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STATUTORY INSTRUMENTS

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**2006 No. 1254**

**The Fire and Rescue Services (Northern Ireland) Order 2006**

**PART V**

**SUPPLEMENTARY**

**Assaults on, and obstruction of, fire and rescue officers, etc.**

**57.**—(1) Any person who assaults, resists, obstructs or impedes—

- (a) a fire and rescue officer in the execution of his duty; or
- (b) a person assisting a fire and rescue officer in the execution of his duty,

shall be guilty of an offence.

(2) Any person who assaults, resists, obstructs or impedes—

- (a) a person who is providing assistance to the Board under arrangements made by virtue of Article 12; or
- (b) a person who is carrying out a function conferred on the Board under arrangements made by virtue of Article 13,

shall be guilty of an offence.

(3) A person guilty of an offence under paragraph (1) or (2) shall be liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or to both; or
- (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine, or to both.

**Restriction on disclosure of information**

**58.**—(1) Subject to paragraph (2), if a person discloses any information obtained by him in the carrying out of any functions conferred by this Order, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) Paragraph (1) shall not apply to information which is disclosed—

- (a) by a person who is, or acts on behalf of a person who is, a public authority for the purposes of the Freedom of Information Act 2000 (c. 36), and the information is not held by the authority on behalf of another person;
- (b) for the purposes of any legal proceedings (including an arbitration);
- (c) for the purposes of a report of any such proceedings; or
- (d) otherwise in the execution of the person's duty.

### **Prohibition on employment of police**

**59.**—(1) Subject to paragraph (2), the Board may not employ a member of any police force for the purpose of carrying out any of the functions conferred on the Board by virtue of this Order or any other statutory provision.

(2) Paragraph (1) shall not apply to a member of any police force employed by the Fire Authority for Northern Ireland or by the Board before the coming into operation of this Article.

### **Preservation of existing pension schemes, etc.**

**60.**—(1) Notwithstanding the repeal of the [Fire Services \(Northern Ireland\) Order 1984 \(NI 11\)](#), subject to paragraph (2), Article 10 of that Order and any order made under it shall continue to have effect.

(2) The Department may by order, with the approval of the Department of Finance and Personnel, amend or repeal Article 10 of the [Fire Services \(Northern Ireland\) Order 1984](#) or amend or revoke any order made under it.

(3) An order under paragraph (2) may be framed so as to have effect as from a date earlier than the making of the order and section 18(2) of the [Administrative and Financial Provisions Act \(Northern Ireland\) 1962 \(c. 7\)](#) shall not apply to any such order.

(4) Without prejudice to anything contained in paragraphs (1) to (3), where any statutory provision relating to or affecting pensions or other gratuities or allowances is repealed under this Order, that repeal shall not affect any pension, gratuity or allowance granted or the right to which had accrued before the date on which the repeal takes effect.