



Fire Services Act 1947

1947 CHAPTER 41 10 and 11 Geo 6

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, [^{F1}as follows, that is to say]—

- ^{F2}(a)
- (c) as to the maintenance of discipline;
- (d) as to appeals against dismissal or disciplinary action (including dismissal on disciplinary grounds).

^{F3}

(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.

Status: Point in time view as at 01/12/2001.

Changes to legislation: There are currently no known outstanding effects for the Fire Services Act 1947, Cross Heading: Administrative provisions. (See end of Document for details)

- (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.

^{F4}(5)

Textual Amendments

F1 Words substituted by [Fire Services Act 1959 \(c. 44\), s. 5](#)

F2 [S. 17\(1\)\(a\)\(b\)](#) repealed by [Fire Services Act 1959 \(c. 44\), Sch.](#)

F3 Words repealed by [Fire Services Act 1959 \(c. 44\), Sch.](#)

F4 [Ss. 1\(3\), 2\(7\), 3\(3\), 17\(5\), 18\(2\), 19\(7\)\(9\)\(10\), 20, Schs. 1, 2](#) repealed by [Fire Services Act 1959 \(c. 44\), Sch.](#)

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;
 - ^{F5}(b)
 - (c) the qualifications for appointment to any such brigade or to any rank therein, and for promotion into any such rank [^{F6}and the method of ascertaining any such qualifications]
 - ^{F7}(d)

^{F8}(2)

Subordinate Legislation Made

P1 [S. 18](#): power exercised by [S.I. 1978/436](#), 1727; 1981/787; 1985/1176; 1988/31, 1362, 2235; 1989/49.

P2 [S. 18\(1\)](#); power exercised by [S.I. 1991/343](#).

Textual Amendments

F5 [S. 18\(1\)\(b\)](#) repealed by [Fire Services Act 1959 \(c. 44\), Sch.](#)

F6 Words added by [Fire Services Act 1959 \(c. 44\), s. 6](#)

F7 [S. 18\(1\)\(d\)](#) and word "and" preceding para. (d) repealed by [Fire Services Act 1959 \(c. 44\), Sch.](#)

F8 [Ss. 1\(3\), 2\(7\), 3\(3\), 17\(5\), 18\(2\), 19\(7\)\(9\)\(10\), 20, Schs. 1, 2](#) repealed by [Fire Services Act 1959 \(c. 44\), Sch.](#)

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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.
- [^{F9}(3) Every fire authority shall notify the Secretary of State not later than the end of January in any year of the establishment scheme in force in their area on the first day of January in that year.]
- [^{F9}(4) A fire authority shall not vary the establishment scheme for their area by closing a fire station or reducing the number of—
 - (a) whole-time members of any rank of the fire brigade to which the scheme relates, other than members whose duties do not normally include fire fighting,
 - (b) part-time members of that brigade,
 - (c) pumping appliances kept ready to attend fires, or
 - (d) other appliances kept ready to attend fires,except with the approval of the Secretary of State.]
- (5) If as respects the area of any fire authority—
 - ^{F10}(a)
 - (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), [^{F11}(3)], (4) and (5) of this section shall apply to a scheme made under the said subsection (5) as if it were an establishment scheme
^{F12}
- ^{F13}(7)
- (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.
- ^{F13}(9)

Textual Amendments

- F9** S. 19(3)(4) substituted by [Fire Services Act 1959 \(c. 44\), s. 7\(1\)](#)
- F10** S. 19(5)(a) repealed by [Fire Services Act 1959 \(c. 44\), Sch.](#)
- F11** "(3)" inserted by virtue of [Fire Services Act 1959 \(c. 44\), s. 7\(1\)](#)

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- F12** Words repealed by [Fire Services Act 1959 \(c. 44\)](#), **Sch.**
- F13** [Ss. 1\(3\), 2\(7\), 3\(3\), 17\(5\), 18\(2\), 19\(7\)\(9\)\(10\), 20, Schs. 1, 2](#) repealed by [Fire Services Act 1959 \(c. 44\)](#), **Sch.**

Modifications etc. (not altering text)

- C1** [S. 19](#) modified by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), **s. 85(3)**
- C2** [S. 19](#) extended (E.W.) by [Fire Services Act 1959 \(c. 44\)](#), **s. 7(2)**

^{F14}**20**

Textual Amendments

- F14** [Ss. 1\(3\), 2\(7\), 3\(3\), 17\(5\), 18\(2\), 19\(7\)\(9\)\(10\), 20, Schs. 1, 2](#) repealed by [Fire Services Act 1959 \(c. 44\)](#), **Sch.**

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.

[^{F15}(1A) The Scottish Ministers may arrange for members of fire brigades to attend such courses at the central training institution.]

^{F16}(2)

- (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.

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Textual Amendments

- F15** S. 23(1A) inserted (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 19(2)**; S.I. 1998/3178, **art. 3**
- F16** S. 23(2) repealed by **Fire Service College Board (Abolition) Act 1982 (c. 13), s. 1(a)**

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 [^{F17}Minister for the Civil Service] determine.

Textual Amendments

- F17** Words substituted by virtue of S.I. 1968/1656, **arts. 2(1)(e), 3(2)**

Modifications etc. (not altering text)

- C3** Reference to this Act to be read as including reference to **Fire Precautions Act 1971 (c. 40)**; *ibid.*, s. 29
S. 24 modified (1.12.1997) by 1997/1840, reg. 10(6)
- C4** S. 24 extended (1.12.1999) by S.I. 1999/1877, regs. 1, 17, **Sch. para. 10(6)**

^{F18}**25**

Textual Amendments

- F18** S. 25 repealed by (E.W.) **Local Government Act 1958 (c. 55), Sch. 9 Pt. II** and (S.) **Local Government and Miscellaneous Financial Provisions (Scotland) Act, 1958 (c. 64), Sch. 6 Pt. III**

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