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.

***4.** After paragraph 10 of Part I of the Fourth Schedule to the said Regulations there shall be inserted the following paragraph:—

" 10A.—(1) Notwithstanding anything in this part of this Schedule a fire authority may on the request of a member of a fire brigade grant him unpaid leave and in respect of such a period of unpaid leave he shall not be entitled to any pay.

(2) In calculating a period of service in a rank for the purposes of paragraphs 2, 3 and 4 of this Part of this Schedule and service in a brigade for the purposes of paragraph 6 or sub-paragraphs (1), (2) and (3) of paragraph 7 of this Part of this Schedule, no account shall be taken of any period of unpaid leave granted under this paragraph unless the fire authority otherwise determine, and any anniversary for the said purposes shall be adjusted accordingly."

***5.** After paragraph 11 of Part I of the Fourth Schedule to the said Regulations there shall be added the following paragraph:—

" 12.—(1) A member of a brigade who—

(*a*) has performed for a continuous period of twenty-eight days the duties of another member of the brigade of a higher rank or has performed such duties for an aggregate equal to twenty-eight days of periods each of which is a continuous period exceeding three days; and

(*b*) thereafter performs such duties for a continuous period exceeding three days

shall be entitled to additional pay in respect of the last-mentioned period.

(2) The additional pay to which a member of a brigade is entitled under the preceding sub-paragraph shall be at a rate equal to half the difference between the minimum of the scale of pay for the rank he holds and the minimum of the scale of pay for the rank held by the member whose duties he is required to perform:

Provided that the rate of additional pay of the first-mentioned member shall be such that when added to the pay to which he is entitled without such additional pay the aggregate is not less than the minimum nor greater than the maximum rate of pay for the rank held by the second-mentioned member.

(3) A member of a brigade who is temporarily promoted for the purpose of performing the duties of another member of the brigade of higher rank shall, if the pay to which he is entitled in the rank to which he is temporarily promoted is less than that to which he would have been entitled if he had not been promoted but had, in respect of the performance of those duties, become entitled to additional pay under the preceding sub-paragraphs of this paragraph, be entitled to additional pay equal to the difference.

(4) This paragraph shall only apply where the member of the brigade of a higher rank whose duties are performed is on sick leave or is temporarily posted to other duties, and shall not apply to a member of the brigade who is designated deputy firemaster."

***6.** In sub-paragraph (4) of paragraph 2 of Part II of the Fourth Schedule to the said Regulations, for the words " he is provided by the fire authority with free residential accommodation " there shall be substituted the following words:—

" (*a*) he is provided by the fire authority with free residential accommodation, or

* For new Fourth Schedule substituted by S.I. 1950 No. 887, *see* pp. 707–19 below.

(*b*) he is on unpaid leave, unless the fire authority determine that supplementary allowance shall be paid to him during that period of unpaid leave."

***7.**—(1) In sub-paragraph (1) of paragraph 2A of Part II of the Fourth Schedule to the said Regulations after the words " paid or made to him " there shall be inserted the words " either in the period commencing on the sixteenth day of May, 1948, and ending on the fifth day of April, 1949, or "

(2) In sub-paragraph (2) of the said paragraph after the words " from the member's emoluments " there shall be inserted the words " either in the period commencing on the sixteenth day of May, 1948, and ending on the fifth day of April, 1949, or ".

(3) At the end of sub-paragraph (6) of the said paragraph there shall be added the words " or during the year preceding the sixth day of April, 1950."

***8.** For paragraph 6 of Part II of the Fourth Schedule to the said Regulations there shall be substituted the following paragraph :—

" **6.**—(1) A fire authority may pay grants in circumstances and of amounts approved by the Secretary of State in respect of expenses incurred by members of brigades in taking up duty in consequence of their transfer to the brigade from the National Fire Service.

(2) Where as a consequence of a change of station within the same brigade a member of a brigade proposes to move from one home to another and the fire authority is satisfied that the removal is necessary—

(*a*) the fire authority may require him to submit not more than three tenders by contractors for the cost of the removal, and shall pay him a sum equal to the actual cost of removal or, if tenders are required by them, the amount of the tender approved by them, whichever is the less ;

(*b*) the fire authority may pay to him grants of amounts not exceeding those approved by the Secretary of State in respect of any expenses incidental to such removal, other than the cost of removal."

9. For paragraph 10A of the Fifth Schedule to the said Regulations there shall be substituted the following paragraph : —

" 10A.—(1) A part-time member of a brigade who attends a central training institution as a student or a local training centre as a student or instructor shall, so far as is necessary for the purpose of such attendance, be provided with meals and accommodation without charge to him.

(2) A part-time member of a brigade who attends a central training institution or a local training centre as a student may be granted compensation for remuneration lost in his private employment by reason of such attendance calculated in accordance with sub-paragraph (2) of paragraph 9 of this Schedule.

(3) A part-time member of a brigade shall not in respect of any such attendance as aforesaid be entitled to any payment under the preceding provisions of this Schedule ".

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

St. Andrew's House,
Edinburgh, 1.
18th March, 1950.

* For new Fourth Schedule substituted by S.I. 1950 No. 887, *see* pp. 707–19 below.

EXPLANATORY NOTE

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

Regulation 3 provides that service during a temporary promotion shall count on permanent promotion for the purpose of reckoning pay. Regulation 4 provides that unpaid leave may be granted and Regulation 6 is consequential thereon. Regulation 5 provides for the grant of an allowance to a member of a brigade performing the duties of another member of the brigade of higher rank. Regulation 7 deals with compensatory grant. Regulations 8 and 9 re-enact with amendments the existing provisions relating respectively to removal expenses and to compensation for loss suffered in private employment by part-time members in consequence of their attendance at training schools.

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

1950 No. 887 (S. 58)

Made - - - -	30*th May*, 1950
Laid before Parliament	31*st May*, 1950
Coming into Operation	1*st June*, 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) (Amendment) Regulations, 1950, and shall come into operation on the first day of June, 1950.

2. For the Fourth Schedule to the Fire Services (Conditions of Service) (Scotland) Regulations, 1948(b), there shall be substituted the Fourth Schedule set out in the Schedule hereto.

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

St. Andrew's House,
Edinburgh, 1.
30th May, 1950.

(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;
S.I. 1948 (No. 2818) I, p. 1183;
S.I. 1949 (No. 877) I, p. 1681;
S.I. 1949 (No. 1634) I, p. 1684;
S.I. 1949 (No. 2253) I, p. 1686;
S.I. 1950 No. 405, p. 703 above.