



## CHAPTER lxxvi.

An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under section thirty-two of the Police Pensions Act 1921 modifying the provisions of Part IX. of the Leicester Corporation Act 1908 in respect of the pensions allowances and gratuities payable to members of the permanent fire brigade of the City of Leicester their widows children and dependants.

A.D. 1925.

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[31st July 1925.]

**W**HEREAS the Right Honourable Sir William Joynson-Hicks Baronet one of His Majesty's Principal Secretaries of State has made in pursuance of section thirty-two of the Police Pensions Act 1921 the Provisional Order set out in the schedule hereunto annexed :

And whereas it is requisite that the said Order should be confirmed by Parliament :

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

1. The Order as set out in the schedule hereunto annexed is hereby confirmed.

Order in  
schedule  
confirmed.

2. This Act may be cited as the Leicester Fire Brigade Provisional Order Confirmation Act 1925.

Short title.

[Price 4d. Net.]

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*Provisional Order Confirmation Act, 1925.*

A.D. 1925.

SCHEDULE.

CITY OF LEICESTER.

*Provisional Order made in pursuance of section 32  
of the Police Pensions Act 1921.*

To the Mayor Aldermen and Citizens of the City of Leicester  
and all others whom it may concern.

WHEREAS by section 32 of the Police Pensions Act 1921 where any local Act or Order contains provisions as to a fire brigade the Secretary of State on the application of the local authority may frame and submit to Parliament a Provisional Order repealing or modifying such provisions so as to bring them into harmony with the provisions of the said Police Pensions Act 1921 and may make any adjustments as may appear necessary to him in order to give effect to the said Act:

And whereas Part IX. of the local Act intituled the Leicester Corporation Act 1908 contains provisions as to the permanent fire brigade of the city of Leicester (in this Order referred to as "the fire brigade") entitling the members of the fire brigade to pensions as therein provided and applying to the fire brigade certain provisions of the Police Act 1890 as amended by the Police Act 1893 and subject to certain modifications:

And whereas the mayor aldermen and citizens of the city of Leicester (in this Order referred to as "the Corporation") acting by the council of that city (being the local authority within the meaning of section 32 of the Police Pensions Act 1921) have made application to me under the said section to frame and submit to Parliament a Provisional Order repealing or modifying the provisions of Part IX. of the said Leicester Corporation Act 1908 so as to bring them into harmony with the provisions of the said Police Pensions Act 1921 and to make any adjustments as may appear necessary to me in order to give effect to the said Police Pensions Act 1921 in relation to the fire brigade:

Now therefore in pursuance of the powers given to me by section 32 of the Police Pensions Act 1921 and by any other enactments in that behalf I the Right Honourable Sir William Joynson-Hicks Baronet one of His Majesty's Principal Secretaries of State do hereby order that from and after the

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date of the Act of Parliament confirming this Order (hereinafter referred to as "the commencement of this Order") the following provisions shall take effect:—

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ART. I. Part IX. (Fire Brigade Pension Fund) of the Leicester Corporation Act 1908 shall be repealed except in regard to a member of the fire brigade who is serving as such at the commencement of this Order and who within three months after such commencement gives notice in writing to the Corporation of his desire that the provisions of this Order shall not apply to him.

ART. II. The following provisions of the Police Pensions Act 1921 (in this and the following Articles called "the Act of 1921") shall so far as applicable apply to the fire brigade with the necessary modifications and with the alterations hereinafter mentioned:—

Section 1;

Section 2 with the substitution in subsection (4) of the words "by the Corporation" for the words "under this or any other Act";

Section 3 with the omission of the words "having joined the force after the first day of September nineteen hundred and eighteen";

Sections 4 5 and 6;

Section 7 with the omission of the proviso to subsection (2);

Section 9 except subsection (2);

Section 11;

Section 12 with the substitution in subsection (8) paragraphs (a) and (c) of the words "rules made by the Corporation" for the words "rules made by the Secretary of State";

Section 13;

Section 14;

Section 15 with the omission of paragraphs (c) (e) and (f) of subsection (1);

Section 16;

Section 18 with the omission of the proviso;

Section 19 with the substitution of the words "five per cent." for the words "two and a half per cent.";

Sections 20 and 21;

Section 23 with the substitution of the words "any regulations made by the Corporation (which regulations they are hereby empowered to make)" for the words "any regulations made under any statutory powers of the Secretary of State";

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Section 29 except subsection (2) and paragraph (a) and subdivision (ii) of paragraph (b) of subsection (1):

Provided that subsection (3) shall apply only to the extent to which the sections mentioned therein are applied to the fire brigade by this Article and subject to the modifications specified in this Article;

Section 31;

Section 33 except subsection (2);

The First Schedule except—

- (a) the reference in Rule 16 to section 27 of the Act of 1921; and
- (b) paragraph (c) of Rule 20.

ART. III. In their application to the fire brigade the provisions of the Act of 1921 shall be altered as follows:—

- (a) References to this Order shall be substituted for references to the Act of 1921;
- (b) "The fire brigade" shall be substituted for "a police force";
- (c) "Corporation" shall be substituted for "police authority" and for "Watch Committee";
- (d) "The fire brigade pension fund established under Part IX. of the Leicester Corporation Act 1908" shall be substituted for "the police fund";
- (e) "Fire brigade duty" shall be substituted for "police duty";
- (f) "Fire brigade quarters" shall be substituted for "police quarters";
- (g) The approved service of a member of the fire brigade for any period before as well as after the commencement of this Order and his approved service in the police force of the city of Leicester for any period either before or after the commencement of this Order shall be reckoned as approved service and his service (being not less than three years) either wholly or partly before or after the commencement of this Order in any fire brigade of a local authority in any part of the United Kingdom from which he removed with the sanction of that authority to the fire brigade shall (notwithstanding the sanction was not given in writing) be reckoned as approved service in the fire brigade;

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(h) The officers mentioned in the second column of the following table shall be substituted for the officers mentioned in the first column thereof :—

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1. Rank in Police Force.	2. Corresponding rank in Fire Brigade
Chief constable - - -	Chief officer.
Assistant chief constable -	Second officer.
Subdivisional or chief inspector	Third officer and chief officer's secretary.
Inspector - - -	District officer.
Sergeant or sub-inspector -	Station officer.
Constable - - -	Fireman.

Provided that the Corporation shall perform the functions of the chief officer of police under the provisions of the Act of 1921 referred to in Article II. of this Order.

ART. IV. Any injury suffered by a member of the fire brigade whilst on duty or whilst on a journey necessary to enable him to report for duty or to return home after duty shall be deemed to have been suffered in the execution of his duty.

For the purposes of this Article the term "duty" includes any duty (whether fire brigade duty or not) which a member of the fire brigade is called upon to perform in his capacity of such member.

ART. V.—(1) The fire brigade pension fund established under Part IX. of the Leicester Corporation Act 1908 (in this and the following Articles called "the pension fund") shall be continued in accordance with the provisions of this Order and there shall be carried to that fund—

- (a) the deductions (including stoppages and fines) made in pursuance of this Order or the Act of 1921 from the pay of members of the fire brigade ;
- (b) the net sums arising from the sale of worn or cast clothing supplied for the use of members of the fire brigade ;
- (c) all dividends and other annual sums received in respect of investments of the pension fund.

(2) All sums which in pursuance of this Order are to be carried to the pension fund shall be accounted for and paid to the city treasurer in such manner as the Corporation may direct and may be dealt with as annual income of the fund.

(3) The Corporation may (if they think fit) pay to the credit of the pension fund any sum or sums of money paid to the Corporation by any person for or in respect of the services of the fire brigade.

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ART. VI. All payments to members of the fire brigade or their widows children or dependants under this Order shall be paid out of the annual income of the pension fund and if at any time the annual income is insufficient to pay the expense of managing the fund and the pensions allowances gratuities and other sums payable thereout the deficiency shall be supplied out of the district fund of the city of Leicester.

ART. VII. At the end of each financial year the surplus of the annual income of the pension fund above the expenditure thereout shall as soon as may be be invested in such name or names as the Corporation direct and in any manner authorised by law for investments by trustees and such investments shall not be applied for paying any sums payable out of the fund.

ART. VIII. A member of the fire brigade shall be deemed not to be a workman for the purposes of the Workmen's Compensation Acts 1906 to 1923.

ART. IX. Where a person who has served both in the police force of the city of Leicester and as a member of the fire brigade becomes entitled to a pension such pension shall be payable out of the police fund of the city of Leicester and out of the fire brigade pension fund in such proportions as the Corporation with the approval of the Secretary of State may determine having regard to the period of service and the salary received in each capacity.

ART. X. Any regulations made under or by virtue of Part IX. of the Leicester Corporation Act 1908 shall unless and until revoked or varied continue in force as though they were made under this Order or under the provisions of the Act of 1921.

ART. XI. Notwithstanding anything contained in this Order the provisions thereof shall not apply to any auxiliary member of the fire brigade not regularly employed on fire brigade duty.

(Sd.) W. JOYNSON-HICKS.

Whitehall  
26th May 1925.

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Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

WILLIAM RICHARD CODLING, Esq., C.V.O., C.B.E., the King's Printer of  
Acts of Parliament.

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