
STATUTORY INSTRUMENTS

1996 No. 2091 (S.169)

FIRE SERVICES

**The Fire Services (Appointments and Promotion)
(Scotland) Amendment Regulations 1996**

<i>Made</i>	- - - -	<i>6th August 1996</i>
<i>Laid before Parliament</i>		<i>9th August 1996</i>
<i>Coming into force</i>	- -	<i>1st September 1996</i>

The Secretary of State, in exercise of the powers conferred on him by section 18(1) of the Fire Services Act 1947⁽¹⁾, and 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 1996 and shall come into force on 1st September 1996.

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

2. Regulation 6 of the Fire Services (Appointments and Promotion) (Scotland) Regulations 1978⁽²⁾ shall be amended as follows:—

(a) for paragraphs (6) and (6A)⁽³⁾ there shall be substituted the following paragraphs:—

“(6) A member of a brigade shall not be eligible to enter for an examination specified in Schedule 1, 2 or 3, as the case may be, if—

(a) in the immediately preceding year, he entered for the examination in question but attended no part of that examination; and

(b) he has not satisfied the Fire Services Examinations Board that he had a reasonable excuse for such non-attendance.

(6A) Any excuse submitted for the purposes of paragraph (6)(b) above must be notified to the Fire Services Examinations Board within 21 days of the end of the examination to which it relates.”;

(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; amended by S.I. 1985/1176, 1989/49, 1991/343, 1992/409, 1992/2971, 1993/3079 and 1995/2110.

(3) Paragraph (6) was substituted by S.I. 1992/2971; paragraph (6A) was inserted by S.I. 1992/409 and amended by S.I. 1992/2971.

- (b) paragraphs (6B) and (6C)(4) shall be omitted;
- (c) in paragraph (7)(5) for the words “(in that or an earlier year)” in each place where they occur there shall be substituted “, on one of the three successive immediately preceding occasions on which it was held,”; and
- (d) after paragraph (7) there shall be inserted—

“(7A) A member of a brigade who has, prior to September 1996, passed Part I of the examination referred to in sub-paragraph (a) or, as the case may be, in sub-paragraph (c) of paragraph (7) above, shall be treated for the purposes of those sub-paragraphs as if he had passed that part of the examination in September 1996.”.

St Andrew’s House,
Edinburgh
6th August 1996

George Kynoch
Parliamentary Under Secretary of State, Scottish
Office

(4) Paragraphs (6B) and (6C) were inserted by S.I. [1992/409](#); paragraph (6B) was further substituted by S.I. [1992/2971](#).
(5) Paragraph (7) was inserted by S.I. [1985/1176](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Fire Services (Appointments and Promotion) (Scotland) Regulations 1978 by removing the ineligibility to sit a written promotion examination of a person who has failed that examination on the two previous occasions on which it was held, and who has failed, on each occasion, to score more than 25% of the marks available. The Regulations also ensure that a person cannot enter Part II of the examination for promotion to leading firefighter or sub-officer unless he has passed Part I of the examination in question on one of the three most recent occasions on which it was held. The Regulations remove spent transitional provisions and make a further transitional provision.