(2) SCOTLAND

The Fire Services (Transfer of Persons) (Scotland) Regulations, 1948

1948 No. 875 (S. 58)

Made - - - -	*23rd April,* 1948
Laid before Parliament	*27th April,* 1948
Coming into Operation	*1st May,* 1948

In exercise of the power conferred on me by paragraphs three and four of the Fifth Schedule to the Fire Services Act, 1947(a), I hereby make the following Regulations:—

1. These regulations may be cited as the Fire Services (Transfer of Persons) (Scotland) Regulations, 1948, shall come into operation on the 1st day of May, 1948, and shall extend to Scotland only.

2.—(1) In these regulations, unless the context otherwise requires:—

(*a*) " fireman " means a person who immediately before the appointed day is serving (whether voluntarily or under contract) in the National Fire Service as a member thereof holding a rank therein, not being a person to whom a notice, taking effect immediately before the said day, has been given discharging him from the said service.

(*b*) " operational fire station " means a fire station wherein are accommodated mobile fire-fighting appliances which are constantly available to attend fires and includes a building or premises in which are located the headquarters staff of a Fire Force.

(2) The Interpretation Act, 1889(b), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3.—(1) Subject to the provisions of this Regulation every fireman shall by virtue of this Regulation on the appointed day be transferred to, and become a member with the rank of fireman of, the fire brigade to be maintained under the Fire Services Act, 1947(a), by the fire authority for the area in which is situated the place where he is stationed as a member of the National Fire Service immediately before the said day.

(2) The provision of the foregoing paragraph shall not apply to a fireman who on the appointed day becomes a member of a fire brigade under any agreement made between him and the fire authority administering the fire brigade.

(3) For the purposes of this Regulation a fireman not stationed at an operational fire station immediately before the appointed day shall be deemed to be then stationed at the operational station at which he was last stationed before the appointed day.

(4) If any question arises under this Regulation as to the operational fire station at which a person is stationed immediately before the appointed day, or was last stationed before that day, it shall be referred to, and determined by, the Secretary of State.

(a) 10 & 11 Geo. 6. c. 41. (b) 52 & 53 Vict. c. 63.

(5) Persons transferred by virtue of this Regulation to a fire brigade shall become whole or part-time members thereof according as, immediately before their transfer, they were whole or part-time members of the National Fire Service.

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

St. Andrew's House,
Edinburgh, 1.
23rd April, 1948.

EXPLANATORY NOTE

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

Under these Regulations every member of the National Fire Service holding a rank whose service has not been terminated by notice will on the appointed day be transferred to a fire brigade to be maintained under the Fire Service Act, 1947, by a fire authority (unless he has already received an appointment in a brigade).

10. TRANSFER OF PROPERTY

(1) *England.* | (2) *Scotland*, p. 1193.

(1) ENGLAND

The Fire Services (Transfer of Property) Regulations, 1948

1948 No. 465

Made - - - -	*8th March*, 1948
Laid before Parliament	*9th March*, 1948
Coming into Operation	*15th March*, 1948

In pursuance of the powers conferred on me by paragraphs 3, 7, 8 and 9 of the Fifth Schedule to the Fire Services Act, 1947(a), I hereby make the following Regulations:—

1. Subject to the provisions of Regulation 6 of these Regulations, all land vested immediately before the appointed day on behalf of His Majesty for the purposes of the National Fire Service, and all rights and liabilities in relation to land enjoyed or incurred on behalf of His Majesty for the said purposes and existing immediately before the said day shall, on the said day, by virtue of this Regulation and without more, be transferred to the fire authority for the area in which is situated the land vested as aforesaid, or, as the case may be, in relation to which the said rights or liabilities exist:

Provided that nothing in this Regulation shall operate to transfer any land, or any rights or liabilities in relation to any land, as respects which notification has been given before the appointed day on behalf of the Secretary of State to the authority which will on the said day become the fire authority for the area in which the land is situated that the land, or, as the case may be, the rights or liabilities, shall not be transferred to that authority.

(a) 10 & 11 Geo. 6. c. 41.