

1968 No. 397

## FIRE SERVICES

## The Firemen's Pension Scheme (Amendment) (No. 2)

Order 1968

<i>Made - - - -</i>	15th March 1968
<i>Laid before Parliament</i>	22nd March 1968
<i>Coming into Operation</i>	1st April 1968

In exercise of the powers conferred upon me by section 26 of the Fire Services Act 1947(a), as amended and extended by sections 1 and 2(1) of the Fire Services Act 1951(b), section 42 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951(c), section 8 of the Fire Services Act 1959(d) and section 12 of the Superannuation (Miscellaneous Provisions) Act 1967(e), with the approval of the Treasury and after consultation with the Central Fire Brigades Advisory Council and the Scottish Central Fire Brigades Advisory Council, and solely in connection with a transfer of functions in accordance with the said section 12, I hereby make the following Order:—

1.—(1) For paragraph (1)(d) of Article 66 of the Firemen's Pension Scheme 1966 set out in the Appendix to the Firemen's Pension Scheme Order 1966(f), as amended(g), (which relates to temporary employment in connection with the provision of fire services) there shall be substituted the following provision:—

“(d) employment entered upon in pursuance of arrangements made by the Secretary of State or the Minister of Overseas Development in connection with the training and organisation of fire fighting forces in such an overseas territory as is mentioned in paragraph (3).”.

(2) For paragraph (2) of the said Article 66 there shall be substituted the following provisions:—

“(2) In the case of such a person as is mentioned in paragraph (1), the employment therein mentioned (hereafter in this paragraph referred to as ‘the relevant employment’) shall be treated for the purposes of this Scheme as employment as a member of a brigade and this Scheme shall apply in relation to that employment as if—

- (a) he were a regular fireman and his duties were his duties as such;
- (b) his pay and rank were the same as they would have been had he not ceased to perform duties as such a fireman or, where section 10 of the Fire Services Act 1959 applies in his case, the same as his pay and rank as a member of a fire brigade;
- (c) any reference to a brigade were a reference to the relevant employment;

(a) 1947 c. 41.

(b) 1951 c. 27.

(c) 1951 c. 65.

(d) 1959 c. 44.

(e) 1967 c. 28.

(f) S.I. 1966/1045 (1966 II, p. 2504).

(g) The amending Orders are not relevant to the subject matter of this Order.

(d) the reference to a court of quarter sessions in Article 47(1) were a reference to the court of quarter sessions for any county or borough which constitutes or is wholly or partly included in the area of the fire authority by whom he was employed immediately before entering the relevant employment;

(e) the reference to the sheriff in Article 47(5) were a reference to the sheriff having jurisdiction in the place where he served as a fireman immediately before entering the relevant employment; and

(f) Articles 51, 73 and 74 were omitted;

and, except where the relevant employment is such as is mentioned in paragraph 1(d)—

(g) any reference to a fire authority were a reference to the Secretary of State.

(2A) Without prejudice to paragraph (2), in the case of such a person as is mentioned in paragraph (1) whose relevant employment is such as is mentioned in paragraph 1(d), this Scheme shall apply in relation to that employment as if—

(a) any reference to a fire authority were a reference to the Secretary of State or the Minister of Overseas Development; and

(b) any reference in Article 46 or Schedule 8 to the Secretary of State were a reference to the Secretary of State or the Minister of Overseas Development.”.

2. This Order may be cited as the Firemen's Pension Scheme (Amendment) (No. 2) Order 1968 and shall come into operation on 1st April 1968.

*James Callaghan,*  
One of Her Majesty's Principal  
Secretaries of State.

14th March 1968.

We approve,

*Joseph Harper,*  
*B. K. O'Malley,*  
Two of the Lords Commissioners  
of Her Majesty's Treasury.

15th March 1968.

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#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order contains amendments to the Firemen's Pension Scheme 1966 in connection with the transfer, in accordance with section 12 of the Superannuation (Miscellaneous Provisions) Act 1967; of certain functions relating to firemen with overseas service from the Secretary of State to the Minister of Overseas Development.