
 STATUTORY INSTRUMENTS

1978 No. 436

FIRE SERVICES
**The Fire Services (Appointments and Promotion)
Regulations 1978**

<i>Made</i> - - - -	15th March 1978
<i>Laid before Parliament</i>	28th March 1978
<i>Coming into Operation</i>	1st June 1978

In exercise of the powers conferred on me by section 18(1) of the Fire Services Act 1947(a), as amended by the Fire Services Act 1959(b), I hereby, after consultation with the Central Fire Brigades Advisory Council, make the following Regulations:—

1. These Regulations may be cited as the Fire Services (Appointments and Promotion) Regulations 1978 and shall come into operation on 1st June 1978.

Interpretation

2.—(1) In these Regulations—

- (a) the expression “certificate in first aid” means a certificate issued by the St. John Ambulance Association, the British Red Cross Society or other body and accepted by the Fire Services Central Examinations Board as certifying a satisfactory standard of knowledge of first aid;
- (b) the expression “brigade” means a fire brigade maintained in England or Wales under the Fire Services Act 1947;
- (c) the expression “Fire Services Central Examinations Board” means a body of persons appointed for the purposes specified in these Regulations in connection with the examinations specified in Schedules 1 to 3 and consisting of a chairman appointed by the Secretary of State and 19 other members appointed as follows, namely:—
 - (i) 3 members appointed by the Association of County Councils,
 - (ii) 3 members appointed by the Association of Metropolitan Authorities,
 - (iii) 13 members appointed by the Secretary of State, including 7 appointed to represent the interests of members of fire brigades;
- (d) the expression “control room duties” means duties in connection with the reception, transmission and recording of calls for the assistance of a brigade, and with the transmission of instructions regarding the provision of such assistance by a brigade as may be required in any case;

(a) 1947 c. 41.

(b) 1959 c. 44.

- (e) the expression “the Institution of Fire Engineers” means the limited company incorporated by that name on 25th July 1924, and the expression “graduate of the Institution of Fire Engineers” means a person who, under the Articles of Association of the said company and the byelaws set out in the Schedule to those Articles, has been duly elected a graduate thereof;
- (f) the expression “operational service”, in relation to any person, means whole-time service as a member of a brigade or of a fire brigade maintained by a fire authority in Scotland under the Fire Services Act 1947 holding a rank higher than that of junior fireman or as a person employed by the Fire Authority for Northern Ireland, during any period in which that person in the course of his duty was under an obligation to engage in fire-fighting;
- (g) the expression “promotion” does not include promotion which is expressed to be temporary only;
- (h) the expression “rank” does not include the rank of chief officer.
- (2) Any reference in these Regulations to the Fire Authority for Northern Ireland shall, in relation to a period before 1st October 1973, be construed as a reference to the Northern Ireland Fire Authority.
- (3) In their application in the case of a woman these Regulations shall have effect as if any reference to a fireman were a reference to a firewoman and as if any reference to the rank of junior fireman, fireman or leading fireman were a reference to the rank of junior firewoman, firewoman or, as the case may be, leading firewoman.
- (4) The Interpretation Act 1889(a) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.
- (5) Except where the context otherwise requires, any reference in these Regulations to a Regulation or a Schedule is a reference to a Regulation contained in these Regulations or a Schedule to these Regulations and any reference in a Regulation to a paragraph is a reference to a paragraph of that Regulation.

Appointment of chief officer

3. A fire authority, before appointing any person to be the chief officer of the brigade, shall obtain the approval of the Secretary of State to the appointment of that person.

Appointment in the rank of junior fireman

4.—(1) The qualifications for appointment in the rank of junior fireman in a brigade shall be as follows, that is to say, the person concerned at the time of his appointment—

- (a) shall be of good character;
- (b) shall have attained the age of 16 years and, subject to paragraph (2), shall not have attained the age of 17 years;
- (c) shall have satisfied the chief officer that he is likely, on attaining the age of 18 years, to be able to satisfy the qualifications for promotion to the rank of fireman mentioned in Regulation 5(1)(c), (d), (e) and (f).

(2) A person who has attained the age of 17 years but has not attained the age of 17 years 3 months may be appointed in the rank of junior fireman in a brigade if, after considering the circumstances of his case, the fire authority decide that this paragraph shall have effect in his case.

Promotion to, or appointment in, the rank of fireman

5.—(1) The qualifications for promotion to, or, subject to paragraph (2), appointment in the rank of fireman in a brigade, in the case of a person who is to serve therein as a whole-time member thereof on terms under which he is or may be required to engage in fire-fighting, shall be as follows, that is to say, such person at the time of his promotion or appointment—

- (a) shall be of good character;
- (b) shall have attained the age of 18 years and shall not have attained the age of 31 years, or, in the case of a person who, having undertaken a fixed period of voluntary service in the regular armed forces of the Crown or of any part of the Commonwealth or of the Republic of Ireland, has completed that period of service, 35 years;
- (c) subject to paragraph (3), shall be not less than 1.68 metres in height and have a chest measurement of not less than 91 centimetres when unexpanded with an expansion of not less than 5 centimetres;
- (d) shall have satisfied a duly qualified medical practitioner selected by the fire authority maintaining the brigade that he is fit to undertake fire-fighting 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 the chief officer of the brigade of his ability to pass the following test of strength, that is to say, a test of his ability to carry a person weighing between 63.5 and 76.2 kilograms a distance of 91.44 metres in a time not exceeding 60 seconds; and
- (f) shall have passed such examination in educational subjects as the fire authority may require, being such an examination as necessitates a reasonable standard of proficiency in reading, writing and arithmetic and such other subjects, if any, as the said authority may require, or be, to the satisfaction of the said authority, of such educational standard that it is unnecessary for him to take any such examination.

(2) Nothing in this Regulation shall apply in relation to—

- (a) the appointment of a person to a brigade who, at the time when it is decided to appoint him to the brigade, is serving as a whole-time member of another brigade or of a fire brigade maintained by a fire authority in Scotland under the provisions of the Fire Services Act 1947 in a rank higher than that of junior fireman, or as a person employed whole-time by the Fire Authority for Northern Ireland as a fire officer or fireman and is so serving on terms under which he is or may be required to engage in fire-fighting and whose engagement as such a member or person is not expressed to be temporary only; or
- (b) the appointment of a person to a brigade who has previously served as a whole-time member of the same or another brigade or of a fire brigade maintained by a fire authority in Scotland under the provisions of the Fire Services Act 1947 in a rank higher than that of junior

fireman, or as a person employed whole-time by the Fire Authority for Northern Ireland as a fire officer or fireman and was, immediately before he ceased so to serve, serving on terms under which he was or might be required to engage in fire-fighting and whose engagement as such a member or person was not expressed to be temporary only.

(3) A junior fireman may be promoted to the rank of fireman in a brigade notwithstanding that he does not possess the qualifications mentioned in paragraph (1)(c) if, after considering the circumstances of his case, the fire authority—

- (a) decide that this paragraph shall have effect in his case, and
- (b) draw the attention of the medical practitioner selected for the purposes of paragraph (1)(d) to the fact that he does not possess the said qualifications.

Promotion to a rank higher than that of fireman

6.—(1) The qualifications for promotion to a rank higher than that of fireman in a brigade, in the case of a person who is neither a part-time member of the brigade nor serving in the brigade on terms under which he is solely engaged on control room duties, shall be as hereafter in this Regulation provided:

Provided that a person may with approval of the Secretary of State be promoted to such a rank to perform in that rank particular duties for which special qualifications are required if he possesses those qualifications notwithstanding that he does not possess the qualifications required under this Regulation for promotion to that rank.

(2) For promotion to the rank of leading fireman the qualifications of a member of a brigade shall be that he shall have had not less than 2 years' operational service and shall have passed the examinations specified in Parts I and II of Schedule 1.

(3) For promotion to the rank of sub-officer the qualifications of a member of a brigade shall be as follows, that is to say, he shall have had not less than 4 years' operational service, and shall—

- (a) have passed the examinations specified in Schedule 1;
- (b) unless he is or has been a graduate of the Institution of Fire Engineers having passed the graduateship examination of the said Institution before the end of the year 1962, have passed the written examination specified in Part I of Schedule 2; and
- (c) have passed the practical examination specified in Part II of Schedule 2.

(4) For promotion to the rank of station officer the qualifications of a member of a brigade shall be as follows, that is to say, he shall have had not less than 5 years' operational service and—

- (a) have passed the examination specified in Schedule 3; or
- (b) have passed, since the end of the year 1961, the graduateship examination, or the examination for membership (or, before 1974, for associate membership), of the Institution of Fire Engineers, having been eligible to enter for the examination referred to in the preceding sub-paragraph immediately before he took the examination in question of the said Institution.

(5) For promotion to a rank higher than that of station officer the qualifications of a member of a brigade shall be that he is of a rank not lower than that of station officer.

(6) A member of a brigade shall be deemed to have passed so much of the test specified in Part II of Schedule 1 as relates to knowledge of first aid if at the time he takes the remainder of the test he is the holder of a certificate in first aid issued in the immediately preceding period of 3 years.

(7) A member of a brigade shall not be eligible—

(a) to enter for the examination specified in Part II of Schedule 1 unless he has passed (in that or an earlier year) the examination specified in Part I of that Schedule;

(b) to enter for the examination specified in Part I of Schedule 2 unless he has passed the examinations specified in Part I and Part II of Schedule 1;

(c) to enter for the examination specified in Part II of Schedule 2 unless he has passed (in that or an earlier year), or is exempted from having to pass, the examination specified in Part I of Schedule 2.

(8) A member of a brigade shall not be eligible to enter for the examination specified in Schedule 3 unless he has passed, or is exempted from having to pass, the examination specified in Part I of Schedule 2 and has passed the examination specified in Part II of the said Schedule 2.

Appointment in a rank higher than that of fireman

7.—(1) The qualifications for appointment in a rank higher than that of fireman in a brigade, in the case of a person who is to serve therein as a whole-time member thereof on terms under which he will not be solely engaged on control room duties, shall be as follows, that is to say, such person at the time when it is decided to appoint him—

(a) shall be serving or have previously served as mentioned in sub-paragraph (a) or, as the case may be, in sub-paragraph (b) of Regulation 5(2), and

(b) shall be qualified for the rank in question as mentioned in paragraph (2):

Provided that a person may with the approval of the Secretary of State be appointed in a rank higher than that of fireman in a brigade to perform in that rank particular duties for which special qualifications are required if he possesses those qualifications notwithstanding that he does not possess the qualification specified in this Regulation for appointment in that rank.

(2) A person shall be qualified for a rank for the purposes of paragraph (1)(b)—

(a) where he is serving or has previously served in a brigade, if he is, or immediately before he ceased to serve was, qualified for promotion to that rank as provided in Regulation 6;

(b) where he is serving or has previously served as a member of a fire brigade maintained in Scotland under the Fire Services Act 1947, if he is or immediately before he ceased so to serve was, qualified for promotion to that rank as provided in the regulations made under section 18(1) of the said Act applicable to a fire brigade in Scotland and in force at the time it is decided to appoint him;

- (c) where he is serving or has previously served as a fire officer or fireman employed by the Fire Authority for Northern Ireland, if he is, or immediately before he ceased so to serve was, qualified for promotion to that rank as provided in the provisions in that behalf applicable to persons so employed and in force at the time it is decided to appoint him so, however, that where he ceased so to serve before 1st October 1973, this sub-paragraph shall have effect subject to such modifications as are necessary to take account of the changes as respects the nomenclature of Northern Ireland ranks made after he ceased to serve.

Conduct of examinations

8.—(1) Every fire authority maintaining a brigade shall either on their own or together with one or more other such authorities secure that there are in force arrangements to provide such assistance in their area or their areas as may be requested by the Fire Services Central Examinations Board in conducting the examinations specified in Schedules 1 to 3.

(2) The examinations specified in Schedules 1 to 3 shall be conducted at least once in each year by the Fire Services Central Examinations Board and every fire authority maintaining a brigade shall, in the manner and subject to the conditions specified by the said board, make arrangements for members of the brigade desiring and eligible to take the examinations so to do.

Powers and duties of Fire Services Central Examinations Board

9.—(1) The Fire Services Central Examinations Board shall as soon as practicable in each year submit to the Secretary of State—

- (a) a report containing such particulars as he may require concerning the examinations specified in Schedules 1 to 3 which were held during the year;
- (b) an estimated account of the expenses incurred or to be incurred during the year by the board; and
- (c) a final account of the expenses incurred during the previous year by the board.

(2) The Fire Services Central Examinations Board shall arrange with the Local Government Training Board for the latter board to carry out on their behalf and subject to their general supervision any of their functions under Regulation 8(2) which the former board may delegate to the latter board with their consent.

Revocations

10.—(1) Subject to the transitional provisions in the following paragraphs, the Regulations set out in Schedule 4 are hereby revoked.

(2) Section 38 of the Interpretation Act 1889 shall apply in relation to the Regulations revoked by paragraph (1) as if this Regulation were an Act of Parliament and as if the said Regulations were Acts of Parliament repealed by an Act of Parliament.

(3) Without prejudice to the provisions of paragraph (2)—

(a) a member of a brigade who under the Regulations revoked by paragraph (1) is qualified for promotion to a particular rank, shall be deemed to have passed the examination required by these Regulations for promotion to that rank;

(b) in so far as any approval given under any Regulations revoked by paragraph (1) could have been given under a corresponding provision of these Regulations, it shall not be invalidated by the revocation, but shall have effect as if given under that corresponding provision.

(4) Where before the coming into operation of these Regulations a member of a brigade has passed the examination specified in Part I of Schedule 1 to the Fire Services (Appointments and Promotion) Regulations 1965(a) or has satisfied the fire authority maintaining the brigade that he is of an educational standard at least as high as that required to pass that examination but has not taken or has failed the test specified in Part II of that Schedule, then until 1st June 1980 he shall be eligible to enter for the examination specified in Part II of Schedule 1 to these Regulations notwithstanding that he has not passed the examination specified in Part I of that Schedule and if he passes that examination he shall be deemed to have passed also the examination specified in Part I of that Schedule.

(5) Where before the coming into operation of these Regulations a member of a brigade has failed the test specified in Part II of Schedule 2 to the Fire Services (Appointments and Promotion) Regulations 1965, then he shall be eligible to enter for the examination specified in Part II of Schedule 2 to these Regulations notwithstanding that he has not passed the examination specified in Part I of that Schedule and if he passes that examination he shall be deemed to have passed also the examination specified in Part I of that Schedule.

(6) Where before the coming into operation of these Regulations a member of a brigade has entered the written technical examination referred to in Regulation 4(4)(a) of the Fire Services (Appointments and Promotion) Regulations 1965 and has failed in one paper only, then if before 1st June 1980 he satisfies the Fire Services Central Examinations Board of his competence in the subjects covered by that paper, he shall be deemed to have passed the examination referred to in Schedule 3, but this paragraph shall cease to apply to a member when he has on two occasions unsuccessfully attempted so to satisfy the Board.

Merlyn Rees,
One of Her Majesty's Principal
Secretaries of State.

Home Office.
15th March 1978.

Regulations 6 and 8. SCHEDULE 1
 EXAMINATIONS FOR PROMOTION TO LEADING FIREMAN
 PART I

Written Examination

A written examination to test a candidate's knowledge of:—

- (a) the use and limitations of fire appliances and the equipment carried thereon, their operational maintenance and the standard tests;
- (b) fire-fighting procedures and simple tactical considerations;
- (c) elementary building construction; and
- (d) basic fire prevention.

PART II

Practical Examination

- 1. A practical test of potential ability to instruct by conducting standard drills and by demonstrating the use of fire appliances and equipment.
- 2. An oral and practical test of knowledge of first aid.

Regulations 6 and 8. SCHEDULE 2
 EXAMINATIONS FOR PROMOTION TO SUB-OFFICER
 PART I

Written Examination

A written examination to test a candidate's knowledge of:—

- (a) appliances and equipment;
- (b) fireground procedure; and
- (c) hydraulics, and water supplies.

PART II

Practical Examination

- 1. A practical test of ability to give detailed instruction to and monitor the performance of a crew undertaking a standard drill and to organise and conduct a composite type drill.
- 2. A test of ability to give an explanatory talk on the design, use and limitations of an item of fire service equipment.

Regulations 6 and 8. SCHEDULE 3
 EXAMINATION FOR PROMOTION TO STATION OFFICER
Written Examination

A written examination in two parts, that is to say:—

PART I

- (a) Fireground procedure and communications;
- (b) physics (including hydraulics and electricity) chemistry and water supplies; and
- (c) written communication.

PART II

- (a) Fire prevention (including knowledge of the relevant legislation); and
- (b) the organisation and administration of the fire service (including knowledge of the relevant legislation), station administration and management.

SCHEDULE 4
Regulations revoked with savings

Regulation 10.

Regulations	Reference
The Fire Services (Appointments and Promotion) Regulations 1965	S.I. 1965/577
The Fire Services (Appointments and Promotion) (Amendment) Regulations 1967	S.I. 1967/1689
The Fire Services (Appointments and Promotion) (Amendment) Regulations 1968	S.I. 1968/614
The Fire Services (Appointments and Promotion) (Amendment) Regulations 1970	S.I. 1970/102
The Fire Services (Appointments and Promotion) (Amendment) Regulations 1972	S.I. 1972/932
The Fire Services (Appointments and Promotion) (Amendment) Regulations 1976	S.I. 1976/2017

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations consolidate, with amendments, the Regulations set out in Schedule 4, namely, the Fire Services (Appointments and Promotion) Regulations 1965 and the Regulations amending those Regulations.

The principal changes are in the specifications of the examinations which qualify for promotion to leading fireman, sub-officer and station officer and the transfer to the Fire Services Central Examinations Board of responsibility for the examinations previously the responsibility of individual fire authorities.

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