



Fire Services Act 1947

1947 CHAPTER 41

Administrative provisions.

17 Conditions of service.

- (1) The Secretary of State may, subject to the provisions of this section, make regulations as to the conditions of service of persons employed as members of fire brigades maintained in pursuance of this Act, and in particular—
 - (a) as to ranks, pay and allowances;
 - (b) as to hours of duty and leave;
 - (c) as to the maintenance of discipline;
 - (d) as to appeals against dismissal or disciplinary action (including dismissal on disciplinary grounds). References in this section to the conditions of service of persons employed as aforesaid include references to welfare arrangements for such persons.
- (2) Where—
 - (a) the Secretary of State is satisfied that proper arrangements are in force for the consideration, by persons representing the interests of fire authorities and of persons employed as members of fire brigades maintained in pursuance of this Act, or any class of persons so employed, of questions arising as to the conditions of service of persons so employed or of the class of persons in question, as the case may be; and
 - (b) a recommendation is made in accordance with the arrangements as to any matter falling within the last foregoing subsection,then if the Secretary of State approves the recommendation he may by regulations under this section give effect thereto.
- (3) Where the Secretary of State does not approve any recommendation made as mentioned in the last foregoing subsection he shall refer the recommendation for further consideration in accordance with the arrangements, and for the making in accordance with the arrangements of a report thereon within such period not less than twenty-one days as he may specify, and shall take into consideration any report so

made before proceeding to make regulations under this section as to any matter to which the recommendation relates.

- (4) Where, without any such recommendation as aforesaid in that behalf having been made, the Secretary of State proposes to make regulations under, this section, then, if such arrangements as aforesaid are in force as respects the persons to whom the regulations are to relate, he shall before making the regulations refer his proposals—
- (a) for consideration in accordance with the arrangements; and
 - (b) for the making in accordance with the arrangements of a report on the proposals within such period not less than twenty-one days as the Secretary of State may specify,

and where a report is so made then if the Secretary of State approves the recommendations in the report he may by regulations under this section give effect thereto, but if he does not approve the recommendations the last foregoing subsection shall apply as it applies where he does not approve recommendations made as mentioned in subsection (2) of this section.

- (5) In the proviso to subsection (1) of section nineteen of the Wages Councils Act, 1945 (which excludes from the operation of Part III of that Act workers whose remuneration is fixed under other enactments), after the words " the Education Act, 1944," there shall be inserted the words " the Fire Services Act, 1947. "

18 Procedure and qualifications for appointments and promotions.

- (1) The Secretary of State may, after consultation with the Central Fire Brigades Advisory Council constituted under this Act, make regulations as to any of the following matters, that is to say—
- (a) the method of appointment of chief officers of fire brigades maintained in pursuance of this Act;
 - (b) the procedure for the appointment by a fire authority of members, other than the chief officer, of any such brigade;
 - (c) the qualifications for appointment to any such brigade or to any rank therein, and for promotion into any such rank; and
 - (d) the procedure for such promotion.
- (2) Nothing in the last foregoing section shall apply to the matters specified in subsection (1) of this section.

19 Fire brigade establishments to be determined in accordance with approved schemes.

- (1) The establishment of members of a fire brigade of different descriptions and ranks, and of fire stations and equipment of different descriptions, to be maintained by a fire authority in pursuance of the foregoing provisions of this Act shall be determined in accordance with the provisions of a scheme made by the authority under this section (hereafter in this Act referred to as an " establishment scheme ") and for the time being in force.
- (2) An establishment scheme shall provide that the chief officer of the fire brigade to which the scheme relates shall be directly responsible to the fire authority maintaining the brigade or to a committee thereof.

- (3) An establishment scheme shall be submitted to the Secretary of State, and shall come into force when approved by him, either as submitted or subject to such modifications as he may direct.
- (4) An establishment scheme may be varied by a subsequent scheme made in like manner and subject to the like provisions as the scheme varied.
- (5) If as respects the area of any fire authority—
 - (a) before the first day of January, nineteen hundred and forty-eight, or such later date as the Secretary of State may in special circumstances allow, no establishment scheme has been submitted to the Secretary of State, or
 - (b) at any time it appears to the Secretary of State that the establishment scheme in force is not satisfactory,the Secretary of State may, after affording to the fire authority an opportunity of making representations to him, make a scheme.
- (6) The provisions of subsections (1), (2), (4) and (5) of this section shall apply to a scheme made under the said subsection (5) as if it were an establishment scheme submitted to and approved by the Secretary of State.
- (7) In the case of a fire authority, other than the London County Council, which is the council of a county, the foregoing provisions of this section shall have effect subject to the provisions of the First Schedule to this Act.
- (8) The Secretary of State may, for the purposes of his functions under this section, hold such public local inquiries as he thinks fit; and if in connection with the making of a scheme under paragraph (b) of subsection (5) of this section the fire authority so requires, the Secretary of State shall cause a public local inquiry to be held before he makes the scheme.
- (9) The provisions in that behalf of the Second Schedule to this Act shall have effect for the purposes of this section in the case of fire authorities constituted by combination schemes.
- (10) In relation to any period before the appointed day the foregoing provisions of this section and the provisions ancillary thereto of the said First and Second Schedules shall apply with the substitution for references to a fire authority of references to an authority which on the appointed day will become a fire authority.

20 Fire brigade committees in counties.

- (1) Every fire authority (other than the London County Council) which is the council of a county shall constitute a fire brigade committee in accordance with the following provisions of this section, and—
 - (a) shall refer to the fire brigade committee for report and recommendation all matters relating to the authority's functions under this Act, except such matters as the authority may with the approval of the Secretary of State determine, and shall unless in their opinion the case is urgent receive and consider the report of the committee with respect to any matters referred to the committee before taking action in relation to those matters;
 - (b) may delegate to the fire brigade committee, either with or without conditions or restrictions, any of the authority's functions under this Act other than powers of raising a rate or borrowing money.

Status: This is the original version (as it was originally enacted).

- (2) Until the coming into force in accordance with the provisions of this Act of a scheme (hereafter in this Act referred to as a "management scheme") determining the constitution of a fire brigade committee under this section, the constitution thereof shall be such as may be determined by the fire authority, and thereafter such as may be determined by such a scheme.
- (3) As soon as may be after the appointed day every such fire authority as aforesaid shall make a management scheme in accordance with the provisions in that behalf of the First Schedule to this Act.
- (4) A management scheme shall provide for the appointment to a fire brigade committee by the fire authority of such number of members of that authority as may be specified in the scheme, and for the appointment to the committee by or on behalf of councils of county districts comprised in the area of the fire authority of such less number of persons representing those councils as may be so specified.
- (5) A management scheme shall be submitted to the Secretary of State, and shall come into force when approved by him, either as submitted or subject to such modifications as he may direct.
- (6) A management scheme may be varied by a subsequent scheme made in the like manner and subject to the like provisions as the scheme varied.
- (7) If as respects the area of any fire authority such as is mentioned in subsection (1) of this section—
 - (a) before the expiration of three months from the appointed day, or such later date as the Secretary of State may in special circumstances allow, no management scheme has been submitted to the Secretary of State, or
 - (b) at any time it appears to the Secretary of State, whether on the representations of the council of any county district comprised in the area of the fire authority or otherwise, that the management scheme in force is not satisfactory,
 the Secretary of State may, after affording to the fire authority and to every such council as aforesaid an opportunity of making representations to him, make a scheme.
- (8) The provisions of subsections (4), (6) and (7) of this section shall apply to a scheme made under the said subsection (7) as if it were a management scheme submitted to and approved by the Secretary of State.
- (9) The foregoing provisions of this section shall, subject to the provisions of the Second Schedule to this Act, apply to a fire authority—
 - (a) which is constituted by a combination scheme,
 - (b) the area of which includes one or more counties, other than the County of London,
 as they apply to such authorities as are mentioned in subsection (1) of this section.

21 Standards of training and equipment.

The Secretary of State may, after consultation with the Central Fire Brigades Advisory Council constituted Under this Act, by regulations provide for the observance by fire authorities of such requirements with respect to—

- (a) standards of training for members of fire brigades maintained in pursuance of this Act;
- (b) design or performance of equipment for such brigades,

as appear to him to be necessary to secure efficient fire services.

22 Provision by Secretary of State of equipment.

The Secretary of State may in accordance with arrangements approved by the Treasury provide, for purchase by any fire authority desiring to avail themselves of the arrangements, equipment for the discharge of the functions of fire authorities under this Act.

23 Training centres.

- (1) The Secretary of State may establish and maintain—
 - (a) a central training institution; and
 - (b) one or more local training centres,for providing courses of instruction in matters relating to fire services.
- (2) The arrangements to be made for the central training institution established under this section shall secure that the institution shall be under the general direction of a board—
 - (a) consisting as to half of persons appointed by the Secretary of State and as to the remainder of persons appointed by such bodies as appear to the Secretary of State to represent the interests of fire authorities, and
 - (b) having as chairman such member of the board as may be selected by the other members with the approval of the Secretary of State,and that before appointing the person having control of the administration of the institution the Secretary of State shall consult the board.
- (3) A fire authority may establish and maintain training centres for providing courses of instruction for members of their own or other fire brigades and for training persons for service in fire brigades.

24 Inspectors of Fire Brigades.

- (1) For the purpose of obtaining information as to the manner in which fire authorities are performing their functions under this Act and as to technical matters relating to those functions, inspectors may be appointed by His Majesty, and the Secretary of State may appoint assistant inspectors and other officers.
- (2) The Secretary of State may pay to persons appointed under this section such remuneration as he may with the approval of the Treasury determine.

25 Grants to fire authorities.

- (1) The Secretary of State may with the consent of the Treasury make regulations providing for the payment by him to the councils of counties and county boroughs, and to authorities constituted by combination schemes, of annual grants in respect of expenditure incurred by them in connection with the provision of fire services of amounts not exceeding twenty-five per cent of the expenditure.
- (2) Regulations made under the last foregoing subsection may make provision whereby the payment of grants in pursuance thereof is dependent upon the fulfilment of such conditions as may be determined by or under the regulations.

Status: This is the original version (as it was originally enacted).

- (3) Regulations made as aforesaid may provide for the deduction from grants to any authority, of amounts not exceeding the appropriate fraction of so much of the expenditure incurred by the Secretary of State under section twenty-three of this Act as is apportioned to the authority in accordance with the

In this subsection the expression " appropriate fraction " means the fraction of any expenditure of an authority incurred by them in the exercise of their functions under this Act which, after allowing for the grants provided under subsection (1) of this section but not for the deductions therefrom under this subsection, would fall ultimately to be borne by the authority.