that authority shall be advertised in newspapers or otherwise in such manner as to secure that members of other brigades may have a reasonable opportunity of applying therefor.

9.—(1) The Fire Services (Appointments and Promotion) (Scotland) Regulations, 1950(**a**), are hereby revoked.

(2) Any appointment, promotion or application made, or test or examination passed, or advertisement published, or notice given, or other thing done, under any provision of the Regulations revoked by paragraph (1) of this Regulation shall not be invalidated by such revocation, but in so far as it could have been made, passed, published, given or done under any provision of these Regulations shall have effect as if it had been made, passed, published, given or done under that provision.

(3) Any reference in any document to the Regulations revoked by paragraph (1) of this Regulation or to any provision of those Regulations shall, unless the context otherwise requires, be construed as a reference to these Regulations or to the corresponding provision of these Regulations.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
19th March, 1953.

Regulation 5 (2)

FIRST SCHEDULE

Qualifications for the Rank of Leading Fireman

Part I

Educational Examination

A written examination in the following subjects, that is to say:—

(*a*) arithmetic, comprising the first four rules, simple and compound, Imperial weights and measures and simple fractions;

(*b*) English, comprising dictation and a short composition designed to test handwriting, spelling, punctuation and understanding of, and ability to use, English; and

(*c*) general knowledge and intelligence.

Part II

Test of technical attainments

(*a*) A written examination in the following subjects, that is to say:—

(i) knowledge of standard appliances and equipment;

(ii) proficiency in watchroom work; and

(iii) topography of the fireground area of the station where the candidate is stationed.

(*b*) An oral and practical test of proficiency in first aid.

(*c*) A practical test of ability to conduct all standard drills.

(**a**) S.I. 1950/852; 1950 I, p. 697.

Regulation 5 (3)

SECOND SCHEDULE

QUALIFICATIONS FOR THE RANK OF SECTION LEADER

Technical examination

A written examination in the following subjects, that is to say:—

(*a*) general technical knowledge of appliances and equipment;
(*b*) fire ground procedure;
(*c*) elementary fire prevention;
(*d*) topography of the fire ground area of the station where the candidate is stationed;
(*e*) station administration and management; and
(*f*) taking charge of a fire situation.

Regulation 5 (4)

THIRD SCHEDULE

QUALIFICATIONS FOR THE RANK OF COMPANY OFFICER

Technical examination

A written examination in the subjects specified in the Second Schedule to these Regulations, other than the subject specified in paragraph (*d*) thereof, in the organisation and administration of fire services and in such aspects as are relevant to fire service matters of the following subjects, that is to say:—

(*a*) hydraulics;
(*b*) chemistry;
(*c*) electricity; and
(*d*) law.

Regulation 7

FOURTH SCHEDULE

SCHEME FOR THE CONDUCT OF QUALIFYING EXAMINATIONS FOR THE RANKS OF LEADING FIREMAN, SECTION LEADER AND COMPANY OFFICER

1. A Board (hereinafter called the Examinations Board) shall be appointed for the conduct of examinations to be held in terms of Regulation 7 of these Regulations.

2. The Examinations Board shall consist of nine members, of whom one each shall be appointed by the Association of County Councils in Scotland; the Convention of Royal Burghs; the Association of Counties of Cities; the Chief Fire Officers' Association; the National Association of Fire Officers; the Fire Brigades Union; the Institution of Fire Engineers; and two by the Secretary of State.

The Chairman of the Examinations Board shall be appointed by the Board from among its own members.

3. The members appointed shall hold office for three years and shall be eligible for re-appointment. Any casual vacancy may be filled by an appointment made by the body or by the Secretary of State as the case may be by whom the member who ceases to hold office was appointed. Each body and the Secretary of State may nominate a substitute member and any substitute member may attend any meeting of the Examinations Board in place of an appointed member. Five members present at any meeting of the Examinations Board shall form a quorum.

4. Examinations shall be held annually on such days in April or May as the Examinations Board shall decide and at such other times as the Board shall determine, if, in the opinion of the Board, the number of candidates renders it desirable to hold additional examinations The examinations shall be held at such centres as the Examinations Board may determine.

5. On or before the first day of March in each year, and at such other dates as the Examinations Board may intimate, firemasters shall submit to the Examinations Board a list of all candidates desirous of sitting at the examinations and no candidate shall be examined whose name has not so been submitted.

6. The examinations shall be in the subjects specified in the First, Second and Third Schedules to these Regulations, and the Examinations Board shall

issue an examination syllabus and may from time to time revise the syllabus and make fresh issues of it.

7. The educational examination in Part I and the test of technical attainments in Part II of the First Schedule may be taken by a candidate at one and the same examination or at separate examinations. A candidate who takes the educational examination and the test of technical attainments at the same examination and fails in one of them will be required to re-take only that one in which he has failed.

8. The Secretary of State shall, on request by the Examinations Board not later than eight weeks before the date of an examination, arrange for the preparation of examination papers in the subjects in Part I of the First Schedule and shall send to the Examinations Board not later than fourteen days before the date of the examination such number of copies of the papers as the Examinations Board may specify.

9. The Examinations Board shall prepare, or arrange for the preparation of, the examination paper and oral and practical tests in subjects in Part II of the First Schedule and the examination papers in subjects in the Second and Third Schedules with the exception of subject (*a*) (iii) in Part II of the First Schedule and subject (*d*) in the Second Schedule. The examination papers in subject (*a*) (iii) of Part II of the First Schedule and subject (*d*) of the Second Schedule shall be prepared by the firemaster of the area in which the candidate is serving.

10. Examination papers and oral and practical test questions, other than the examination papers in subject (*a*) (iii) of Part II of the First Schedule and subject (*d*) of the Second Schedule, shall be distributed by the Examinations Board to examining centres not less than three days before the date fixed for the opening of the examination.

11. The examinations shall be conducted, in accordance with rules to be made by the Examinations Board, by the firemaster, or a brigade officer of such other rank as the Examinations Board may determine, of the area in which the examination is being held, or in special cases with the approval of the Board by a person who is not a member of a brigade.

12. Examination papers shall be sent by the person conducting the examination to the Examinations Board who shall arrange for the papers to be marked and returned to the Board. Marks in the practical and oral tests shall be awarded by the persons conducting such tests and shall be communicated by them to the Examinations Board not later than seven days after the holding of the tests.

13. The Examinations Board shall intimate to the firemasters concerned the results of the examination, stating in the case of each candidate whether he has passed or failed.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations re-enact with amendments the Fire Services (Appointments and Promotion) (Scotland) Regulations, 1950, which made provision as to the procedure and qualifications for appointment to, and promotion in, fire brigades in Scotland.

The principal changes are as follows :—

Provision is made in paragraph (3) of Regulation 4 and in the proviso to paragraph (1) (*b*) of Regulation 6 for any person with previous whole-time fire service seeking re-appointment to a brigade to be exempted from the age and educational qualifications for appointment laid down in paragraph (1) of Regulation 4; and Part II of the First Schedule to the Regulations provides for a written examination in place of an oral and practical test in certain subjects included in the qualifying test for promotion to leading fireman.