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STATUTORY INSTRUMENTS

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**1991 No. 343 (S. 33)**

**FIRE SERVICES**

**The Fire Services (Appointments and Promotion)  
(Scotland) Amendment Regulations 1991**

*Made* - - - - - *22nd February 1991*  
*Laid before Parliament* *11th March 1991*  
*Coming into force* - - - *1st April 1991*

The Secretary of State, in exercise of the powers conferred on him by section 18(1) of the Fire Services Act 1947<sup>(1)</sup>, 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 1991 and shall come into force on 1st April 1991.

**Amendment of the Fire Services (Appointments and Promotion) (Scotland) Regulations 1978**

2. The Fire Services (Appointments and Promotion) (Scotland) 1978<sup>(2)</sup> shall be amended as follows:—

- (a) for the word “fireman”, wherever it occurs, there shall be substituted the word “firefighter”;
- (b) in regulation 2, paragraph (4) shall be omitted;
- (c) in regulation 5(4)(b)(i) for the word “impracticable” there shall be substituted the word “impractical”;
- (d) in regulation 6—
  - (i) for paragraph (2) there shall be substituted the following paragraph:—

“(2) For promotion to the rank of leading firefighter the qualifications of a member of a brigade shall be as follows:—

    - (a) he shall have had not less than 2 years operational service;

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(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; the relevant amending instruments are S.I. 1985/1176 and 1989/49.

- (b) he shall have passed the examinations specified in Schedule 1 to these Regulations; and
  - (c) he shall have obtained a certificate in first aid in the period of 3 years immediately preceding entry for the examination in Part II of that Schedule which he has passed.”;
- (ii) for paragraph (6) there shall be substituted the following provisions—
- “(6)
- (1) A member of a brigade shall not be eligible to enter for any of the examinations specified in Part I of Schedules 1 or 2, or in Schedule 3, as the case may be, if—
    - (a) (i) in the immediately preceding year, he entered for the examination in question but failed to attend the sitting of all the papers for which he entered in that examination; and
    - (ii) he has not satisfied the Fire Services Examinations Board that he had a reasonable excuse for such failure; or
    - (b) in the two successive immediately preceding years he has failed the examination in question and has, on each occasion, obtained less than 25% of the total marks available in that examination.
  - (2) Any excuse submitted for the purposes of sub-paragraph (a) above must be notified to the Fire Services Examinations Board within 21 days of the date of the sitting of the final paper in the examination to which it relates.”;
- (iii) in paragraph (7)(a) after the words “Part I of that Schedule” there shall be inserted the words “and has, in the period of 3 years immediately preceding entry for the first mentioned examination, obtained a certificate in first aid”;
- (e) In regulation 9A(2) for the word “Training” there shall be substituted the word “Management”; and
  - (f) in Schedule 1, paragraph (c) of Part II shall be omitted.

St Andrew’s House,  
Edinburgh  
22nd February 1991

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

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Fire Services (Appointments and Promotion) (Scotland) Regulations 1978 (as amended, in particular, by the Fire Services (Examinations) Regulations 1985 and by the Fire Services (Appointments and Promotion) (Scotland) Amendment Regulations 1989 (“the 1989 Regulations”)) which relate to the qualifications for appointment or promotion in a fire brigade.

The Regulations replace references to a fireman in the 1978 Regulations with references to a firefighter and make a consequential revocation in the interpretation provisions of those Regulations. The Regulations also correct a grammatical error made in the 1989 Regulations.

The Regulations impose an additional qualification, namely, that to become a leading firefighter, a member of a brigade must have obtained a certificate in first aid in the three years immediately preceding entry for the practical examination (for promotion to that rank) which he has passed. The Regulations also provide that, to be eligible for that examination in the first place, a member must have obtained such a certificate in the three years immediately preceding entry. As a result the first aid test is omitted from that examination and consequential provision is made accordingly.

The Regulations also provide that a member of a brigade who has entered for, but failed to take, all the papers in a written examination specified in the Regulations is to be ineligible to take that examination in the following year. The Regulations further provide that a person who has obtained less than 25% of the overall marks obtainable in the same written examination in two successive years is to be ineligible to take that examination in the following year.