The Fire Services (Conditions of Service) (Scotland) (Amendment) (No. 2) Regulations, 1948

1948 No. 1954 (S. 164)

Made - - - -	*21st August*, 1948
Laid before Parliament	*25th August*, 1948
Coming into Operation	*1st September*, 1948

In exercise of the powers conferred on me by paragraphs (*a*) and (*b*) of 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) (Amendment) (No. 2) Regulations, 1948, shall apply to Scotland only, and shall come into operation on the first day of September, 1948.

2.—For sub-paragraph (1) of paragraph 2 of Part I of the Fourth Schedule to the Fire Services (Conditions of Service) (Scotland) Regulations, 1948(**b**) (which specifies the rate of pay of certain officers) there shall be substituted the following sub-paragraph:—

" (1) The rate of pay of an officer holding one of the ranks set out in the subjoined Table shall be in accordance with a scale which begins with the figure set opposite in the second column of the said Table to the rank held by him and shall be increased on each anniversary of the date on which he attained the said rank by the amount of the annual increment set opposite in the third column of the said Table to the said rank until the maximum set opposite thereto in the fourth column of the said Table is reached:

Provided that a divisional officer who held that rank on the first day of September, 1948, shall be paid at the rate of £740 a year until but for this proviso he would have attained that rate in accordance with the said scale and thereafter the said scale shall apply as if this proviso had never applied to him."

TABLE

Rank	Minimum rate	Annual increment	Maximum rate
Assistant Firemaster ...	£850 a year	£20	£950 a year
Divisional Officer ...	£725 a year	£15	£800 a year
Column Officer	£650 a year	£15	£725 a year
Senior Company Officer...	£600 a year	£10	£650 a year
Company Officer... ...	£475 a year	£10	£525 a year

3. For the proviso to sub-paragraph (1) of paragraph 4 of Part I of the Fourth Schedule to the said Regulations (which relates to the pay of certain

(**a**) 10 & 11 Geo. 6. c. 41. (**b**) S.I. 1948 No. 941, p. 1158 above.

members of brigades on promotion to the rank of leading fireman) there shall be substituted the following proviso:—

"Provided that where a fireman immediately before his promotion to leading fireman was in receipt of pay at a rate of 126s. or more weekly he shall immediately on promotion be entitled to pay at the rate in the scale in this paragraph next above the rate of pay of which he was so in receipt and the date on which he shall thereafter receive an increment in the said scale shall be each anniversary of the date on which he last received an increment in his pay, so, however, that the date on which a fireman who immediately before his said promotion was in receipt of a long service increment under paragraph 7 of this Part of this Schedule shall thereafter receive an increment in the said scale shall be each anniversary of the date of his said promotion."

4. For sub-paragraphs (2) and (3) of paragraph 2 of Part II of the Fourth Schedule to the said Regulations (which relate to the supplementary allowances of male members of brigades) there shall be substituted the following sub-paragraphs:—

"(2) The supplementary allowance shall be—

(*a*) for a married man of any rank a maximum limit allowance equal to the actual amount paid for rent and rates in each case if the accommodation is unfurnished, or, if it is furnished, equal to whatever amount the fire authority consider would be paid for similar accommodation unfurnished, subject in either case to a maximum limit determined in accordance with the provisions of sub-paragraph (3) of this paragraph; and

(*b*) for a single man of any rank a flat rate allowance equal in each case to one-half of the maximum limit fixed for a married man of the same rank in the same area.

(3) (*a*) The maximum limit referred to in sub-paragraph (2) of this paragraph for a man of a rank above the rank of section leader shall be that set opposite in column 2 of the subjoined Table to the rank held by him, and for a man of the rank of section leader, leading fireman or fireman shall be equal to that fixed at the first day of September, nineteen hundred and forty-eight, for the purposes of rent allowance under the Police (Scotland) Regulations(a) for a married man of the corresponding rank in the police force in the police area in which the member of the brigade is stationed.

TABLE

Col. 1	Col. 2
Assistant Firemaster ...	40s. weekly
Divisional Officer... ...	40s. weekly
Column Officer	40s. weekly
Senior Company Officer ...	35s. weekly
Company Officer	35s. weekly

(*b*) For the purposes of this sub-paragraph—

(i) the corresponding rank in a police force to that of fireman and leading fireman shall be the rank of constable and the corresponding rank to that of section leader shall be that of sergeant; and

(a) S.R. & O. 1920 (No. 2113) II, p. 548 as amended. The 1920 Regulations have been reprinted as amended up to and including the 6th November, 1946.

(ii) if a member of the brigade is not living with his family and satisfies the firemaster that the only reason why he is not living with his family is that he is unable to find suitable accommodation for his family at a reasonable cost within a distance from his usual place of duty such that he can reasonably travel to his home for his off duty periods, he shall be deemed to be stationed where his family resides."

5. After paragraph 2 of Part II of the Fourth Schedule to the said Regulations there shall be inserted the following paragraph:—

" 2A—(1) In the year commencing on the sixth day of April, 1949, and in each subsequent year a member of a brigade who has, during the preceding year, paid income tax in respect of a supplementary allowance or any compensatory grant paid or made to him in respect of his service in the brigade shall be paid a compensatory grant.

(2) The amount of a compensatory grant shall be equal to the amount by which the income tax in fact deducted during the preceding year according to the tax tables prepared or prescribed by the Commissioners of Inland Revenue from the member's emoluments in respect of his service in the brigade is increased by virtue of the inclusion in such emoluments of a supplementary allowance or any compensatory grant made or paid to him.

(3) A compensatory grant may, except in the circumstances described in sub-paragraph (4) of this paragraph, be paid by such instalments throughout the year in which it is payable as the fire authority may determine.

(4) Where a member of a brigade leaves the brigade or dies whilst serving in the brigade he or his personal representatives, as the case may be, shall be paid the whole of the compensatory grant due to the member during that year and, in addition, shall be paid a further compensatory grant equal to the amount by which the income tax in fact deducted between the beginning of the year and the date on which he leaves the brigade or dies, according to the tax tables prepared or prescribed by the Commissioners of Inland Revenue, from the member's emoluments in respect of his service in the brigade during that period is increased by virtue of the inclusion in such emoluments of a supplementary allowance or any compensatory grant paid or made to him.

(5) For the purposes of this paragraph—

(*a*) the word " year " means the year commencing on the sixth day of April and ending on the following fifth day of April;

(*b*) the expression " supplementary allowance " means a supplementary allowance referred to in paragraph 2 or a rent allowance referred to in paragraph 1 of this Part of this Schedule and the expression " compensatory grant " means any such compensatory grant as is mentioned in this paragraph;

(*c*) where a member of a brigade has served more than once in the same brigade references in this paragraph to service in the brigade shall be construed as reference to his service therein since his last appointment thereto.

(6) For the purposes of sub-paragraph (1) of this paragraph any reference therein to a compensatory grant shall include a reference to any similar grant, under whatever authority made, which was made to a member of a brigade during the year preceding the sixth day of April, 1949."

6. After paragraph 4 of Part II of the Fourth Schedule to the said Regulations there shall be inserted the following paragraph:—

" 4A. Where a student attending at the central training institution or at a local training centre is for the purposes of such attendance provided with sleeping accommodation his meals and accommodation shall be provided without charge to him, and he shall not in that event be entitled to a lodging allowance under paragraph 3 of this Part of this Schedule."

7. After sub-paragraph (9) of paragraph 5 of Part II of the Fourth Schedule to the said Regulations there shall be inserted the following sub-paragraph:—

" (10) In relation to a student attending at the central training institution or at a local training centre who for the purpose of such attendance is provided with sleeping accommodation, the central training institution or the local training centre, as the case may be, shall, for the purposes of this paragraph, be deemed to be his normal place of duty."

8. At the end of paragraph 6 of Part II of the Fourth Schedule to the said Regulations (which provides for grants in respect of certain expenses incurred by members of brigades in consequence of their transfer to a brigade from the National Fire Service) there shall be inserted the following words:—

" or in moving from one home to another as a necessary consequence of an order by the fire authority ".

9.—(1) In sub-paragraph (1) of paragraph 10 of Part II of the Fourth Schedule to the said Regulations (which paragraph relates to payments to certain whole-time members of brigades who have undertaken certain obligations of retained part-time members in respect of periods when they would otherwise be off duty) for the words from " (*a*) annual retaining fees " to the end of the sub-paragraph there shall be substituted the words " an annual retaining fee in accordance with the provisions of sub-paragraph (2) of this paragraph and, subject to the provisions of sub-paragraph (3) of this paragraph, the remuneration described in paragraphs 3, 4 and 5 of the said Fifth Schedule to which he would be entitled if he were a retained member of the brigade ".

(2) For sub-paragraphs (3), (4), (5) and (6) of the said paragraph 10 there shall be substituted the following sub-paragraph:

" (3) In computing for the purposes of this paragraph any period of duty performed by a member of a brigade which is due to the obligations referred to in sub-paragraph (1) of this paragraph which he has undertaken any period during which he would have been on duty if he had not undertaken the said obligations shall be ignored."

10. For paragraph 1 of the Fifth Schedule to the said Regulations (which relates to the remuneration of retained members of brigades) there shall be substituted the following paragraph:—

" 1. A retained member of a brigade shall, subject to the provisions of paragraph 2 of this Schedule, be paid an annual retaining fee."

11. For paragraph 3 of the Fifth Schedule to the said Regulations (which relates to the turn-out fee paid to retained members of brigades) there shall be substituted the following paragraph:—

" 3.—(1) If while a male retained member of a brigade is on duty whether in response to a call or otherwise an appliance leaves the station in consequence of a fire or other occurrence and the member is required either to attend the fire or other occurrence, to stand by at another station

or to do telephone duties, he shall be entitled, in accordance with the succeeding provisions of this paragraph and the provisions of paragraph 5 of this Schedule, to the payments specified in those provisions.

(2) If the appliance leaves the station in consequence of a fire or to attend an occurrence necessitating immediate attention he shall be entitled to a turn-out fee.

(3) If the appliance leaves the station otherwise than in consequence of a fire and otherwise than to attend an occurrence necessitating immediate attention he shall be entitled to the payments specified in sub-paragraph (5) of this paragraph.

(4) The turn-out fee shall be that set opposite in the subjoined Table to the rank held by the retained member:—

TABLE

Company Officer or officer of higher rank...	16s.
Section Leader	14s.
Leading Fireman	12s.
Fireman	10s.

(5) The payment referred to in sub-paragraph (3) of this paragraph shall, in respect of each hour during which the member continues to do the duties which under sub-paragraph (1) of this paragraph entitle him to the payment, be that set opposite in the subjoined Table to the rank held by him.

TABLE

Company Officer or officer of higher rank...	4s.
Section Leader	4s.
Leading Fireman	3s.
Fireman	3s.

(6) For the purpose of this paragraph the expression "occurrence" includes an imaginary occurrence for the purposes of training and an occurrence shall be deemed to be one necessitating immediate attention if it is one to deal with which a call is sent out to retained members or would be so sent out if sufficient retained members were not already present."

12. In paragraph 5 of the Fifth Schedule to the said Regulations (which relates to payments to retained members of brigades who in certain circumstances have remained on duty for more than two hours) for the words "(*a*) in the case of a male retained member" to the end of the said paragraph there shall be substituted the words "in the case of a male retained member the amount set opposite in the Table subjoined to sub-paragraph (5) of paragraph 3 of this Schedule to the rank held by him and in the case of a female retained member 2s.".

13. In paragraph 6 of the Fifth Schedule to the said Regulations (which relates to the payment of retained members for certain work in connection with the functions of the fire authority) the words from "Any period of time exceeding fifteen minutes" to the end of the paragraph shall be omitted.

14. After paragraph 10 of the Fifth Schedule to the said Regulations there shall be inserted the following paragraph:—

"10A. A part-time member of a brigade who attends the central training institution or a local training centre as a student shall, so far as is necessary for the purpose of such attendance, be provided with meals and accommodation without charge to him and he shall not in that event be entitled to any payments under the preceding provisions of this Schedule."

15. At the end of paragraph 12 of the Fifth Schedule to the said Regulations there shall be added the following sub-paragraph:—

" (2) For the purposes of paragraphs 3 and 6 of this Schedule any period of time exceeding fifteen minutes over and above any continuous period of complete hours shall be reckoned as a complete hour and for the purposes of paragraph 5 of this Schedule any period of time exceeding fifteen minutes over and above any continuous period of complete hours after the first two hours therein referred to shall be reckoned as a complete hour."

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
21st August, 1948.

EXPLANATORY NOTE

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

These Regulations make fresh provision in regard to the conditions of service of members of fire brigades as respects the following matters, that is to say, an incremental scale of pay for the ranks of assistant firemaster, divisional officer, column officer, senior company officer and company officer (Regulation 2), the pay of leading firemen who before promotion were entitled to long service increments (Regulation 3), supplementary allowances (Regulation 4), compensatory grants (Regulation 5), the provision of accommodation and meals for students at the central training institution and at local training centres and the allowances to such persons (Regulations 6, 7 and 14) and grants payable on moving home in consequence of an order of a fire authority (Regulation 8). Regulations 9, 10 and 11 provide for a variation in certain cases in the turn-out fee payable to retained part-time members and to whole-time members who have undertaken certain obligations of retained members, and Regulations 12, 13 and 15 are consequential.

The Fire Services (Conditions of Service) (Scotland) (Amendment) (No. 3) Regulations, 1948

1948 No. 2818 (S.206)

Made - - - -	*22nd December,* 1948
Laid before Parliament	*29th December,* 1948
Coming into Operation	*1st January,* 1949

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) (Amendment) (No. 3) Regulations, 1948, shall apply to Scotland only, and shall come into operation on the first day of January, 1949.

(a) 10 & 11 Geo. 6. c. 41.