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STATUTORY INSTRUMENTS

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**1992 No. 2971 (S.244)**

**FIRE SERVICES**

**The Fire Services (Appointments and Promotion)  
(Scotland) Amendment (No.2) Regulations 1992**

*Made* - - - - *24th November 1992*  
*Laid before Parliament* *7th December 1992*  
*Coming into force* - - *1st January 1993*

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 (No.2) Regulations 1992 and shall come into force on 1st January 1993.

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

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

(a) in regulation 6<sup>(3)</sup>—

(i) for paragraph (6) there shall be substituted—

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

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

(b) where the examination in question is a written examination specified in Part I of Schedule 1 or 2, or in Schedule 3, he has, in the two successive immediately preceding years, failed that examination and has,

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<sup>(1)</sup> 1947 c. 41; section 18(1) was amended by the Fire Services Act 1959 (c. 44), section 6 and Schedule.

<sup>(2)</sup> S.I. 1978/1727; the relevant amending instruments are S.I. 1985/1176, 1991/343 and 1992/409.

<sup>(3)</sup> Paragraphs (6), (6A) and (6B) of regulation 6 were substituted by S.I. 1992/409, regulation 2.

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**Status:** This is the original version (as it was originally made).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

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- on each occasion, obtained less than 25% of the marks available in that examination.”;
- (ii) in paragraph (6A) for the words “date of the sitting of the final paper in” there shall be substituted the words “end of”; and
- (iii) for paragraph (6B) there shall be substituted—
- “(6B) Paragraph (6) above shall not apply in respect of—
- (a) non-attendance at a practical examination, as specified in Part II of Schedule 1 or 2, before 1st January 1993, or
- (b) failure to achieve 25% or more of the total marks available in an examination before 1st April 1991.”; and
- (b) in Schedules 1 and 2, in the heading to Part II, for the word “Test” there shall be substituted the word “Examination”.

St. Andrew’s House,  
Edinburgh  
24th November 1992

*Fraser of Carmyllie*  
Minister of State, Scottish Office

## EXPLANATORY NOTE

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

These Regulations amend the Fire Services (Appointments and Promotion) (Scotland) Regulations 1978 (“the 1978 Regulations”) (as amended in particular by the Fire Services (Examinations) Regulations 1985 (S.I. 1985/1176) and by the Fire Services (Appointments and Promotion) (Scotland) Amendment Regulations 1992 (S.I. 1992/409)) which relate to, *inter alia*, the examinations for promotion in a fire brigade.

The main effect of the amendments made by these Regulations is to ensure that a member of a brigade will not be eligible to enter for a practical examination specified in Part II of Schedule 1 or 2 to the 1978 Regulations if, in the immediately preceding year (but after 1st January 1993), he entered for the examination in question but attended no part of that examination. The Regulations also have the effect of revoking a spent transitional provision, and they amend the heading of Part II of the above-mentioned Schedules.