(*a*) if he has been suspended on the ground of absence from duty, such suspension allowance, if any, as may from time to time be directed by the firemaster;

(*b*) in any other case such suspension allowance not being less than half his pay as may from time to time be so directed:

Provided that—

(i) if the suspension of a member of a brigade terminates without his having been found guilty of an offence against discipline or a criminal offence, he shall receive in respect of the period of suspension the pay which he would, but for the suspension, have received less the amount of any suspension allowance paid to him;

(ii) where a member of a brigade is found guilty of an offence against discipline, the award in respect of the offence may contain a direction that the member shall be treated as having been suspended only for a specified part of the period of his suspension, and where a member is found guilty of a criminal offence the firemaster may give a similar direction, and where such a direction is given the member shall receive in respect of the remainder of that period of suspension the sum which he would have received in respect thereof if he had not been found guilty;

(iii) no suspension allowance shall be paid in respect of any period during which a member of a brigade is in legal custody following on a sentence of a court.

The Fire Services (Conditions of Service) (Scotland) (Amendment) Regulations, 1948

1948 No. 1499 (S. 133)

Made - - - -	*29th June*, 1948
Laid before Parliament	*1st July*, 1948
Coming into operation	*5th July*, 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) Regulations, 1948, and shall come into operation on the fifth day of July, 1948.

2. In the Third Schedule to the Fire Services (Conditions of Service) (Scotland) Regulations, 1948(**b**), (hereinafter referred to as "the principal Regulations") for paragraph 3 there shall be substituted the following paragraph:

"3. While a member of a brigade is on sick leave on full pay, his pay shall be reduced by the amount of:

(i) any sickness benefit to which he may be entitled under the National Insurance Act, 1946(**c**),

(ii) any injury benefit to which he may be entitled under the National Insurance (Industrial Injuries) Act, 1946(**d**),

(iii) any weekly payments which he may be entitled to receive under the Workmen's Compensation Acts, 1925 to 1943, as continued by subsection (1) of section eighty nine of the National Insurance (Industrial Injuries) Act, 1946(**d**), by way of compensation for the sickness or injury causing the infirmity, and

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(**a**) 10 & 11 Geo. 6. c. 41.
(**b**) S.I. 1948 No. 941, p. 1158 above.
(**c**) 9 & 10 Geo. 6. c. 67.
(**d**) 9 & 10 Geo. 6. c. 62.

(iv) any payments that he receives or is entitled to claim under any scheme made under the Personal Injuries (Emergency Provisions) Act, 1939(**a**):

Provided that in the case of a member of a brigade who on 4th July, 1948, is insured or treated as insured as a voluntary contributor under the National Health Insurance Acts, 1936 to 1941, no deduction shall be made from his pay in respect of any sickness benefit which he may be entitled to receive during the period 5th July, 1948, to 2nd January, 1949, inclusive."

3. In the Fifth Schedule to the principal Regulations, for subparagraph (3) of paragraph 11 there shall be substituted the following subparagraph:

" (3) In computing the loss of remuneration for the purposes of this paragraph there shall be deducted from such loss the amount of:

(i) any sickness benefit to which he may be entitled under the National Insurance Act, 1946(**b**),

(ii) any injury benefit to which he may be entitled under the National Insurance (Industrial Injuries) Act, 1946(**c**),

(iii) any weekly payments that he may be entitled to receive under the Workmen's Compensation Acts, 1925 to 1943, as continued by subsection 1) of section eighty nine of the National Insurance (Industrial Injuries) Act, 1946, by way of compensation for the sickness or injury causing the infirmity, and

(iv) any payments which he receives or is entitled to claim under any scheme made under the Personal Injuries (Emergency Provisions) Act, 1939(**d**):

Provided that in computing any such loss of remuneration in the case of a part time member of a brigade who on 4th July, 1948, is insured or treated as insured as a voluntary contributor under the National Health Insurance Acts, 1936 to 1941, there shall be disregarded any sickness benefit which he may be entitled to receive during the period 5th July, 1948, to 2nd January, 1949, inclusive."

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

St. Andrew's House,
Edinburgh, 1.
29th June, 1948.

EXPLANATORY NOTE

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

These Regulations amend the provisions of the Fire Services (Conditions of Service) (Scotland) Regulations, 1948, relating to the pay received by members of local authorities' fire brigades during sick and injury leave and are consequent upon the coming into operation of the National Insurance Act, 1946, and the National Insurance (Industrial Injuries) Act, 1946.

(**a**) 2 & 3 Geo. 6. c. 82.
(**b**) 9 & 10 Geo.6. c. 67.
(**c**) 9 & 10 Geo. 6. c. 62.
(**d**) 2 & 3 Geo. 6. c. 82.