1957 No. 399 (S. 20)

The Fire Services (Conditions of Service) (Scotland) Regulations, 1957

Made - - - -	8*th March*, 1957
Laid before Parliament	15*th March*, 1957
Coming into Operation	19*th March*, 1957

In exercise of the powers conferred on me by subsection (1) of section 17 of the Fire Services Act, 1947(a), I hereby make the following Regulations:—

1. For paragraph 2 of the Second Schedule to the Fire Services (Conditions of Service) (Scotland) No. 2 Regulations, 1954(b) (which refers to leave for specified public and local holidays of whole-time members of a brigade), there shall be substituted the following paragraph:—

"2.—(1) Every whole-time member of a brigade shall, so far as the exigencies of duty permit, be granted (in addition to the annual leave provided for under the foregoing paragraph) a day's leave on each of six public or local holidays during the year. Such holidays shall be New Year's Day, Christmas Day and the local autumn holiday, and such other three days as shall be selected by the fire authority in consultation with the accredited representatives of the whole-time members of the brigade.

(2) If on any of the aforesaid public or local holidays a member is required to do duty he shall be granted a day's leave in lieu within twelve months after that public or local holiday."

2.—(1) In the Fourth Schedule to the said Regulations of 1954, as set out in the Second Appendix to the Fire Services (Conditions of Service) (Scotland) Amendment No. 2 Regulations, 1955(c), after sub-paragraph (3) of paragraph 19 (which relates to removal expenses allowance), there shall be inserted the following sub-paragraph:—

"(3A) Where the expenses incidental to such a removal as is referred to in sub-paragraph (1) of this paragraph include expenses arising from the sale or purchase of, the assignation of a lease of, or the taking on lease of, a dwelling-house, the fire authority shall pay a grant equal to eighty-five per cent. of such of the following expenses as are actually and properly incurred, that is to say:—

(i) in respect of the said sale or assignation, legal expenses and any fee payable to a professional person;

(ii) in respect of the said purchase or taking on lease, legal expenses, any fee payable to a professional person but not more than one survey fee, and any fee incidental to the obtaining of a loan;

Provided that no grant shall be paid—

(*a*) in respect of such a sale or assignation if it is not solely attributable to the removal;

(*b*) in respect of such a purchase or taking on lease if the fire authority are willing to provide suitable residential accommodation;

(*c*) in excess of £85 in respect of the sale and £85 in respect of the purchase."

(a) 10 & 11 Geo. 6. c. 41. (b) S.I. 1954/1154 (1954 I, p. 874).
(c) S.I. 1955/1828 (1955 I, p. 895).

(2) At the end of sub-paragraph (4) of the said paragraph 19 there shall be added the words " or any expense specified in sub-paragraph (3A) of this paragraph ".

3.—(1) For sub-paragraphs (1) (*a*) and (1) (*b*) of paragraph 23 of the said Fourth Schedule (which relates to overtime allowance), there shall be substituted the following sub-paragraphs:—

" (*a*) in the case of a sub-officer at the rate of 6s. an hour; and

(*b*) in any other case, at the rate of 5s. an hour."

(2) At the end of the said paragraph 23 the following sub-paragraph shall be added:—

" (3) Where the aggregate period of overtime duty performed in any month includes a fractional part of an hour, that fractional part shall, for the purposes of this paragraph, be disregarded if it amounts to less than half an hour, or treated as an hour if it amounts to or exceeds half an hour."

4. In sub-paragraph (1) of paragraph 26 of the said Fourth Schedule (which relates to the allowance for performing the duties of a higher rank) for the words " and (*b*) thereafter performs such duties for a continuous period exceeding three days, shall be entitled to an allowance in respect of the last-mentioned period " there shall be substituted the words " shall be entitled to an allowance in respect of any period thereafter during which he performs such duties ".

5. These Regulations may be cited as the Fire Services (Conditions of Service) (Scotland) Regulations, 1957, and shall come into operation on the 19th day of March, 1957.

Dated this 8th day of March, 1957.

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.)

These Regulations amend the Fire Services (Conditions of Service) (Scotland) No. 2 Regulations, 1954. Regulation 1 increases from three to six the number of public and local holidays that may be granted to members of fire brigades during the year and increases the period in which days in lieu may be taken. Regulation 2 includes in the removal expenses allowance, to which certain members are entitled, legal and other expenses involved in the acquiring or disposing of a house. Regulation 3 makes fresh provision as to payment of the overtime allowance for a fraction of an hour. Regulation 4 reduces the period which has to be spent in performing the duties of a higher rank before an allowance in respect thereof is payable.