STATUTORY INSTRUMENTS

1963 No. 2073

FIRE SERVICES

The Firemen's Pension Scheme (Amendment) Order 1963

Made - - - -	*17th December* 1963
Laid before Parliament	*30th December* 1963
Coming into Operation	*1st January* 1964

In exercise of the powers conferred on me by section 26(1), (2) and (5) of the Fire Services Act 1947(a), as amended by section 1(3) of the Fire Services Act 1951(b), I hereby, with the approval of the Treasury and after consultation with the Central Fire Brigades Advisory Council and the Scottish Central Fire Brigades Advisory Council, make the following Order:—

1. After Article 59 of the principal Scheme there shall be inserted the following Article:—

"*Permanent employment as an instructor*

59A.—(1) This Article shall apply in the case of a person who ceases or has ceased to perform duties as a regular fireman in order to enter employment on duties connected with the provision of fire services, being permanent employment as an instructor at the central training institution or any training centre maintained by the Secretary of State under section 23 of the principal Act.

(2) In the case of such a person as is mentioned in paragraph (1), the employment therein mentioned (hereafter in this paragraph referred to as "the relevant employment") shall, on and after 1st January 1964, be treated for the purposes of this Scheme as employment as a member of a brigade and this Scheme shall apply in relation to that employment as if—

(*a*) he were a regular fireman and his duties were his duties as such;

(*b*) any reference to a brigade were a reference to the relevant employment;

(*c*) any reference to a fire authority were a reference to the Secretary of State;

(*d*) the reference to a court of quarter sessions in Article 40(1) were a reference to the court of quarter sessions for any county or borough in which the central training institution or training centre, as the case may be, is situate;

(*e*) the reference to the sheriff in Article 40(5) were a reference to the sheriff having jurisdiction in the place where the central training institution or training centre, as the case may be, is situate; and

(*f*) Articles 44, 62B and 62C were omitted.".

(a) 10 & 11 Geo. 6. c. 41. (b) 14 & 15 Geo. 6. c. 27.

2. After Article 61 of the principal Scheme there shall be inserted the following Article:—

"*Application of Scheme in cases of compulsory transfer*

61A. In relation to a member of a fire brigade who is transferred to another fire brigade—

(*a*) in England or Wales, by or under an order made under Part VI of the Local Government Act 1933(a), under Part II of the Local Government Act 1958(b) or under section 6 or 84 of the London Government Act 1963(c) or by or under a scheme made under section 5, 6 or 9 of the principal Act;

(*b*) in Scotland, by or under an order made under section 36(8) of the principal Act,

this Scheme shall apply as though the brigade to which he is transferred and the authority maintaining that brigade were, respectively, the same brigade and authority as the brigade from which he is transferred and the authority maintaining that brigade.".

3. In this Order a reference to the principal Scheme is a reference to the Firemen's Pension Scheme 1956 (set out in the Appendix to the Firemen's Pension Scheme Order 1956(d)), as amended(e).

4. This Order may be cited as the Firemen's Pension Scheme (Amendment) Order 1963 and shall come into operation on 1st January 1964.

Henry Brooke,
One of Her Majesty's Principal Secretaries of State.

17th December 1963.

We approve,

John Peel,
Martin McLaren,
Two of the Lords Commissioners of Her Majesty's Treasury.

17th December 1963.

EXPLANATORY NOTE

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

This Order amends the Firemen's Pension Scheme 1956, set out in the Appendix to the Firemen's Pension Scheme Order 1956.

Article 1 provides that a regular fireman who becomes a permanent instructor at the central training institution or any training centre maintained under section 23 of the Fire Services Act 1947 shall continue to be pensionable under the Scheme and that the Secretary of State shall be his pension authority.

Article 2 provides that the Scheme shall apply in the case of a fireman who is transferred from one brigade to another by virtue of specified enactments (e.g., by virtue of the Local Government Act 1958 and an order effecting local government reorganisation) as if his employment before and after transfer were one continuous employment.

(a) 23 & 24 Geo. 5. c. 51. (b) 6 & 7 Eliz. 2. c. 55. (c) 1963 c. 33.
(d) S.I. 1956/1022 (1956 I, p. 953).
(e) The relevant amending instrument is S.I. 1959/1495 (1959 I, p. 1289).