The Fire Services (Appointments and Promotion) (Scotland) Regulations, 1950

1950 No. 852 (S. 56)

Made - - - -	22*nd May*, 1950
Laid before Parliament	25*th May*, 1950
Coming into Operation	1*st June*, 1950

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, 1950, and shall come into operation on the first day of June, 1950.

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 ;

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 ;

the expression " rank " 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(c), shall apply to the interpretation of these Regulations as it applies to an Act of Parliament.

(a) 10 & 11 Geo. 6. c. 41. (b) S.I. 1948 (No. 604) I, p. 1091. (c) 52 & 53 Vict. c. 63.

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 paragraph (2) 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 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 at a walking pace a man weighing between ten and twelve stones a distance of one hundred yards in a time not exceeding forty 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.

(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 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.

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, in the case of a promotion to be made after the thirty-first day of October, 1950, 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, in the case of a promotion to be made after the thirtieth day of April, 1951, 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, in the case of a promotion to be made after the thirty-first day of December, 1951, 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—

(*a*) be, at the time when it is decided to appoint him to the said rank, a whole-time member of another brigade, and

(*b*) (i) be at the said time of a rank in such other brigade not lower than that to which he is to be appointed, or

(ii) possess at the said time such qualifications as would be required under Regulation 5 of these Regulations for promotion into the said rank in such other brigade:

Provided that this Regulation shall not apply when a person who has previously retired from a brigade and been in receipt of an ill-health pension which has been cancelled is re-appointed to that brigade to a rank not higher than that which he held immediately before his retirement.

(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.

Hector McNeil,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
22nd May, 1950.

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

An oral and practical test of—

(*a*) knowledge of standard appliances and equipment;

(*b*) proficiency in watchroom work;

(*c*) proficiency in all standard drills;

(*d*) proficiency in first aid; and

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

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 first appointment of members shall take place not later than the fifteenth day of June, 1950, and 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 December or January 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 November 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 not later than the thirtieth day of September, 1950, and may from time to time revise the syllabus and make fresh issues of it.

7. The educational examination in Part I and the oral and practical tests 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 oral and practical test 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 oral and practical tests in Part II of the First Schedule and the examination papers in subjects in the Second and Third Schedules with the exception of subject (*e*) in Part II of the First Schedule and subject (*d*) in the Second Schedule. The test in subject (*e*) of Part II of the First Schedule and the examination paper in subject (*d*) of the Second Schedule shall be prepared by the firemaster of the area in which the candidate is serving.

10. Oral and practical test questions and examination papers, other than the test in subject (*e*) of Part II of the First Schedule and the examination paper in 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 make provision as to the procedure and qualifications for appointment to, and promotion in, fire brigades in Scotland. In particular, provision is made as to the method of appointment of firemasters and as to the qualifications required, in the case of whole-time fire-fighting members, for appointment to a brigade and for appointment and promotion to different ranks therein, including provision as to the holding and conduct of examinations and tests for promotion.

The Fire Services (Conditions of Service) (Scotland) Regulations, 1950

1950 No. 405 (S. 23)

Made - - - -	*18th March,* 1950
Laid before Parliament	*23rd March,* 1950
Coming into Operation	*25th March,* 1950

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

1. These Regulations may be cited as the Fire Services (Conditions of Service) (Scotland) Regulations, 1950, shall apply to Scotland only, and shall come into operation on the twenty-fifth day of March, 1950.

2. For paragraph (2) of Regulation 2 of the Fire Services (Conditions of Service) (Scotland) Regulations, 1948(b) there shall be substituted the following paragraph:—

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

***3.** For paragraph 5A of Part I of the Fourth Schedule to the said Regulations there shall be substituted the following paragraph:—

"5A.—(*a*) A member of a brigade who has been temporarily promoted and reverts to the rank which he held immediately before he was temporarily promoted shall thereafter be deemed to have held during the period of his temporary promotion the rank to which he so reverts;

(*b*) Notwithstanding the provisions of the foregoing sub-paragraph a member of a brigade who is promoted (whether before the twenty-fifth day of March, 1950, or not) shall thereafter be entitled to reckon as service in the rank to which he is promoted any previous period or periods of service in that rank in that brigade during a temporary promotion thereto."

(a) 10 & 11 Geo. 6. c. 41.
(b) S.I. 1948 (No. 941) I, p. 1158 and see S.I. 1948 (No. 1954) I, p. 1178 and S.I. 1949 (No. 877) I, p. 1681.
(c) 52 & 53 Vict. c. 63.
* For new Fourth Schedule substituted by S.I. 1950 No. 887, *see* pp. 707–19 below.