

## 1989 No. 233

## FIRE SERVICES

**Fire Services (Appointments and Promotion)  
(Amendment) Regulations (Northern Ireland) 1989**

*Made* . . . . . 22nd June 1989

*Coming into operation* . . . . . 1st August 1989

The Department of the Environment, in exercise of the powers conferred on it by Articles 9(5) and 52(1) of the Fire Services (Northern Ireland) Order 1984(a) and of all other powers enabling it in that behalf, makes the following Regulations:

*Citation and commencement*

1. These Regulations may be cited as the Fire Services (Appointments and Promotion) (Amendment) Regulations (Northern Ireland) 1989 and shall come into operation on 1st August 1989.

*Regulations amended*

2. The Fire Services (Appointments and Promotion) Regulations (Northern Ireland) 1979(b) shall be amended as follows—

(1) In regulation 4 (appointment of chief officer)—

(a) For paragraph (1) substitute—

“(1) A person shall not be appointed to be chief officer of the Authority unless—

(a) he has—

(i) served in the rank of Divisional Officer (Grade 1), or in a higher rank, as a member of a fire brigade maintained by a fire authority in Great Britain under the 1947 Act or by the Fire Authority for Northern Ireland, and

(ii) completed the Senior Officers' Course, the Senior Command Course or the Brigade Command Course at a training institution established and maintained by the Secretary of State under section 23(1)(a) of the 1947 Act, or

(b) on 1st August 1989 he is serving, other than in a temporary or acting capacity, as the chief officer of a fire brigade maintained by—

(i) a fire authority mentioned in sub-paragraph (a)(i),

(ii) the States of Guernsey Island Police Committee,

(a) S.I. 1984/1821 (N.I. 11)

(b) S.R. 1979 No. 167 as amended by S.R. 1981 No. 291 and S.R. 1985 No. 323

- (iii) the States of Jersey Defence Committee, or
- (iv) the Isle of Man Department of Home Affairs.”.

(b) After paragraph (2) insert—

“(3) In this regulation “the 1947 Act” means the Fire Services Act 1947(a).”.

(2) In regulation 5(1)(c) after the words “Regulation 6(1)(c), (d), (e)” insert “(ee)”.

(3) In regulation 6(1) in paragraph (b) the words from “or, in the case of a person” to the end of the paragraph shall be omitted, and for paragraphs (c) to (e) substitute—

“(c) subject to paragraph (3), shall be in height—

- (i) not less than 1.68 metres, and
- (ii) not more than 1.93 metres;

(d) shall have satisfied a duly qualified medical practitioner selected by the Authority that—

- (i) his lung function, assessed by the measurement of the forced expiratory volume in one second (FEV 1.0) and the forced vital capacity (FVC), and
- (ii) his general level of fitness, including his aerobic capacity (vo<sub>2</sub> max), as measured by a step-test,

are such as to enable him to undertake fire-fighting duties; and that he has not any physical abnormality and is not suffering from any disease which, in either case, would be likely to incapacitate him temporarily or permanently for the performance of the said duties;

(e) shall have satisfied a duly qualified ophthalmologist selected by the Authority that—

- (i) he has an uncorrected distance visual acuity, measured by the method known as the Snellen test, of 6/6, 6/6, and
- (ii) his unaided visual function, including his colour vision, is such as to enable him to undertake fire-fighting duties,

and that he does not have any abnormality or suffer from any disease which, in either case, would be likely to affect such visual function, temporarily or permanently, so as to incapacitate him for the performance of the said duties;

(ee) shall have taken, under the supervision of the Authority, a test of the isometric muscle strength of his hand-grip and the combined lifting strength of his back and legs, and achieved a measurement of not less than—

- (i) in relation to the dominant hand, 35 kg;
- (ii) in relation to the subordinate hand, 33 kg; and
- (iii) in relation to the back and legs, as measured by the method known as the leg/back pull test, 117 kg; and”.

- (4) In regulation 6(2)—
- (i) at the beginning insert “(a)”;
  - (ii) after the words “in relation to” omit “(a)”;
  - (iii) after the words “temporarily only;” omit the word “or”; and
  - (iv) at the beginning of sub-paragraph (b) insert “Nothing in paragraph (1)(b), (c), (e) or (f) of this regulation shall apply in relation to”;
- (5) For regulation 6(3) substitute—
- “(3) (a) Subject to sub-paragraph (b), paragraph (1)(a), (b) so far only as it relates to a minimum age of 18 years, (c), (d) and (e) shall apply also in relation to the qualifications for appointment of a person as a retained member of the fire brigade.
  - (b) Paragraph (1)(c)(i) or (ii) or, as the case may be, both the said sub-paragraphs, shall not apply in relation to such an appointment if the chief officer is satisfied that—
    - (i) the remoteness of the station to which the person in question will be posted, and the scarcity of people living in the area in which the station is situated, make it impracticable to apply one or, as the case may be, both of the height limits referred to therein, and
    - (ii) such arrangements as may be necessary to accommodate a height which does not meet such limit or limits, as the case may be, can be made without unduly impairing the operational efficiency of the fire brigade.
  - (c) For the purposes of this regulation “retained member of the fire brigade” means a person who is to serve therein as a part-time member on terms under which he is or may be required to engage in fire-fighting in return for an annual retaining fee.”.

Sealed with the Official Seal of the Department of the Environment on  
22nd June 1989.

(L.S.)

*Trevor Pearson*

Assistant Secretary

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations further amend the Fire Services (Appointments and Promotion) Regulations (Northern Ireland) 1979 as follows:

Regulation 2(1) substitutes new provisions relating to eligibility for appointment of the Chief Officer of the Authority. The minimum level of rank in which previous service is required is raised to Divisional Officer (Grade 1). Completion of the Fire Service College's Senior Officers' Course or the Senior Command Course is made a qualification for such appointment as an alternative to the existing requirement of completion of the Brigade Command Course. Provision is made for the eligibility (for further such appointment) of existing Chief Officers.

Regulation 2(3) makes changes in the qualifications for promotion to, or appointment in the rank of fireman. The higher age limit for ex-servicemen and women and the requirement as to chest size and expansion are abolished. A maximum height limit of 1.93 metres is introduced in addition to the existing minimum limit. The existing fitness requirement is retained but now includes two specific tests of lung function and aerobic capacity. An eye-sight test is established. The existing strength test is replaced by a new test of the isometric strength of the hand-grip and the combined lifting strength of the back and legs.

Regulation 2(4) applies certain of the qualification requirements (as to good character, fitness and strength) to certain persons who are currently exempt from all such requirements, namely those who have previous whole-time service but who are not so serving when they are considered for appointment.

Regulation 2(5) removes the height concession for junior firemen and applies the qualification requirements to retained firemen with the exception of those relating to a maximum age limit, eye-sight, education and, in relation to certain very remote postings, height.

Regulation 2(2) makes certain consequential amendments.