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STATUTORY INSTRUMENTS

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**1993 No. 800 (S.104)**

**FIRE SERVICES**

**The South Eastern Combined Fire Area Administration  
(Amendment) (No. 2) Scheme Order 1993**

*Made - - - - 12th March 1993*

WHEREAS in pursuance of section 36(3) of the Fire Services Act 1947<sup>(1)</sup> the councils of the Borders Region and Lothian Region comprised in the South Eastern Combined Fire Area submitted to the Secretary of State an administration scheme for the provision in the combined area of the services required by section 1 of that Act;

AND WHEREAS that scheme (“the principal scheme”) was approved by and set out in the Schedule to, the South Eastern Combined Fire Area Administration Scheme Order 1975<sup>(2)</sup>;

AND WHEREAS the said councils have submitted to the Secretary of State a scheme for the amendment of the principal scheme under sub-section (3) as read with sub-section (7) of said section 36;

NOW THEREFORE the Secretary of State, in exercise of the powers conferred on him by sub-section (3) as read with sub-section (7) of said section 36 and of all other powers enabling him in that behalf, hereby makes the following Order:

**1.** This Order may be cited as the South Eastern Combined Fire Area Administration (Amendment) (No.2) Scheme Order 1993.

**2.** The South Eastern Combined Fire Area Administration Amendment (No. 2) Scheme 1993 set out in the Schedule to this Order, is hereby approved.

St. Andrew’s House,  
Edinburgh  
12th March 1993

*Fraser of Carmyllie*  
Minister of State, Scottish Office

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(1) 1947 c. 41; section 36(3) was substituted by the Local Government (Scotland) Act 1973 (c. 65), section 147(2).  
(2) S.I.1975/487, as amended by S.I. 1989/67.

*Status: This is the original version (as it was originally made).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

## SCHEDULE

Article 2

### THE SOUTH EASTERN COMBINED FIRE AREA ADMINISTRATION AMENDMENT (NO. 2) SCHEME 1993

WHEREAS we, Lothian Regional Council and Borders Regional Council, being the councils of the regions comprised in the South Eastern Combined Fire Area as defined in subsection (3) of section 36 of the Fire Services Act 1947<sup>(3)</sup>, submitted to the Secretary of State for Scotland the South Eastern Combined Fire Area Administration Scheme (hereinafter referred to as “said principal Scheme”) being an administration Scheme for the provision in that Combined Fire Area of the services required by section 1 of the said Act of 1947, which said principal Scheme was set out in the Schedule to, and approved by, the South Eastern Combined Fire Area Administration Scheme Order 1975: AND WHEREAS we, the said Lothian Regional Council and Borders Regional Council, wish to amend said principal Scheme in the manner hereinafter provided: NOW THEREFORE, in exercise of the powers conferred on us by subsections (3), (4) and (5) as read with subsection (7) of section 36 of the said Act of 1947, we hereby make the following Scheme:

1. This Scheme may be cited as the South Eastern Combined Fire Area Administration Amendment (No. 2) Scheme 1993 and shall come into operation on 1st April 1993 (hereinafter referred to as “the appointed day”).

2. As from the appointed day Article 27 of said principal Scheme (as amended by Article 7 of the South Eastern Combined Fire Area Administration Amendment Scheme 1988<sup>(4)</sup> (hereinafter referred to as “the Amendment Scheme”)) shall be revoked and the following substituted therefor:

“27. The board shall, before the start of each financial year, prepare an estimate of its income and expenditure on revenue account for such financial year and make a requisition upon each of the fire authorities in respect of the defraying of the board’s expenses for such financial year. The fire authorities shall during each financial year pay to the board on or before the sixteenth day of each month an equal monthly instalment of the total sum so requisitioned for that period.”.

3. As from the appointed day Article 28 of said principal Scheme (as amended by Article 8 of the Amendment Scheme) shall be revoked and the following substituted therefor:

“28. The expenditure of the board in each financial year upon and incidental to the administration and maintenance of the combined brigade and any other expenditure which the board requires to defray as part of its expenditure under and for the purposes of the said Act of 1947 or any subsequent legislation after deducting therefrom all other receipts which require to be applied towards meeting such expenditure of the board, shall be apportioned between the fire authorities. The proportion to be borne by each fire authority shall be according to the expenditure incurred by the board in providing services within the area of that fire authority as calculated by agreement between the authorities.”.

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(3) 1947 c. 41; section 36(3) was substituted by the Local Government (Scotland) Act 1973 (c. 65), section 147(2).

(4) The amendments were approved by S.I. 1989/67.

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## EXPLANATORY NOTE

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

This Order confirms the approval of the Secretary of State to the South Eastern Combined Fire Area Administration Amendment (No. 2) Scheme 1993.

The scheme approved by the Order amends the provisions of the South Eastern Combined Fire Area Administration Scheme 1975 by providing for the apportionment of the costs of the fire service between the two Regional Councils as from 1st April 1993 in proportion to the expenditure incurred by the board in providing services within the area of each fire authority, rather than in proportion, as at present, to their adult populations.