

1992 No. 237

FIRE SERVICES**The Fire Services (Appointments and Promotion)
(Amendment) Regulations (Northern Ireland) 1992**

Made 26th May 1992

Coming into operation 1st July 1992

The Department of the Environment, in exercise of the powers conferred on it by Articles 2(2), 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) 1992 and shall come into operation on 1st July 1992.

Regulations amended

2. In regulation 7 of the Fire Services (Appointments and Promotion) Regulations (Northern Ireland) 1979(b), for paragraph (6) substitute the following—

“(6) Subject to paragraphs (6A) and (6B) a person shall not be eligible to enter for any of the examinations specified in Part I of Schedules 1 or 2, or in Schedule 3, as the case may be, if

- (a) (i) in the immediately preceding year, he entered for the examination in question but attended the sitting of none of the papers for which he entered in that examination, and
- (ii) he has not satisfied the Fire Services Examinations Board that he had a reasonable excuse for such non-attendance, or
- (b) in the 2 successive immediately preceding years he has failed the examination in question and has, on each occasion, obtained less than 25% of the total marks available in that examination.

(6A) Any excuse submitted for the purposes of paragraph (6)(a) must be notified to the Fire Services Examinations Board within 21 days of the date of the sitting of the final paper in the examination to which it relates.

(a) S.I. 1984/1821 (N.I. 11); See Art. 2(2) for definition of “the Department”

(b) S.R. 1979 No. 167; relevant amending Regulations are S.R. 1985 No. 323 and S.R. 1991 No. 219

(6B) Paragraph (6) shall not apply in respect of—

- (a) non-attendance at the sitting of papers, or
- (b) failure to achieve 25% or more of the total marks available, in an examination before 1st July 1991.

(6C) Where a person, on or after 1st July 1991 and before 1st July 1992, entered for an examination for which, by reason only of—

- (a) non-attendance at the sitting of papers in an examination before 1st July 1991, or
- (b) failure to obtain 25% or more of the total marks available in an examination before that date,

he was not eligible to enter, he shall be treated for the purposes of these Regulations as if he was eligible to enter and, accordingly, had validly entered for the examination in question.”.

Sealed with the Official Seal of the Department of the Environment on 26th May 1992.

(L.S.)

C. Radcliffe

Under 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 amended by the Fire Services (Appointments and Promotion) (Amendment) Regulations (Northern Ireland) 1991) relating to ineligibility to enter for certain examinations. The Regulations make it clear that a person is to be ineligible if without reasonable excuse he attended the sitting of none of the papers in the immediately preceding year's examination.

The Regulations provide that ineligibility will not occur in respect of non-attendance at, or failure to achieve 25% or more of the marks available in, an examination before 1st July 1991.

The Regulations also ensure that a person who, between 1st July 1991 and 1st July 1992, entered for an examination when so ineligible will be treated as though he was eligible to enter, and had validly entered, the examination in question.