

**THIRD SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 4,097 of 10th July, 2014

B. 24/14

BILL

FOR

AN ACT to amend the Fire Service Act.

ENACTED by the Legislature of Gibraltar.

Title and commencement.

1. This Act may be cited as the Fire Service (Amendment) Act 2014 and comes into operation on the day of publication in the Gazette.

Amendment of Fire Service Act.

2.(1) The Fire Service Act (“the Act”) is amended in accordance with this section.

(2) In the Long Title to the Act–

(a) for “CITY FIRE BRIGADE” substitute “FIRE AND RESCUE SERVICE”; and

(b) for “THE BRIGADE” substitute “THE FIRE AND RESCUE SERVICE”.

(3) In section 1 of the Act, after the word “Fire” insert “and Rescue”.

(4) In section 2 of the Act–

(a) delete definition “Brigade”;

- (b) in the definition of “fire hazard”–
 - (i) in paragraph (b) for “twenty feet” substitute “4.5 meters” on both occasions those words appear; and
 - (ii) in paragraph (g), for “Brigade” substitute “Service”;
- (c) in the definitions of “member” and “officer”, for “Brigade” substitute “Service”; and
- (d) after the definition of “proposed building” insert the following definition–

““service” means the Gibraltar Fire and Rescue Service established under section 3.”.

(5) In section 3 of the Act–

- (a) the section heading is substituted by the following section heading “Gibraltar Fire and Rescue Service.”; and
- (b) in subsection (1), for “brigade, to be called the City Fire Brigade” substitute “and rescue service, to be called the Gibraltar Fire and Rescue Service”.

(6) In section 4 of the Act–

- (a) the section heading is substituted by the following section heading “Constitution of the Gibraltar Fire and Rescue Service.”;
- (b) for subsection (1) substitute the following subsection–

“(1) The Service shall consist of such numbers of the following ranks as the Government may direct and appoint–

Chief Fire Officer
Deputy Chief Fire Officer
Divisional Officer
Station Officer
Sub Officer
Leading Firefighter

Firefighter
Leading Fire Control Operator
Fire Control Operator.”.

- (7) In section 5 of the Act, for “Brigade” substitute “Service”.
- (8) In section 6 of the Act, for “Brigade” substitute “Service”.
- (9) In section 7 of the Act—
- (a) in the section heading for “Brigade” substitute “the Fire and Rescue Service”; and
 - (b) in the frontispiece, for “Brigade” substitute “Service”.
- (10) In section 8 of the Act—
- (a) in subsection (1)—
 - (i) for “a fire brigade” substitute “a fire and rescue service”,
 - (ii) for “firemen” substitute “firefighters”,
 - (iii) for “Brigade’s” substitute “Service’s”, and
 - (iv) for “Brigade” substitute “Service”;
 - (b) in subsection 8(2)—
 - (i) for “the Brigade” substitute “ the Service” on both occasions that those words appear;
 - (ii) for “fire brigade” substitute “fire and rescue service”;
 - (c) in subsection (3)—
 - (i) for “a fire brigade” substitute “a fire and rescue service”,
 - (ii) for “the Brigade” substitute “the Service”; on both occasions that those words appear, and

- (iii) for “such brigade” substitute “ such service” on both occasions that those words appear.

(11) In section 9 of the Act, for “Brigade” substitute “Service” on both occasions that word appears.

(12) In section 10 of the Act–

- (a) in subsection (1)(d), for “Brigade” substitute “Service”; and
- (b) in subsection (5), for “of £100” substitute “up to level 2 on the standard scale”.

(13) In section 14 of the Act–

- (a) for “of £50” substitute “up to level 2 on the standard scale”; and
- (b) for “of £5” substitute “not exceeding level 1 on the standard scale”.

(14) In section 15 of the Act–

- (a) for “of £100” substitute “up to level 2 on the standard scale”; and
- (b) for “of £5” substitute “not exceeding level 1 on the standard scale”.

(15) In section 17 of the Act for “of £25” substitute “not exceeding level 1 on the standard scale”.

(16) In section 18 of the Act–

- (a) in subsection (1)–
 - (i) for “No person shall in the Brigade area” substitute “No person shall, in the Service area”, and
 - (ii) delete the words “being the whole of Gibraltar other than the excluded areas,”.
- (b) in subsection (2), for “Brigade” substitute “Service”;

- (c) in subsection (4), for “of £25” substitute “not exceeding level 1 on the standard scale”; and
- (d) in subsection (5), for ““Brigade area” means the whole area of Gibraltar other than the excluded areas” substitute ““Service area” means the area of Gibraltar, other than those areas for the time being occupied by the Ministry of Defence”.

(17) In the heading to section 19 of the Act for “Brigade” substitute “Fire and Rescue Service”.

(18) In section 20 of the Act—

- (a) in the section heading for “Brigade” substitute “Fire and Rescue Service”;
- (b) in subsection (1)—
 - (i) in paragraph (f), for “brigade” substitute “and rescue service”,
 - (ii) in paragraphs (a), (d), (e) and (g), for “Brigade” substitute “Service”, and
 - (iii) in the tailpiece for “of £50” substitute “up to level 3 on the standard scale”, and
- (c) in subsection (2)—
 - (i) for ““Brigade”” substitute ““Service””, and
 - (ii) for “fire brigade” substitute “fire and rescue service” on both occasions that those words appear.

(19) In section 22 of the Act, for “of £10” substitute “not exceeding level 1 on the standard scale” on both occasions that those words appear.

(20) In section 23 of the Act—

- (a) for “the Brigade” substitute “the Service” on the three occasions that it appears; and

- (b) for “a fire brigade” substitute “a fire and rescue service” on both occasions that it appears.

(21) In section 24 of the Act—

- (a) in the section heading for “Brigade” substitute “Fire and Rescue Service”;
- (b) for “another fire brigade” substitute “another fire and rescue” on both occasions that those words appear; and
- (c) for “the Brigade” substitute “the Service” on both occasions that those words appear.

(22) In section 25 of the Act—

- (a) for “the Brigade” substitute “the Service”; and
- (b) for “other fire brigade” substitute “other fire and rescue service”.

(23) In section 30—

- (a) for “the Brigade” substitute “the Service” on both occasions that those words appear; and
- (b) for “of £50” substitute “up to level 2 on the standard scale”.

(24) In section 31 of the Act—

- (a) in the section heading for “Brigade” substitute “Fire and Rescue Service”;
- (b) in subsection (1), for “City Fire Brigade General Orders” substitute “Fire and Rescue Service General Orders”; and
- (c) in subsection (2), for “the Brigade” substitute “the Service” on both occasions that those words appear.

(25) In Schedule 2 to the Act—

- (a) for “Fire Service Act” substitute “Fire and Rescue Service Act” on each occasion those words appear; and

- (b) for “FIRE SERVICE ACT” substitute “FIRE AND RESCUE SERVICE ACT” on each occasion those words appear.

EXPLANATORY MEMORANDUM

This Bill amends the Fire Service Act to amend the nomenclature of the Act and makes corresponding and consequential amendments throughout the Act.

This Bill also amends updates the description of the the ranks of in Service.

Further, the penalties that may be imposed are amended by including references to the standard scale of fines in place of monetary values.

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