



# Fire (Scotland) Act 2005

## 2005 asp 5

### PART 2

#### FIRE AND RESCUE SERVICES

### CHAPTER 6

#### MUTUAL ASSISTANCE ETC.

##### *Assistance in discharge of functions*

#### **34 Directions about reinforcement schemes**

- (1) Where subsection (2) applies, the Scottish Ministers may direct two or more relevant authorities to make a reinforcement scheme in the terms specified in the direction.
- (2) This subsection applies where—
  - (a) one of the authorities has asked the other (or others) to agree to the making of the scheme;
  - (b) the authorities are unable to agree as to—
    - (i) that matter; or
    - (ii) the terms proposed for the scheme; and
  - (c) one of them asks the Scottish Ministers to make such a direction.
- (3) Where subsection (4) applies, the Scottish Ministers may direct the relevant authorities participating in a reinforcement scheme to vary the scheme in the terms specified in the direction.
- (4) This subsection applies where—
  - (a) one of the authorities has asked the other (or others) to agree to the variation of the scheme;
  - (b) the authorities are unable to agree as to that matter; and
  - (c) one of them asks the Scottish Ministers to make such a direction.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Where subsection (6) applies, the Scottish Ministers may direct the relevant authorities participating in a reinforcement scheme to revoke the scheme.
- (6) This subsection applies where—
- (a) one of the authorities has asked the other (or others) to agree to the revocation of the scheme;
  - (b) the authorities are unable to agree as to that matter; and
  - (c) one of them asks the Scottish Ministers to make such a direction.
- (7) Before giving a direction under this section, the Scottish Ministers—
- (a) shall give the authorities concerned an opportunity to make representations; and
  - (b) may cause an inquiry to be held.
- (8) A direction given under this section may be varied or revoked by a further such direction.
- (9) In this section “reinforcement scheme” has the meaning given by section 33(2).