

SCHEDULE 1

Regulation 2(1)

Definition of “Recognised Officer”

1. For the purpose of these regulations, the expression “recognised officer” means a person who is employed—

- (a) by a local authority and, though not a chief officer or deputy chief officer, is treated by that authority as a chief officer or deputy chief officer by reason of the importance of his employment by that authority and is by resolution of that authority, passed before 28th February 1974, designated a recognised officer, or
- (b) by a superannuation joint committee as a whole-time clerk, secretary, deputy clerk or deputy secretary;

and in either case his salary on the date on which he gives notice of election is not less than two-thirds of the salary of the comparable chief officer, as determined in accordance with the succeeding provisions of this Schedule.

2. In relation to a person in the employment of a local authority, the comparable chief officer is the chief officer of that authority who receives the lowest salary.

3. In the case of an officer in the employment of a superannuation joint committee, the comparable chief officer is the chief officer of all the authorities represented on that committee who receives the lowest salary.

4. In any case where the post, which if occupied would be the post of the comparable chief officer, is vacant (for whatever reason) the salary of the comparable chief officer shall, subject to the provisions of paragraph 5(a) of this Schedule, be deemed to be the salary of the person who last held the post immediately before the post became vacant.

5. For the purposes of this schedule—

- (a) where a chief officer is not on a fixed salary but on a salary scale, regard shall be had to the lowest point only of that scale;
- (b) the expression “salary” in relation to any person shall not include—
 - (i) any payments for overtime (whether or not such payments are a usual incident of the employment) or any fees or other payments paid or made to him as such for his own use, or the money value of any accommodation or other allowances in kind appertaining to his employment, or any allowances payable to him to cover the cost of providing office accommodation or clerical or other assistance, or any travelling or subsistence allowance or other monies to be spent, or to cover expenses incurred, by him for the purpose of his employment, or
 - (ii) any salary or wages or any of the monies or things described in (i) above which are payable to, or receivable by, him in respect of his employment otherwise than as an officer described in regulation 3(2) but held by virtue of his employment as an officer so specified.

6. Neither a Chief Fire Officer nor a deputy Chief Fire Officer may be treated as a recognised officer for the purposes of these regulations.