(2) SCOTLAND

The Fire Services (Conditions of Service) (Scotland) Regulations, 1949

1949 No. 877 (S. 49)

Made - - - -	*4th May*, 1949
Laid before Parliament	*6th May*, 1949
Coming into Operation	*15th May*, 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. For paragraph 2 of Part I of the Fourth Schedule to the Fire Services (Conditions of Service) (Scotland) Regulations, 1948(**b**), there shall be substituted the following paragraph:—

"2.—(1) Subject to the provisions of this paragraph the rate of pay of an officer holding one of the ranks set out in the subjoined Table shall be in accordance with the scale which begins with the rate set opposite in the second column of the said Table to the rank which he holds and increases on the completion of each year of service in that 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 rate set opposite thereto in the fourth column of the said Table is reached:

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

Provided that—

(i) 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 appropriate scale in the said Table and thereafter the said scale shall apply as if this proviso had never applied to him, and

(ii) an officer, who served in the National Fire Service until the fifteenth day of May, 1948, entered a brigade on the sixteenth

(**a**) 10 & 11 Geo. 6. c. 41.
(**b**) S.I. 1948 (No. 941) I, p. 1158 and *see* S.I. 1948 (Nos. 1954 and 2818) I, pp. 1178 and 1183.

day of May, 1948, and served continuously therein from that date, shall, if on the fifteenth day of May, 1948, he was entitled to a rate of pay higher than or equal to the maximum rate in the fourth column of the said Table opposite to the rank which he held on the fifteenth day of May, 1949, be entitled so long as he holds that rank to pay at that maximum rate.

(2) Proviso (ii) to subparagraph (1) of this paragraph shall, subject to paragraph 5A of this Part of this Schedule, not apply to an officer while he is temporarily promoted and shall not apply to an officer who, on or after the sixteenth day of May, 1948, has been reduced in rank as a punishment save in relation to the rank to which he was reduced.

(3) The rate of pay of a group officer shall be £370 a year and the rate of pay of an assistant group officer shall be £300 a year."

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

" 5.—(1) A member of a brigade who—

(*a*) on the fifteenth day of May, 1949, held one of the following ranks, namely,

Assistant Firemaster, Divisional Officer, Column Officer, Senior Company Officer, Company Officer, Section Leader or Leading Fireman,

(*b*) holds the same rank as he held on that date,

(*c*) served in the National Fire Service until the fifteenth day of May, 1948, and entered a brigade on the sixteenth day of May, 1948, and

(*d*) has, since the sixteenth day of May, 1948, served continuously in a brigade,

shall, in reckoning his service for the purpose of the scales in paragraphs 2, 3 and 4 of this Part of this Schedule, be entitled to count a period or periods during which he held in the National Fire Service a rank higher than or equivalent to the rank which he holds :

Provided that—

(i) an officer shall not before the first day of January, 1950, be entitled to the rate of pay to which he would be entitled under the preceding provisions of this paragraph but shall be entitled to the minimum rate of pay for the rank which he holds together with, on the sixteenth day of May, 1949, an increase in that rate of pay equal to one half the difference between the said minimum rate and the rate of pay to which he would be entitled but for the preceding provisions of this proviso, and shall also be entitled on the date within the year beginning with the first day of January, 1949, on which he completes a period of service consisting of a whole number of years for the purposes of the preceding provisions of this Part of this Schedule, including any period which is reckoned as service for the purpose of this paragraph, or, if that date falls before the sixteenth day of May, 1949, shall be entitled on the said sixteenth day of May to a further increase in his rate of pay equal to the annual increment set out in the third column of the Table subjoined to subparagraph (1) of paragraph 2 of this Part of this Schedule opposite to the rank which he holds ;

(ii) a member who, either in the National Fire Service or on or after the sixteenth day of May, 1948, is or has been reduced in rank as a punishment shall not be entitled to count under this paragraph any period of service before the date of such reduction save in the rank to which he was reduced.

(2) For the purposes of this paragraph each of the ranks referred to in head (*a*) of subparagraph (1) of this paragraph shall be deemed to be the equivalent of the rank in the National Fire Service bearing the same title except in the case of Assistant Firemaster where the equivalent rank shall be that of Assistant Fire Force Commander.

(3) For the purposes of these Regulations " officer " means a member of a brigade who holds one of the ranks set out in the first column of the Table subjoined to subparagraph (1) of paragraph 2 of this Part of this Schedule.

(4) Subject to paragraph 5A of this Part of this Schedule, this paragraph shall not apply to a member while he is temporarily promoted."

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

" 5A. For the purposes of the preceding provisions of this Part of this Schedule a member of a brigade who has been temporarily promoted and—

(*a*) whose temporary promotion is made permanent shall, subject to paragraph 5 of this Part of this Schedule, count his service in that rank only from the date on which his promotion was made permanent;

(*b*) who reverts to the rank which he held immediately before he was temporarily promoted, shall thereafter be deemed to have held the rank to which he has so reverted during the period of his temporary promotion."

4. At the end of paragraph 8 of Part I of the Fourth Schedule to the said Regulations there shall be added the following subparagraph:—

" (2) In reckoning service in the brigade of a fireman or firewoman who, having been discharged from the National Fire Service, joins the brigade on or after the sixteenth day of June, 1948, for the purposes of paragraphs 6 and 7 of this Part of this Schedule there may, if the fire authority think fit, be included the whole or any part of any period of service which would have been included under subparagraph (1) of this paragraph had be joined before the said date."

5. After subparagraph (2) of paragraph 10 of Part I of the Fourth Schedule to the said Regulations there shall be added the following subparagraph:—

" (3) For the purposes of proviso (ii) to subparagraph (1) of paragraph 2 and of paragraph 5 of this Part of this Schedule—

(*a*) a member of a brigade who has transferred thereto from another brigade shall be deemed to have served continuously in the brigade to which he has transferred; and

(*b*) a member of a brigade who has, before joining the brigade, retired from another brigade may, if the fire authority see fit, be deemed to have served continuously in the brigade which he has joined and subparagraph (2) of this paragraph shall apply accordingly."

6. These Regulations may be cited as the Fire Services (Conditions of Service) (Scotland) Regulations, 1949, shall apply to Scotland only, and shall come into operation on the 15th day of May, 1949.

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

Dated this 4th day of May, 1949.

Arthur Woodburn,
One of His 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.)

These Regulations amend the Fire Services (Conditions of Service) (Scotland) Regulations, 1948, for the purpose of making further provision in relation to the application of pay scales of members of fire brigades. Regulation 1 makes provision for the taking into account of salary in the National Fire Service.

Regulations 2, 4 and 5 make provision for the counting of service in the National Fire Service and elsewhere. Regulation 3 deals with the effect of temporary promotion.

The Fire Services (Conditions of Service) (Scotland) (Amendment) Regulations, 1949

1949 No. 1634 (S. 113)

Made - - - -	30*th August,* 1949
Laid before Parliament	1*st September,* 1949
Coming into Operation	5*th September,* 1949

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

1. After the words " annual leave " in Regulation 6 of the Fire Services (Conditions of Service) (Scotland) Regulations, 1948(**c**), there shall be inserted the words " and leave for specified public and local holidays ".

2. In the heading to the Second Schedule to the said Regulations after the words " annual leave " there shall be inserted the words " and leave for specified public and local holidays ", and at the end of the said Schedule there shall be added the following paragraph:—

" 2.—(1) Every member of a brigade shall, so far as the exigencies of duty permit, be granted a day's leave on New Year's Day, Christmas Day and on the local autumn holiday.

(**a**) 52 & 53 Vict. c. 63.
(**b**) 10 & 11 Geo. 6. c. 41.
(**c**) S.I. 1948 (No. 941) I, p. 1158 as amended by S.I. 1948 (Nos. 1499, 1954 and 2818) I, pp. 1176–83 and S.I. 1949 No. 877, p. 1681 above.