

*Draft Order in Council laid before Parliament under the Northern Ireland Act 1974, Schedule 1  
paragraph 1(4)(a), for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**1998 No. (N.I. )**

**NORTHERN IRELAND**

**Fire Services (Amendment) (Northern Ireland) Order 1998**

*Made - - - - 1998  
Coming into operation in accordance with Article 1(2)  
and (3)*

At the Court at , the day of 1998

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974 and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

**Title and commencement**

1.—(1) This Order may be cited as the Fire Services (Amendment) (Northern Ireland) Order 1998.

(2) Subject to paragraph (3), this Order shall come into operation on the expiration of 2 months from the day on which it is made.

(3) Articles 5 and 6 shall come into operation on such day as the Department of the Environment may by order appoint.

**Interpretation**

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order “the principal Order” means the Fire Services (Northern Ireland) Order 1984.

### **Powers of the Authority**

3. After Article 5(1)(e) of the principal Order (powers of the Fire Authority) there shall be inserted—

- “(ee) to employ the fire brigade, or use any fire engine, appliance or equipment outside Northern Ireland at sea (whether or not within the territorial sea of the United Kingdom); or”.

### **Pensions**

4. In Article 10(5) of the principal Order (pensions)—

- (a) for the words from the beginning to “may provide” there shall be substituted  
“Without prejudice to the generality of paragraph (1), an order made under that paragraph may make provision—”;
- (a)
- (b) at the end there shall be added—  
“(b) for the manner in which any question arising under the order is to be determined and for appeals from determinations of any such question.”.

### **Constitution of the Fire Authority**

5.—(1) Part I of Schedule 1 to the principal Order (constitution of the Fire Authority for Northern Ireland) shall have effect subject to the following provisions of this Article.

(2) In paragraph 1 for sub-paragraphs (2) and (3) there shall be substituted—

“(2) Of the other members a minimum of eight shall be members of district councils appointed after consultation with such district councils and such associations or bodies representative of councils as appear to the Department to be desirable.”.

(3) In paragraph 3(1) for the words from “replaced” onwards there shall be substituted “replaced was appointed after such consultation as is mentioned in paragraph 1(2), appoint a person after further such consultation”.

(4) In paragraph 5 for the words from “the body” in the first place where it occurs onwards there shall be substituted “the Head of the Department”.

### **Repeals**

6. In Part I of Schedule 1 to the principal Order (constitution of the Fire Authority for Northern Ireland) the following provisions, namely—

- (a) paragraph 2; and  
(b) in paragraph 6 the words “and to the body, if any, by whom he was nominated,”;
- are hereby repealed.

Clerk of the Privy Council

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Fire Services (Northern Ireland) Order 1984—

- (a) to enable fire services to be provided at sea outside Northern Ireland;
- (b) to enable the pension schemes to make provision with respect to the determination of any question arising under the scheme; and
- (c) to make new provision with respect to members of the Authority nominated by certain councils and associations.