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

7. These Regulations may be cited as the Fire Services (Pensionable Employment) Regulations, 1952, and shall come into operation on the sixteenth day of May, 1952.

David Maxwell Fyfe,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
8th May, 1952.

EXPLANATORY NOTE

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

These Regulations provide that when a pensionable member of a fire brigade enters other pensionable employment under a local authority he shall be enabled to reckon his pensionable service in the fire brigade for pension purposes in his new employment and that in such case the fire authority shall pay a transfer value.

1952 No. 2167

The Fire Services (Pensions Increase) Regulations, 1952

Made - - - -	12*th December*, 1952
Laid before Parliament	13*th December*, 1952
Coming into Operation	15*th December*, 1952

In pursuance of the powers conferred upon me by section two of the Pensions (Increase) Act, 1952(b), I hereby make the following Regulations:—

PART I

THE FIRE BRIGADE PENSIONS ACT, 1925

Widows' pensions

1. Where a widow becomes or has become entitled to a pension under subsection (1) of section three of the Fire Brigade Pensions Act, 1925(c), then that pension shall be increased in accordance with paragraph 1 of the Schedule:

Provided that if the said pension is an ordinary pension payable in respect of a person who died while serving in, or who retired from, the National Fire Service on or after the thirty-first day of March, 1948, then—

(*a*) where the said pension is calculated in accordance with scale (i) of paragraph 6 of the Schedule to the said Act it shall be increased in accordance with paragraphs 1 and 2 of the Schedule; and

(a) 52 & 53 Vict. c. 63. (b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 45.
(c) 15 & 16 Geo. 5. c. 47.

(*b*) the said pension in respect of each week shall be calculated in accordance with scale (i) or scale (ii) of the said paragraph 6, according to whichever scale would give the higher amount in respect of that week, after taking into account any increase conferred by virtue of the Pensions (Increase) Acts, 1944 and 1947(**a**), or this Regulation.

Children's allowances

2. Where a child becomes or has become entitled to an allowance under subsection (1) of section three of the Fire Brigade Pensions Act, 1925, that allowance shall be increased in accordance with paragraph 1 of the Schedule:

Provided that if the said allowance is payable in respect of a person who died while serving in, or who retired from, the National Fire Service on or after the thirty-first day of March, 1948, then—

(*a*) where the said allowance is calculated in accordance with paragraph 10 of the Schedule to the said Act, it shall be increased in accordance with paragraphs 1 and 2 of the Schedule; and

(*b*) where the said allowance is calculated in accordance with paragraph 9 of the Schedule to the said Act, it shall not be less in respect of any week than it would have been if calculated in accordance with paragraph 10 of the Schedule to the said Act after taking into account any increase conferred by virtue of the Pensions (Increase) Acts, 1944 and 1947, or this Regulation.

PART II

THE POLICE PENSIONS ACT, 1921

Awards to which this Part of these Regulations applies

3. This Part of these Regulations shall apply only to an award under the Police Pensions Act, 1921(**b**)—

(*a*) in respect of a person to whom the National Fire Service (Preservation of Pensions) (Police Firemen) Regulations, 1941(**c**), applied at the time of his death or retirement;

(*b*) as applied by the Leicester Fire Brigade Provisional Order Confirmation Act, 1925(**d**); or

(*c*) as applied by section eighty of the Birmingham Corporation Act, 1922(**e**).

Widows' pensions

4. Where a widow becomes or has become entitled to a pension under section three of the Police Pensions Act, 1921, then that pension shall be increased in accordance with paragraph 1 of the Schedule:

Provided that if the said pension is an ordinary pension payable in respect of a person who died while serving in, or who retired from, the National Fire Service on or after the thirty-first day of March, 1948, then—

(*a*) where the said pension is calculated in accordance with scale (i) of paragraph 6 of the First Schedule to the said Act, it shall be increased in accordance with paragraphs 1 and 2 of the Schedule; and

(*b*) the said pension in respect of each week shall be calculated in accordance with scale (i) or scale (ii) of the said paragraph 6, according to whichever scale would give the higher amount in respect of that week, after taking into account any increase conferred by virtue of the Pensions (Increase) Acts, 1944 and 1947, or this Regulation.

(**a**) 7 & 8 Geo. 6. c. 21 and 10 & 11 Geo. 6. c. 7. (**b**) 11 & 12 Geo. 5. c. 31.
(**c**) S.R. & O. 1941/1271; 1941 I, p. 328; and *see* S.R. & O. 1945/1649; 1945 I, p. 389.
(**d**) 15 & 16 Geo. 5. c. lxxvi. (**e**) 12 & 13 Geo. 5. c. lxxvi.

Children's allowances

5. Where a child becomes or has become entitled to an allowance under section four of the Police Pensions Act, 1921, that allowance shall be increased in accordance with paragraph 1 of the Schedule:

Provided that if the said allowance is calculated in accordance with paragraph 10 of the First Schedule to the said Act and is payable in respect of a person who died while serving in, or who retired from, the National Fire Service on or after the thirty-first day of March, 1948, it shall be increased in accordance with paragraphs 1 and 2 of the Schedule.

PART III

THE POLICE ACT, 1890

Awards to which this Part of these Regulations applies

6. This Part of these Regulations shall apply only to an award under the Police Act, 1890(a)—

(*a*) as applied by section thirteen of the Salford Improvement Act, 1893(b);

(*b*) as applied by section sixty-three of the Bolton Tramways and Improvement Act, 1897(c);

(*c*) as applied by section one hundred and eighty-seven of the Derby Corporation Act, 1901(d);

(*d*) as applied by section fifty of the Leicester Corporation Act, 1908(e); or

(*e*) as applied by section forty-six of the Birmingham Corporation Act, 1914(f).

Widows' pensions and children's allowances

7. Where a widow or a child has become entitled to a pension or an allowance under section two of the Police Act, 1890, then that pension or allowance shall be increased in accordance with paragraph 1 of the Schedule:

Provided that if the said pension or allowance is payable in respect of a person who died while serving in, or who retired from, the National Fire Service on or after the thirty-first day of March, 1948, it shall be increased in accordance with paragraphs 1 and 2 of the Schedule.

PART IV

THE METROPOLITAN FIRE BRIGADE ACT, 1865

Widows' pensions and children's allowances

8. Where a widow or child becomes or has become entitled to a pension or allowance under Regulations made under section eight of the Metropolitan Fire Brigade Act, 1865(g), then that pension or allowance shall be increased in accordance with paragraph 1 of the Schedule:

Provided that a widow's pension payable under Regulation 335 (*c*) of the said Regulations in respect of a person who died while serving in, or who retired from, the National Fire Service on or after the thirty-first day of March, 1948, shall be increased in accordance with paragraphs 1 and 2 of the Schedule.

(a) 53 & 54 Vict. c. 45.
(b) 56 & 57 Vict. c. xxxi.
(c) 60 & 61 Vict. c. cxxxiv.
(d) 1 Edw. 7. c. cclxvii.
(e) 8 Edw. 7. c. lvi.
(f) 4 & 5 Geo. 5. c. cvi.
(g) 28 & 29 Vict. c. 90.

PART V

THE WEST HAM CORPORATION ACT, 1925

Widows' pensions and children's allowances

9. Where a widow or a child becomes or has become entitled to a pension or an allowance under Regulations made under section eighty-eight of the West Ham Corporation Act, 1925(**a**), then that pension or allowance shall be increased in accordance with paragraph 1 of the Schedule:

Provided that if the said pension or allowance is payable in respect of a person who died while serving in, or who retired from, the National Fire Service on or after the thirty-first day of March, 1948, it shall be increased in accordance with paragraphs 1 and 2 of the Schedule.

PART VI

OTHER PENSION PROVISIONS

Widows' and children's awards

10.—(1) Where a widow or a child becomes or has become entitled to an award, other than an award specified in paragraph (2) of this Regulation, under any statutory provision in respect of the husband's or the father's service as a professional fireman as defined by the Fire Brigade Pensions Act, 1925, or in respect of service which is treated as approved service in a fire brigade, then that award shall be increased in accordance with paragraph 1 of the Schedule.

(2) The specified awards are—

(*a*) any award under any scheme in force under section twenty-six of the Fire Services Act, 1947(**b**);

(*b*) any award to which any of the preceding Regulations applies; and

(*c*) any award granted in consideration of the surrender of part of a pension payable to the husband or father.

(3) Where an award under a local Act scheme within the meaning of the Local Government Superannuation Act, 1937(**c**), or the Local Government Superannuation (Scotland) Act, 1937(**d**), is increased under this Regulation, then the provisions of subsections (2) and (3) of section five of the Pensions (Increase) Act, 1952, shall apply as though that award were a pension specified in paragraph 1 of Part II of the First Schedule to that Act.

PART VII

INTERPRETATION, COMMENCEMENT AND CITATION

Interpretation

11.—(1) In these Regulations any reference to any statutory provision shall be construed as including a reference to that statutory provision as amended, applied or extended under the Fire Services (Emergency Provisions) Act, 1941(**e**), or by any other subsequent statutory provision.

(**a**) 15 & 16 Geo. 5. c. cxii. (**b**) 10 & 11 Geo. 6. c. 41.
(**c**) 1 Edw. 8 & 1 Geo. 6. c. 68. (**d**) 1 Edw. 8. & 1 Geo. 6. c. 69.
(**e**) 4 & 5 Geo. 6 c. 22.

(2) In these Regulations the expression "statutory provision" means a provision, whether of a general or a special nature, contained in, or in any document made or issued under, any Act, whether of a general or special nature.

(3) In these Regulations the expression "the Schedule" means, except where the context otherwise requires, the Schedule to these Regulations.

Citation, operation and commencement

12.—(1) These Regulations may be cited as the Fire Services (Pensions Increase) Regulations, 1952.

(2) These Regulations shall come into operation on the fifteenth day of December, 1952, and shall have effect as from the first day of October, 1952.

David Maxwell Fyfe,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
12th December, 1952.

SCHEDULE

Increase of Awards

1. Where it is provided in these Regulations that an award shall be increased in accordance with this paragraph, it shall be increased in the like manner and on the like conditions as if it were a pension specified in Part II of the First Schedule to the Pensions (Increase) Act, 1952, and as if any reference in the Second Schedule to that Act—

(*a*) to a relevant pension included a reference to an award to which any of these Regulations applies; and

(*b*) to the authorised increase included a reference to an increase in accordance with this Schedule.

2. Where it is so provided that an award shall be increased in accordance with the preceding paragraph and this paragraph, it shall be deemed to begin, for the purposes of the said Act, before the first day of April, 1948.

EXPLANATORY NOTE

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

These Regulations provide for increases in the pensions and allowances granted to widows and children of firemen who died or retired before the coming into operation of the Fire Services Act, 1947, in England and Wales on the 1st April, 1948, and in Scotland on the 16th May, 1948.