1952 No. 2166

The Firemen's Pension Scheme (No. 3) Order, 1952

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

In exercise of the powers conferred on me by section twenty-six of the Fire Services Act, 1947(**a**), and section two of the Pensions (Increase) Act, 1952(**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:—

PART I

AMENDMENTS OF THE FIREMEN'S PENSION SCHEME, 1952, AS AMENDED(**c**), RELATING TO INCREASES IN WIDOWS' AND CHILDREN'S AWARDS

1. In paragraph (1) of Article 4 of the Firemen's Pension Scheme, 1952, as set out in the First Appendix to the Firemen's Pension Scheme Order, 1952 (hereinafter called " the Scheme of 1952 ")(**d**), for the words " The amount of the said pension shall be determined in accordance with the Third Schedule to this Scheme " there shall be substituted the words " The amount of a widow's ordinary pension, including such a pension granted before the first day of October, nineteen hundred and fifty-two, shall be determined in accordance with the Third and Sixteenth Schedules to this Scheme.".

2. In paragraph (1) of Article 5 of the Scheme of 1952 for the words from " The amount of the said allowance " to the end of the said paragraph there shall be substituted the words " The amount of a child's ordinary allowance, including such an allowance granted before the first day of October, nineteen hundred and fifty-two, shall be determined in accordance with Part I of the Fifth Schedule to this Scheme ; but the provisions of this Article and of the said Part I shall have effect subject to the provisions of Part II of that Schedule and of the Sixteenth Schedule to this Scheme.".

3. For paragraph (2) of Article 7 of the Scheme of 1952 there shall be substituted the following paragraph:—

" (2) The amount of a widow's special pension, including such a pension granted before the first day of October, nineteen hundred and fifty-two, shall be determined in accordance with the Seventh and Sixteenth Schedules to this Scheme.".

4. For paragraph (2) of Article 8 of the Scheme of 1952 there shall be substituted the following paragraph:—

" (2) The amount of a child's special allowance, including such an allowance granted before the first day of October, nineteen hundred and fifty-two, shall be determined in accordance with Part I of the Eighth Schedule to this Scheme, but the provisions of this Article and of the said Part I shall have effect subject to the provisions of Part II of that Schedule and of the Sixteenth Schedule to this Scheme.".

(**a**) 10 & 11 Geo. 6. c. 41. (**b**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 45.
(**c**) S.I. 1952/944, p. 1003 above, as amended by S.I. 1952/1447, p. 1046 above.
(**d**) S.I. 1952/944, p. 1003 above.

5. After Article 8 of the Scheme of 1952 there shall be inserted the following Article:—

"*Widows' pensions and children's allowances subject to section twenty-seven of the principal Act*

8A. Where in relation to a widow's pension or child's allowance granted under this Scheme, including such a pension or allowance granted before the first day of October, nineteen hundred and fifty-two, this Scheme is subject to the modifications set out in subsection (3) of section twenty-seven of the principal Act, then—

(*a*) if the amount of that pension or allowance is calculated by reference to the remuneration of the person in respect of whom it is payable it shall be increased in accordance with the provisions of paragraph 1 of the Sixteenth Schedule to this Scheme;

(*b*) if the amount of that pension or allowance is calculated otherwise than as aforesaid, it shall be increased in accordance with the provisions of paragraphs 1 and 2 of the Sixteenth Schedule to this Scheme; and

(*c*) if that pension or allowance is payable at the higher of two different rates it shall be payable in respect of each week at the higher of those rates after taking into account the increases, if any, conferred by virtue of the Pensions (Increase) Acts, 1944 and 1947(**a**), and of this Article.".

6. At the end of sub-paragraph (i) of paragraph (2) of Article 10 of the Scheme of 1952 there shall be added the following proviso:—

"Provided that where the said marginal rate is less than £30 a year the pension shall be paid at the rate of £30 a year;",

and for the proviso to the said paragraph there shall be substituted the following provisos:—

"Provided that—

(*a*) for the purposes of the preceding provisions of this paragraph, any increase in the amount of a pension or allowance in accordance with the provisions of the Sixteenth Schedule to this Scheme shall be ignored; and

(*b*) the amount of any pension or allowance granted or increased under this paragraph, including such a pension or allowance granted or increased before the first day of October, nineteen hundred and fifty-two, shall be increased or further increased, as the case may be, in accordance with the provisions of paragraph 1 of the Sixteenth Schedule to this Scheme.".

7.—(1) In the proviso to paragraph (3) of Article 24 of the Scheme of 1952 after the words "under this Scheme" there shall be inserted the words "ignoring any increase in accordance with the provisions of the Sixteenth Schedule to this Scheme".

(2) After paragraph (3) of the said Article there shall be inserted the following paragraph:—

"(4) The amount of a pension or allowance granted under paragraph (3) of this Article, including such a pension or allowance granted before the first day of October, nineteen hundred and fifty-two, shall be increased in accordance with the provisions of paragraph 1 of the Sixteenth Schedule to this Scheme.".

(3) Paragraph (4) of the said Article shall stand as paragraph (5).

(a) 7 & 8 Geo. 6. c. 21 and 10 & 11 Geo. 6. c. 7.

8. At the end of sub-paragraph (*b*) of paragraph (4) of Article 37B of the Scheme of 1952 there shall be added the following words:—

" ignoring any increase in accordance with the provisions of the Sixteenth Schedule to this Scheme:

Provided that the amount of any pension or allowance granted or increased under this paragraph, including such a pension or allowance granted or increased before the first day of October, nineteen hundred and fifty-two, shall be increased or further increased in accordance with the provisions of paragraph 1 of the Sixteenth Schedule to this Scheme.".

9.—(1) In the Third Schedule to the Scheme of 1952, for the words from " The pension shall be calculated in accordance with Scheme I:" to " than Scheme I." there shall be substituted the following words:—

" The amount of a widow's ordinary pension in respect of each week shall be the amount calculated according to Scheme I set out below, or where the fireman's period of pensionable service amounts to at least ten years, according to whichever of the two Schemes set out below would yield to the widow the higher pension, after taking into account the increase, if any, conferred by virtue of the Pensions (Increase) Acts, 1944 and 1947.".

(2) At the end of paragraph 1 of Scheme I of the said Schedule there shall be added the following proviso:—

" Provided that the said amount shall be increased in accordance with the provisions of paragraphs 1 and 2 of the Sixteenth Schedule to this Scheme.".

(3) In paragraph 1 of Scheme II of the said Schedule for the word " such " there shall be substituted the words " of such amount " and at the end of the said paragraph there shall be added the following proviso:—

" Provided that the said amount shall be increased in accordance with the provisions of paragraph 1 of the Sixteenth Schedule to this Scheme.".

10. At the end of Part II of the Fifth Schedule to the Scheme of 1952 there shall be added the following paragraph:—

" 7. The amount of a child's ordinary allowance determined in accordance with the preceding provisions of this Schedule shall be increased in accordance with the provisions of paragraphs 1 and 2 of the Sixteenth Schedule to this Scheme.".

11.—(1) At the beginning of the Seventh Schedule to the Scheme of 1952 there shall be inserted the words " Subject as hereinafter provided ".

(2) At the end of the said Schedule there shall be added the following paragraph:—

" 2. The amount of a widow's pension determined in accordance with the preceding paragraph shall be increased in accordance with paragraph 1 of the Sixteenth Schedule to this Scheme.".

12. At the end of Part II of the Eighth Schedule to the Scheme of 1952 there shall be added the following paragraph:—

" 7. The amount of a child's special allowance determined in accordance with the preceding provisions of this Schedule shall be increased in accordance with the provisions of paragraph 1 of the Sixteenth Schedule to this Scheme.".

13. After the Fifteenth Schedule to the Scheme of 1952 there shall be added the following Schedule:—

" Articles 4, 5, 7, 8, 8A, 10, 24 and 37B.

SIXTEENTH SCHEDULE

INCREASES IN WIDOWS' PENSIONS AND CHILDREN'S ALLOWANCES

1. Where it is provided in this Scheme that for the purpose of calculating a widow's pension or child's allowance an amount shall be increased in accordance with this paragraph, it shall be increased by the amount which, together with any increase relating to the last-mentioned amount under the Pensions (Increase) Acts, 1944 and 1947, equals the amount by which the relevant widow's pension or child's allowance would from time to time be increased if—

(*a*) it were a pension specified in Part II of the First Schedule to the Pensions (Increase) Act, 1952, of the amount first mentioned in this paragraph; and

(*b*) any reference in the Second Schedule to that Act—

(i) to a relevant pension included a reference to a pension or allowance under this Scheme of an amount which is increased in accordance with the provisions of this Schedule;

(ii) to the rate of a relevant pension included a reference to the rate of such a pension or allowance ignoring any increase in accordance with the provisions of this Schedule; and

(iii) to the authorised increase included a reference to the increase in the amount of such a pension or allowance in accordance with the provisions of this Schedule.

2. Where it is provided in this Scheme that for the purpose of calculating a widow's pension or child's allowance an amount shall be increased in accordance with the provisions of the preceding paragraph and of this paragraph, the relevant widow's pension or child's allowance shall be deemed to begin for the purposes of the said Act before the first day of April, nineteen hundred and forty-eight.".

PART II

MISCELLANEOUS AMENDMENTS OF THE FIREMEN'S PENSION SCHEME, 1952, AS AMENDED

14. For Article 23 of the Scheme of 1952 there shall be substituted the following Articles:—

" *Payment of contributions by retained members of a fire brigade*

23. Every male retained member of a fire brigade shall pay an annual contribution of 4s. to the fire authority which shall fall due at the same time as his annual retaining fee and may, without prejudice to any other method of payment, be discharged by way of a deduction made by the authority from the said fee.

Part-time member of a fire brigade: injury award

23A.—(1) Where a male part-time member of a fire brigade is incapacitated for the performance of his duty as such a member by infirmity of mind or body occasioned by an injury received without his own default

in the execution of his duties as such a member and it appears that the incapacity is likely to be permanent, he shall be entitled to an injury pension—

(*a*) where he is totally disabled, at the appropriate rate, or

(*b*) where he is partly disabled, at such proportion of the appropriate rate as the extent of his actual disablement bears to total disablement:

Provided that if it appears that that proportion is likely to be permanently less than twenty per cent. the pension shall be commuted for a gratuity—

(i) where it appears that that proportion is likely to be permanently less than ten per cent., of the appropriate amount, or

(ii) in any other case, of twice the appropriate amount.

(2) In this Article the expressions " appropriate rate " and " appropriate amount " mean—

(*a*) in the case of a man married before he ceased to be a part-time member of a fire brigade, during the subsistence of that marriage and so long as he is not living apart from his wife without regularly contributing to her support by virtue of any agreement or any order of a competent court, the rate of 25s. a week and the amount of £35 respectively ;

(*b*) in the case of a single man and in the case of a married man during the periods and so long as the provisions of the preceding subparagraph do not apply, the rate of 15s. a week and the amount of £20 respectively.

(3) The provisions of Articles 26, 27 and 45 of this Scheme shall apply as if he had been a fireman and the said pension were payable under Article 6 of this Scheme.

Widow of part-time member of a fire brigade : injury pension

23B.—(1) Where a part-time member of a fire brigade or a person who has been such a member dies from the effects of an injury received without his own default in the execution of his duties as such a member or from the effects of infirmity of mind or body occasioned by such an injury, his widow shall be entitled to a widow's injury pension—

(*a*) for such period as she is under the age of forty years, at the rate of 10s. a week ;

(*b*) for such period as she is of the age of forty years or over but under the age of fifty years, at the rate of 15s. a week ;

(*c*) for such period as she is of the age of fifty years or over, at the rate of 20s. a week:

Provided that for such period as she has a child in receipt of an injury allowance under the provision of Article 23C of this Scheme, the said pension shall be at the rate of 20s. a week.

(2) The provisions of paragraph (4) of Article 7 of this Scheme shall apply as if the said pension were a pension under that Article.

Child of part-time member of a fire brigade : injury allowance

23C.—(1) Where a male part-time member of a fire brigade or a person who has been such a member dies from the effects of an injury received without his own default in the execution of his duties as such a member or from the effects of infirmity of mind or body occasioned by such an

injury, any child of his who has not attained the prescribed age at the date of the death shall be entitled to a child's injury allowance at the rate of 5s. a week.

(2) The provisions of paragraph (4) of Article 8 of this Scheme shall apply as if the said allowance were an allowance under that Article.".

15. Sub-paragraph (*b*) of paragraph (5) of Article 24 of the Scheme of 1952, as amended by Article 7 of this Order, shall be omitted.

16. After Article 24 of the Scheme of 1952 there shall be inserted the following Article:—

"*Application of certain provisions of this Scheme*

24A.—(1) The provisions of this Scheme shall only apply in relation to a member of a fire brigade who is not a fireman and to a pension or allowance payable to or in respect of him to the extent provided in this Part of this Scheme.

(2) The provisions of Articles 11, 28, 29, 30 and 42, Parts VI and VII and Articles 47 and 48 of this Scheme shall apply in relation to such a member and to such a pension and allowance as if he had been a fireman.

(3) The provisions of paragraph (2) of Article 45A of this Scheme shall apply as if an injury received by a male part-time member of a fire brigade without his own default in the execution of his duties as such a member were a qualifying injury.".

17. At the end of Article 28 of the Scheme of 1952 there shall be added the following paragraph:—

"(2) Notwithstanding that a pension or an allowance has been withdrawn under this Article, the fire authority may, if at any time they think fit, restore that pension or allowance either wholly or in part.".

18. In paragraph (1) of Article 48 of the Scheme of 1952 after the definition of the expression "child" there shall be inserted the following definition:—

"'fire brigade' means a fire brigade maintained under the principal Act;".

19. At the end of paragraph 1 of the Tenth Schedule to the Scheme of 1952 there shall be added the following proviso:—

"(*c*) a pension or allowance to which a person is entitled under Part IV of this Scheme shall be disregarded for the purpose of the application of this paragraph in relation to that person.".

PART III

AMENDMENTS OF THE FIREMEN'S PENSION SCHEME, 1948, AS AMENDED(a) (IN SO FAR AS IT CONTINUES TO HAVE EFFECT UNDER ARTICLE 2 OF THE FIREMEN'S PENSION SCHEME ORDER, 1952) RELATING TO INCREASES IN WIDOWS' AND CHILDREN'S AWARDS

20. In paragraph (1) of Article 4 of the Firemen's Pension Scheme, 1948, as set out in the Appendix to the Firemen's Pension Scheme Order, 1948(b), (hereinafter called "the Scheme of 1948"), for the words "The amount of the said pension shall be determined in accordance with the Third Schedule to this Scheme" there shall be substituted the words "The amount of a

(a) S.I. 1948/604; Rev. VII, p. 776; 1948 I, p. 1091; as amended by S.I. 1948/1094; Rev. VII, p. 776; 1948 I, p. 1126; S.I. 1949/396, 1469, 2160; 1950/467; 1951/158, 1111, 1584; 1952/944, 1447: 1949 I, pp. 1660-1674; 1950 I, p. 685; 1951 I, p. 692-699; 1952 I, pp. 1003 1046. (b) S.I. 1948/604; Rev. VII, p. 776: 1948 I, p. 1091.

widow's ordinary pension which was granted under this Article shall be determined in accordance with the Third and Sixteenth Schedules to this Scheme.".

21. In paragraph (1) of Article 5 of the Scheme of 1948 for the words from "The amount of the said allowance" to the end of the said paragraph there shall be substituted the words "The amount of a child's ordinary allowance which was granted under this Article shall be determined in accordance with Part I of the Fifth Schedule to this Scheme; but the provisions of this Article and of the said Part I shall have effect subject to the provisions of Part II of that Schedule and of the Sixteenth Schedule to this Scheme.".

22. For paragraph (2) of Article 7 of the Scheme of 1948 there shall be substituted the following paragraph:—

"(2) The amount of a widow's special pension which was granted under this Article shall be determined in accordance with the Seventh and Sixteenth Schedules to this Scheme.".

23. For paragraph (2) of Article 8 of the Scheme of 1948 there shall be substituted the following paragraph:—

"(2) The amount of a child's special allowance which was granted under this Article shall be determined in accordance with Part I of the Eighth Schedule to this Scheme, but the provisions of this Article and of the said Part I shall have effect subject to the provisions of Part II of that Schedule and of the Sixteenth Schedule to this Scheme.".

24. After Article 8 of the Scheme of 1948 there shall be inserted the following Article:—

"*Widows' pensions and children's allowances subject to section twenty-seven of the principal Act*

8A. Where in relation to a widow's pension or child's allowance which was granted under this Scheme, this Scheme is subject to the modifications set out in subsection (3) of section twenty-seven of the principal Act, then—

(*a*) if the amount of that pension or allowance is calculated by reference to the remuneration of the person in respect of whom it is payable it shall be increased in accordance with the provisions of paragraph 1 of the Sixteenth Schedule to this Scheme;

(*b*) if the amount of that pension or allowance is calculated otherwise than as aforesaid, it shall be increased in accordance with the provisions of paragraphs 1 and 2 of the Sixteenth Schedule to this Scheme; and

(*c*) if that pension or allowance is payable at the higher of two different rates it shall be payable in respect of each week at the higher of those rates after taking into account the increases, if any, conferred by virtue of the Pensions (Increase) Acts, 1944 and 1947, and of this Article.".

25. At the end of sub-paragraph (i) of paragraph (2) of Article 10 of the Scheme of 1948 there shall be added the following proviso:—

"Provided that where the said marginal rate is less than £30 a year the pension shall be paid at the rate of £30 a year;",

and for the proviso to the said paragraph there shall be substituted the following proviso:—

"Provided that the amount of any pension or allowance which was granted or increased under this paragraph shall be increased or further increased, as the case may be, in accordance with the provisions of paragraph 1 of the Sixteenth Schedule to this Scheme.".

26.—(1) After paragraph (3) of Article 24 of the Scheme of 1948 there shall be inserted the following paragraph:—

"(4) The amount of a pension or allowance which was granted under paragraph (3) of this Article shall be increased in accordance with the provisions of paragraph 1 of the Sixteenth Schedule to this Scheme.".

(2) Paragraph (4) of the said Article shall stand as paragraph (5).

27. At the end of sub-paragraph (*b*) of paragraph (4) of Article 37B of Scheme of 1948 (which Article was inserted by paragraph 1 of the Second Appendix to the Firemen's Pension Scheme Order, 1952(**a**), there shall be added the following words:—

"ignoring any increase in accordance with the provisions of the Sixteenth Schedule to this Scheme:

Provided that the amount of any pension or allowance which was granted or increased under this paragraph shall be increased or further increased in accordance with the provisions of paragraph 1 of the Sixteenth Schedule to this Scheme.".

28.—(1) In the Third Schedule to the Scheme of 1948, for the words from "The pension shall be calculated in accordance with Scheme I:" to "than Scheme I." there shall be substituted the following words:—

"The amount of a widow's ordinary pension in respect of each week shall be the amount calculated according to Scheme I set out below, or where the fireman's period of pensionable service amounts to at least ten years, according to whichever of the two Schemes set out below would yield to the widow the higher pension, after taking into account the increase, if any, conferred by virtue of the Pensions (Increase) Acts, 1944 and 1947(**b**).".

(2) At the end of Scheme I of the said Schedule there shall be added the following paragraph:—

"(4) Notwithstanding the provisions of the three preceding paragraphs, the amount of the pension shall be increased in accordance with the provisions of paragraphs 1 and 2 of the Sixteenth Schedule to this Scheme.".

(3) In paragraph 1 of Scheme II of the said Schedule for the word "such" there shall be substituted the words "of such amount" and at the end of the said paragraph there shall be added the following proviso:—

"Provided that the said amount shall be increased in accordance with the provisions of paragraph 1 of the Sixteenth Schedule to this Scheme.".

29. At the end of Part II of the Fifth Schedule to the Scheme of 1948 there shall be added the following paragraph:—

"7. The amount of a child's ordinary allowance determined in accordance with the preceding provisions of this Schedule shall be increased in accordance with the provisions of paragraphs 1 and 2 of the Sixteenth Schedule to this Scheme.".

(**a**) S.I. 1952/944, p. 1003 above. (**b**) 7 & 8 Geo. 6. c. 21 and 10 & 11 Geo. 6. c. 7.

30.—(1) At the beginning of the Seventh Schedule to the Scheme of 1948 there shall be inserted the words " Subject as hereinafter provided ".

(2) At the end of the said Schedule there shall be added the following paragraph :—

" 2. The amount of a widow's pension determined in accordance with the preceding paragraph shall be increased in accordance with paragraph 1 of the Sixteenth Schedule to this Scheme.".

31. At the end of Part II of the Eighth Schedule to the Scheme of 1948 there shall be added the following paragraph :—

" 7. The amount of a child's special allowance determined in accordance with the preceding provisions of this Schedule shall be increased in accordance with the provisions of paragraph 1 of the Sixteenth Schedule to this Scheme.".

32. After the Fifteenth Schedule to the Scheme of 1948 (which Schedule was inserted by Article 16 of the Firemen's Pension Scheme (No. 2) Order, 1949(**a**)), there shall be added the following Schedule :—

" Articles 4, 5, 7, 8, 8A, 10, 24 and 37B.

SIXTEENTH SCHEDULE

INCREASES IN WIDOWS' PENSIONS AND CHILDREN'S ALLOWANCES

1. Where it is provided in this Scheme that for the purpose of calculating a widow's pension or child's allowance an amount shall be increased in accordance with this paragraph, it shall be increased by the amount which, together with any increase relating to the last-mentioned amount under the Pensions (Increase) Acts, 1944 and 1947, equals the amount by which the relevant widow's pension or child's allowance would from time to time be increased if—

(*a*) it were a pension specified in Part II of the First Schedule to the Pensions (Increase) Act, 1952(**b**), of the amount first mentioned in this paragraph ; and

(*b*) any reference in the Second Schedule to that Act—

(i) to a relevant pension included a reference to a pension or allowance under this Scheme of an amount which is increased in accordance with the provisions of this Schedule ;

(ii) to the rate of a relevant pension included a reference to the rate of such a pension or allowance ignoring any increase in accordance with the provisions of this Schedule ; and

(iii) to the authorised increase included a reference to the increase in the amount of such a pension or allowance in accordance with the provisions of this Schedule.

2. Where it is provided in this Scheme that for the purpose of calculating a widow's pension or child's allowance an amount shall be increased in accordance with the provisions of the preceding paragraph and of this paragraph, the relevant widow's pension or child's allowance shall be deemed to begin for the purposes of the said Act before the first day of April, nineteen hundred and forty-eight.".

(a) S.I. 1949/1469 ; 1949 I, p. 1666. (b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 45.

PART IV

AMENDMENT OF THE FIREMEN'S PENSION SCHEME, 1948, AS AMENDED (IN SO FAR AS IT CONTINUES TO HAVE EFFECT UNDER ARTICLE 2 OF THE FIREMEN'S PENSION SCHEME ORDER, 1952) RELATING TO WITHDRAWAL OF AWARDS

33. At the end of Article 28 of the Scheme of 1948 there shall be added the following paragraph:—

"(2) Notwithstanding that a pension or an allowance has been withdrawn under this Article the fire authority may, if at any time they think fit, restore that pension or allowance, either wholly or in part.".

PART V

OPERATION, CITATION AND COMMENCEMENT

34. The provisions of Parts I and III of this Order shall have effect as from the first day of October, 1952.

35. This Order may be cited as the Firemen's Pension Scheme (No. 3) Order, 1952, and shall come into operation on the fifteenth day of December, 1952.

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

12th December, 1952.

We approve,

Edward Heath,
Dennis Vosper,
Two of the Lords Commissioners of Her Majesty's Treasury.

12th December, 1952.

EXPLANATORY NOTE

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

Parts I and III of this Order amend the Firemen's Pension Scheme, 1952, and the Firemen's Pension Scheme, 1948 (which continues to regulate awards granted under it), respectively and provide for increases in widows' pensions and children's allowances, including such pensions and allowances already in payment, subject to conditions similar to those applicable to increases under the Pensions (Increase) Act, 1952; Part II (other than Article 17 therein) substitutes new provisions relating to awards to and in respect of part-time firemen for the existing provisions in the 1952 Scheme and requires retained part-time firemen to pay a pension contribution of four shillings a year; Article 17 in Part II and Part IV amend the 1952 and 1948 Schemes respectively and provide that where an award has been withdrawn for misconduct, it may be restored wholly or in part at the discretion of the fire authority; Article 34 in Part V provides that the provisions of Parts I and III shall have effect as from the 1st October, 1952.