STATUTORY INSTRUMENTS

1961 No. 1127 (S. 65)

FIRE SERVICES

The Fire Services (Appointments and Promotion) (Scotland) Regulations, 1961

Made - - - -	15*th June*, 1961
Laid before Parliament	23*rd June*, 1961
Coming into Operation	14*th July*, 1961

In exercise of the powers conferred on me by subsection (1) of section 18 of the Fire Services Act, 1947(a), as amended by section 6 of the Fire Services Act, 1959(b), I hereby make the following Regulations:—

1. These Regulations may be cited as the Fire Services (Appointments and Promotion) (Scotland) Regulations, 1961, and shall come into operation on the 14th day of July, 1961.

2. For sub-paragraphs (*a*) and (*c*) of paragraph (1) of Regulation 4 of the Fire Services (Appointments and Promotion) (Scotland) Regulations, 1958(c) (which relate to the qualifications for the appointment of male persons to the rank of fireman), there shall be substituted the following sub-paragraphs:—

"(*a*) must be a British subject or a citizen of the Republic of Ireland;"

"(*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 the regular armed forces of the Crown or of any part of the Commonwealth or of the Republic of Ireland has completed that period of service, thirty-four years;".

3. For paragraphs (2) and (3) of Regulation 4 of the said Regulations, there shall be substituted the following paragraphs:—

"(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 serving as 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, or as a person employed whole-time by the Northern Ireland Fire Authority as a fire officer or fireman and is so serving on terms under which he is or may be required to engage in fire fighting and whose engagement as such a member or person is not expressed to be 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 had previously retired from serving as a whole-time member of the

(a) 10 & 11 Geo. 6. c. 41. (b) 7 & 8 Eliz. 2. c. 44. (c) S.I. 1958/953 (1958 I, p. 1137).

same or 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, or as a person employed whole-time by the Northern Ireland Fire Authority as a fire officer or fireman and was, immediately before his retirement, so serving on terms under which he was or might be required to engage in fire fighting and whose engagement as such a member or person was not expressed to be temporary only."

4. At the end of Regulation 5 of the said Regulations (which relates to the qualifications for promotion of members of brigades), there shall be added the following Regulation:—

"5A A member of a brigade shall not be eligible—

(*a*) to enter for the examinations specified in the Second Schedule to these Regulations unless he has passed, or is exempted from having to pass, the examinations specified in the First Schedule to these Regulations;

(*b*) to enter for the examination specified in the Third Schedule to these Regulations unless he has passed, or is exempted from having to pass, the examinations specified in the said Second Schedule."

5. At the end of Regulation 6 of the said Regulations (which relates to the qualification for appointment to any rank in a fire brigade, other than fireman and firemaster), there shall be added the following paragraph:—

"(3) For the purposes of this Regulation employment by the Northern Ireland Fire Authority as a fire officer or fireman shall be deemed to be membership of a brigade and any person possessing such qualifications as may be required for promotion into a rank set out in column 1 of the subjoined Table shall be deemed to possess the qualifications required under Regulation 5 of these Regulations for promotion into the rank set opposite thereto in column 2 of the said Table:

TABLE

1.—Northern Ireland Ranks	2.—Scottish Ranks
Fireman	Fireman
Leading Fireman	Leading Fireman
Section Leader	Sub-Officer
Company Officer	Station Officer or any higher rank."

6. Regulation 8 of the said Regulations (which relates to the procedure for promotion to any rank above that of fireman, except firemaster) shall be omitted.

Dated this 15th day of June, 1961.

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

EXPLANATORY NOTE

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

Regulation 2 amends the Fire Services (Appointments and Promotion) (Scotland) Regulations, 1958, and provides that citizens of the Republic of Ireland may become members of fire brigades and confers on certain members of the armed forces of the Commonwealth and Republic of Ireland the benefit of the higher age of entry.

Regulations 3 and 5 enable persons employed as fire officers or firemen by the Northern Ireland Fire Authority to become members of a fire brigade in Scotland.

Regulation 4 prohibits a member of a brigade from entering for the examination for promotion to the rank of sub-officer or station officer until he has passed, or is exempted from having to pass, the examination for the rank next below.

Regulation 6 provides that the procedure for promotion of members of fire brigades to any rank above that of fireman, except firemaster, set out in the Regulations of 1958 shall be omitted consequent on the coming into operation of the Fire Services Act, 1959.