

5.—Without prejudice to any other powers exercisable by him or by any other person, whether by virtue of any enactment or otherwise the Fire Service Commander may authorize the placing on any wall or fence adjoining a street or public place, or elsewhere, of a notice or distinguishing mark indicating the situation of any fire hydrant or static water supply.

6.—The Service may use for the purposes of extinguishing fires any convenient or suitable supply of water.

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## **National Fire Service.**

### **Preservation of Pensions.**

REGULATIONS, DATED 28TH OCTOBER, 1942, MADE BY THE MINISTRY OF PUBLIC SECURITY UNDER SECTION 1 (1) OF THE FIRE SERVICE (EMERGENCY PROVISIONS) ACT, (NORTHERN IRELAND), 1942.

1942. No. 173.

The Ministry of Public Security for Northern Ireland (hereinafter referred to as "the Ministry") in pursuance of the powers conferred upon it by sub-section (1) of section one of the Fire Services (Emergency Provisions) Act (Northern Ireland), 1942, and of all other powers enabling it in that behalf, hereby makes the following regulations :—

1. These regulations may be cited as the National Fire Service (Preservation of Pensions) Regulations (Northern Ireland), 1942.

2. The Interpretation Act, 1921, applies to the interpretation of these regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

3. In these regulations the following expressions have the meanings hereby assigned to them, that is to say :—

"the certifying authority" means in relation to a person holding the rank of fireman, leading fireman or section leader, the Fire Service Commander, and in relation to a person holding any other rank, the Ministry;

"the local Act" means any enactment in a local Act under which a local authority may award a pension to a member of its fire brigade;

"the local brigade" and "the local authority" mean respectively, in relation to any person, the fire brigade from which he was transferred, and the local authority who maintained that fire brigade;

"the Fire Service" means the National Fire Service (Northern Ireland);

“ transferred fireman ” means any person who is or has at any time been a whole-time member of the Fire Service and who was transferred thereto by virtue of the National Fire Service (General) Regulations (Northern Ireland), 1942, and who immediately before his transfer was a whole-time member of a fire brigade.

4. For the purposes of the local Act whole-time service in the Fire Service shall be treated as if it were service in the local brigade.

5. Where, for the purposes of the local Act, service must be shown, all whole-time service in the Fire Service which is certified by the certifying authority to have been diligent and faithful service shall be deemed to be service in the local brigade :

Provided that any period during which a transferred fireman is suspended from duty and in respect of which he does not receive any pay shall not be treated as service in the local brigade.

6.—(1) A transferred fireman—

(a) who is dismissed from the Fire Service, or

(b) who is discharged from that Service on the ground that he has been found guilty of a criminal offence,

shall be treated for the purposes of the local Act as having been dismissed from the local brigade :

Provided that if the certifying authority so directs, the transferred fireman shall be treated as having been required to retire from the local brigade as an alternative to dismissal.

(2) (a) A transferred fireman who is discharged on the grounds that he is permanently incapacitated by infirmity of mind or body occasioned in the exercise of his duty shall, subject to the provisions of the next following regulation, be treated for the purposes of the local Act as having retired from the local brigade on those grounds ;

(b) A transferred fireman who is discharged on the grounds that he is incapacitated by infirmity of mind or body not occasioned in the execution of his duty shall, subject to the provisions of the next following regulation, be treated for the purposes of the local Act as having retired from the local brigade on those grounds.

(3) A transferred fireman who is discharged at his own request, but not in circumstances to which either of the preceding paragraphs of this regulation applies, shall be treated for the purposes of the local Act as having retired voluntarily from the local brigade.

(4) A transferred fireman who is discharged in circumstances to which none of the preceding paragraphs of this regulation apply may be treated for the purposes of the local Act as if he had been permanently incapacitated by infirmity of mind or body occasioned in the execution of his duty.

7.—(1) Subject as hereinafter provided, where a transferred fireman is discharged on medical grounds, the certificate of the certifying authority shall be conclusive as to whether or not his incapacity was occasioned in the execution of his duty.

(2) In giving or withholding any such certificate, the certifying authority shall act, in relation to the question in the preceding paragraph of this regulation which requires to be determined on medical grounds, on the evidence of some duly qualified medical practitioner or practitioners selected by the Ministry.

(3) Where for the purposes of this regulation any person is medically examined by a medical practitioner selected by the Ministry and is dissatisfied with the opinion of that practitioner or any medical question, such person may appeal to a medical referee appointed by the Minister of Public Security for Northern Ireland from a panel of medical practitioners nominated by the Faculty of Medicine, Queen's University, Belfast, and the certifying authority shall be bound by the decision of any medical question which is determined on any such appeal, and shall, if necessary, issue an amended certificate accordingly.

(4) A certificate of the certifying authority given for the purposes of the preceding regulation as to the grounds on which or the circumstances in which a transferred fireman was discharged shall be conclusive for the purposes of the local Act that he was discharged on the grounds, or in the circumstances, stated in the certificate.

Sealed with the Official Seal of the Ministry of Public Security  
for Northern Ireland this twenty-eighth day of October,  
Nineteen hundred and forty-two, in the presence of

(L.S.)

*E. W. Scales,*

Secretary.

### Prohibition of Processions.

ORDER, DATED 7TH OCTOBER, 1942, MADE BY THE MINISTRY OF PUBLIC SECURITY UNDER SECTION ONE OF THE MINISTRIES ACT (NORTHERN IRELAND), 1940.

1942. No. 162.

WHEREAS it is provided by Sub-Section (2) of Section One of the Ministries Act (Northern Ireland), 1940, that the Ministry of Public Security for Northern Ireland (hereinafter referred to as "the Ministry") shall have power to issue such Orders as the Minister of Public Security for Northern Ireland may consider necessary for public security, civil defence, the co-ordination of the civil defence services, and the protection of persons and property from injury or damage in the present emergency :