
STATUTORY INSTRUMENTS

1989 No. 49 (S.4)

FIRE SERVICES

**The Fire Services (Appointments and Promotion)
(Scotland) Amendment Regulations 1989**

<i>Made</i>	- - - -	<i>10th January 1989</i>
<i>Laid before Parliament</i>		<i>23rd January 1989</i>
<i>Coming into force</i>	- -	<i>1st April 1989</i>

The Secretary of State, in exercise of the powers conferred on him by section 18(1) of the Fire Services Act 1947((1)), after consultation with the Scottish Central Fire Brigades Advisory Council, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Fire Services (Appointments and Promotion) (Scotland) Amendment Regulations 1989 and shall come into force on 1st April 1989.

Interpretation

2. In these Regulations “the principal Regulations” means the Fire Services (Appointments and Promotion) (Scotland) Regulations 1978((2)).

Appointment in the rank of junior fireman

3. In regulation 4(c) of the principal Regulations after the words “sub-paragraphs (c), (d), (e)” there shall be inserted the words “, (ee)” .

Promotion to, or appointment in, the rank of fireman

4.—(1) In regulation 5 of the principal Regulations, in sub-paragraph (b) of paragraph (1) the words from “or, in the case of a person” to the end of the sub-paragraph shall be omitted, and for paragraph (1)(c) to (e) there shall be substituted—

- “(c) subject to paragraph (3), shall be in height—
(i) not less than 1.68 metres, and

(1) 1947 c. 41; section 18(1) was amended by the Fire Services Act 1959 (c. 44), section 6 and Schedule.
(2) S.I. 1978/1727; to which there are amendments not relevant to these Regulations.

- (ii) not more than 1.93 metres;
 - (d) shall have satisfied a duly qualified medical practitioner selected by the fire authority maintaining the brigade that—
 - (i) his lung function, assessed by the measurement of the forced expiratory volume in one second (FEV 1.0) and the forced vital capacity (FVC) thereof, and
 - (ii) his general level of fitness, including his aerobic capacity (VO2 max), as measured by a step-test,are such as to enable him to undertake firefighting duties; and that he has not any physical abnormality and is not suffering from any disease which, in either case, would be likely to incapacitate him temporarily or permanently for the performance of the said duties;
 - (e) shall have satisfied a duly qualified ophthalmologist selected by the fire authority maintaining the brigade that—
 - (i) he has an uncorrected distance visual acuity, measured by the method known as the Snellen test, of 6/6, 6/6, and
 - (ii) his unaided visual function, including his colour vision, is such as to enable him to undertake firefighting duties, and
 - (iii) he does not have any abnormality or suffer from any disease which, in either case, would be likely to affect such visual function, temporarily or permanently, so as to incapacitate him for the performance of those duties;
 - (ee) shall have taken, under the supervision of the fire authority maintaining the brigade, a test of the isometric muscle strength of his hand-grip and the combined lifting strength of his back and legs, and achieved a measurement of not less than—
 - (i) in relation to the dominant hand, 35kg;
 - (ii) in relation to the subordinate hand, 33kg;
 - (iii) in relation to the back and legs, as measured by the method known as the leg/back pull test, 117kg; and” .
- (2) In paragraph (3) after the words “Sub-paragraphs (b)” there shall be inserted “, (c), (e)” .
- (3) For paragraph (4) there shall be substituted-
- (a) “(4) Subject to sub-paragraph (b) below paragraph (1)(a), (b) so far only as it relates to a minimum age of 18 years, (c), (d) and (ee) shall apply also in relation to the qualifications for appointment of a person as a retained member of a brigade.
 - (b) paragraph 1(c)(i) or (ii) (height limits) or, as the case may be, both the said sub-paragraphs, shall not apply in relation to such an appointment if the firemaster is satisfied that—
 - (i) the remoteness of the station to which the person in question will be posted, and the scarcity of people living in the area in which the station is situated, make it impracticable to apply one or, as the case may be, both of the height limits referred to therein, and
 - (ii) such arrangements as may be necessary to accommodate a height which does not meet such limit or limits, as the case may be, can be made without unduly impairing the operational efficiency of the brigade.
 - (c) for the purposes of this Regulation- “retained member of a brigade” means a person who is to serve therein as a part-time member thereof on terms under which he is or may be required to engage in firefighting in return for an annual retaining fee.” .

St Andrew's House,
Edinburgh
10th January 1989

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the provisions of the Fire Services (Appointments and Promotion) (Scotland) Regulations 1978 relating to the qualifications for promotion to, or appointment in, the rank of fireman or firewoman in a fire brigade maintained in Scotland under the Fire Services Act 1947.

Regulation 4(1) makes certain changes in the qualification requirements. The higher age limit for ex-servicemen and women is abolished. A maximum height limit of 1.93 metres is introduced in addition to the existing minimum limit. The existing fitness requirement is retained but now includes two specific tests of lung function and aerobic capacity. An eye-sight test is established. The existing strength test is replaced by a new test of the isometric strength of the hand-grip and the combined lifting strength of the back and legs.

Regulation 3 makes certain consequential amendments.

Regulation 4(2) applies certain of the qualification requirements (as to good character, fitness and strength) to certain persons who are currently exempt from all such requirements, namely those who have previous whole-term service but who are not so serving when they are considered for appointment.

Regulation 4(3) applies the qualification requirements to retained firemen with the exception of those relating to age, eye-sight, education and, in relation to certain very remote postings, height.