Revised Regulations of Anguilla: F29-3

FIRE AND RESCUE SERVICE ACT (R.S.A. c F29)

FIRE AND RESCUE SERVICE REGULATIONS

Note: These Regulations made by the Governor in Council under section 87 of the Fire and Rescue Service Act, R.S.A. c. F29.

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PART 1

PRELIMINARY

Interpretation

1. (1) In these Regulations—

"Act" means the Fire and Rescue Service Act;

"acting appointment" means the temporary appointment of an officer to a higher office or otherwise, whether or not that office is vacant;

"appointment", in relation to the Fire and Rescue Service, means—

(a) the conferment of an office of emolument upon a person;

(b) the grant of permanent and pensionable terms of service to a person recruited and serving on contract terms of service;

(c) the engagement of a person on contract terms of service for a further period of service;

"approved medical practitioner" means a duly qualified medical practitioner approved for the purposes of these Regulations and includes a Government Medical Officer;

"Association" means the Fire and Rescue Service Welfare Association established by section 75 of the Act;

"candidate" means a person who satisfies the qualifications in respect of the appointment to or promotion in the Fire and Rescue Service;

"Chief Fire Officer" means Chief Fire Officer or other fire officer having command and superintendence of the Fire and Rescue Service;

"Commission" means the Public Service Commission constituted under section 65 of the Constitution of Anguilla;

"date of appointment" means the date of the appointment of a person to an office in the Fire and Rescue Service as specified by the Commission;

"financial instructions" means financial instructions issued by the Accountant General under section 8(3)(h) of the Financial Administration and Audit Act;

"Fire and Rescue Service" means the Anguilla Fire and Rescue Service established under section 3 of the Act;

"fire officer" means a person occupying or performing the duties of an office in the Fire and Rescue Service;

"Government Medical Officer" means a registered medical practitioner in the employment of the Health Authority of Anguilla;

"leave", where used as a noun, includes vacation leave, study leave, special leave, compassionate leave, maternity leave, paternity leave and leave on account of sickness;

"Permanent Secretary" means the Permanent Secretary having immediate supervisory and administrative responsibility for the Department of the Fire and Rescue Service;

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"prescribed" means prescribed by regulations by the Governor in Council;

"Premier" means the person appointed in accordance with section 24(1) of the Constitution of Anguilla.
(U.K. S.I. 2019 No. 852, s. 13(a))

"probationary period" includes the period during which a person is actually performing the duties of an office for the purposes of assessing his suitability for that office;

"promotion" means the conferment upon a fire officer of an office in the Fire and Rescue Service to which is attached a higher salary or salary scale than that attached to the office to which the fire officer was last substantively appointed;

"publish" means to communicate information or opinions to persons whether by words or in writing and includes the broadcasting of words and pictures by wireless telegraphy and in relation to any writing means exhibiting in public or causing to be shown or delivered in order that the writing may be read or seen by anyone;

"salary" means basic salary;

"Standing Orders" means the Standing Orders for the Fire and Rescue Service issued in writing by the Chief Fire Officer under section 26 of the Act;

"writing" includes printing, lithography, typewriting, photography and any other modes of representing or reproducing words or figures in visible form.

(2) References in these Regulations to "established standard procedure" shall be construed as references to the relevant procedure specified in, as the case may be—

(a) the Public Service Commission Regulations;

(b) the General Orders or any statutory instrument replacing such Orders; or

(c) such other written instructions in respect of the administration of the public service issued by the Governor.

PART 2

RECRUITMENT, ENLISTMENT AND APPOINTMENT

Entry level

2. As a general rule, there shall be one entry level into the Fire and Rescue Service which shall be at the level of the office of Firefighter, but entry into the Fire and Rescue Service may be permitted at any other level having regard to the exigencies, needs or demands of the Fire and Rescue Service.

Recruitment

3. (1) A person is eligible as a candidate for recruitment as a trainee firefighter or as an auxiliary fire officer if the person—

(a) is of good character as evidenced by a testimonial from the Police Force or a member of good standing in the community;

(b) is not younger than 18 years of age but not older than 35 years of age;

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(c) passes such physical and practical examinations conducted by the Fire and Rescue Service as the Governor in Council may, on the recommendation of the Chief Fire Officer specify;

(d) is recommended by a medical practitioner as being physically fit and suitable for recruitment;

(e) has a minimum height of—

(i) in the case of a male, 166¼ centimetres, and

(ii) in the case of a female, 160 centimetres;

(f) possesses a Class "B" or "C" Driver's licence; and

(g) possesses, at a minimum—

(i) a Caribbean Examination Council Secondary Education Certificate or any other equivalent certificate with passes in Mathematics, English Language and 2 other subjects at the general proficiency or Ordinary level, or

(ii) such other qualification as the Governor in Council may, after consultation with the Permanent Secretary Public Administration, Permanent Secretary, Chief Education Officer and Chief Fire Officer, specify.

(2) The Chief Fire Officer may recommend a waiver of the requirement of paragraph (1)(c) or (e) if the Chief Fire Officer considers it necessary in any circumstance.

(3) Without prejudice to paragraph (1)(d), where a person is recruited from outside Anguilla, the person must undergo and pass a medical examination to be conducted by a recognized medical practitioner of the country where the person is recruited before leaving that country.

Appointment

4. (1) A person is eligible as a candidate for appointment to the offices of Firefighter or Senior Firefighter—

(a) if, on 25 September 2013, the person is a trainee firefighter or an auxiliary fire officer and is successful in the qualifying examination set for the purpose of appointment to the office of Firefighter; or

(b) if, on or after 25 September 2013, the person is recruited under section 3 and is successful in the qualifying examination set for the purpose of appointment to the office of Firefighter.

(2) A person is eligible as a candidate for appointment to the office of Leading Firefighter if the person—

(a) has been appointed to the office of Firefighter for a minimum of 4 years in the Fire and Rescue Service; or has been appointed to the officer of Senior Firefighter for a minimum of 2 years in the Fire and Rescue Service; and

(b) possesses any or both of the following qualifications—

(i) the person is the holder of a Preliminary Certificate of the Institution of Fire Engineers, International Fire Training Centre or comparable certification from a recognised international fire institution,

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(ii) the person passes a job related written examination and a practical examination conducted for that purpose by the Commission.

(3) A person is eligible as a candidate for appointment to the office of Fire Sub Officer if the person has been appointed to the office of Leading Firefighter and has a minimum of 7 years service in the Fire and Rescue Service and either—

(a) is the holder of a Preliminary Certificate of the Institution of Fire Engineers, International Fire Training Centre or comparable certification from a recognised international fire institution; or

(b) passes a job related written examination conducted for that purpose by the Commission.

(4) Subject to subsection (5), a person is eligible as a candidate for appointment to the office of Fire Station Officer if the person holds or has acted in the office of Fire Sub Officer and either—

(a) is the holder of the Intermediate Certificate of the Institution of Fire Engineers or such other equivalent related qualification as the Governor in Council may, after consultation with the Permanent Secretary, Chief Education Officer and Chief Fire Officer, specify; or

(b) passes a job related written examination conducted for that purpose by the Commission.

(5) Where a candidate for appointment to the office of Fire Station Officer has served 5 or more years in the office of Fire Sub Officer, he is required to—

(a) be the holder of a Diploma or Certificate in Management Studies or have passed a written examination in Management Studies conducted by the Commission;

(b) have successfully completed the Overseas Operational Commanders and Fire Prevention Course at some recognised tertiary institution providing training for fire officers; or

(c) be the holder of at least one of the following qualifications—

(i) a Certificate with passes in not less than 2 subjects at Caribbean Advanced Proficiency Examinations or such other equivalent examination as the Governor in Council may, after consultation with the Permanent Secretary, Chief Education Officer and Chief Fire Officer, specify,

(ii) an Intermediate Certificate from the Institution of Fire Engineers or such equivalent qualification as the Governor in Council may, on the recommendation of the Permanent Secretary, Chief Education Officer and Chief Fire Officer, specify.

Qualifying examinations

5. (1) The Commission shall—

(a) set or cause to be set the qualifying examination which is required for appointment to an office in the Fire and Rescue Service;

(b) at least once a year, conduct the qualifying examination which is required for appointment to an office in the Fire and Rescue Service; and

(c) assess or cause to be assessed every examination paper submitted and every practical examination conducted in respect of the qualifying examination.

(2) A candidate shall apply in writing to write any qualifying examination referred to in subsection (1) and shall undergo any medical examination recommended by the Commission.

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(3) The Commission shall place the candidates in order of merit according to their performance in the qualifying examination referred to in subsection (1).

(4) A fire officer may take any examination conducted by the Commission in respect of an office in the Fire and Rescue Service.

Medical examination

6. (1) Every person recommended for appointment to the office of Firefighter shall be required to pass a medical examination designed for persons required to respond to the physical and psychological demands of an office in the Fire and Rescue Service.

(2) Without prejudice to subsection (1), the Chief Fire Officer may, at such times as the circumstances demand or from time to time, recommend a fire officer to undergo a medical examination to determine the physical or psychological fitness of the fire officer.

(3) The medical examination referred to in this section shall be conducted by an approved medical practitioner.

Determination of age

7. For the purpose of determining the age of a candidate for admission into the Fire and Rescue Service, there shall be deducted from the chronological age of the candidate—

(a) any period of service in the Police Force or Prison Service, not exceeding 2 years; or

(b) any period of continuous service, not exceeding 2 years, in a public capacity in Anguilla including acting or temporary service in a government agency;

where such service immediately precedes the date of application for entry into the Fire and Rescue Service.

Waiver of qualifying period for appointment

8. (1) Where a candidate for appointment to an office in the Fire and Rescue Service demonstrates an exceptional level of performance as evidenced in his performance appraisal report and, in particular, in regard to his performance in his present office, the Chief Fire Officer in accordance with established procedures may recommend in writing to the Permanent Secretary Public Administration that the qualifying period of service specified in respect of the appointment of the candidate to that office be waived in whole or in part.

(2) The Permanent Secretary Public Administration shall, upon receipt of the recommendation of the Chief Fire Officer, submit a report in that regard to the Governor and, at the time of submitting the report to the Governor, furnish the Commission with a copy of the report.

Trainee and service number

9. (1) On first recruitment to the Fire and Rescue Service as a trainee firefighter or an auxiliary firefighter, a person shall be given a trainee number which the person shall retain throughout his service as a trainee firefighter or, as the case may be, an auxiliary fire officer.

(2) On first appointment to an office in the Fire and Rescue Service, a fire officer shall be given a service number which shall be—

(a) inserted on his Fire and Rescue Service Identification Card; and

(b) retained throughout his service.

(3) A service number once issued shall not be re-issued.

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Change of name

10. Where in respect of a fire officer there is a change of name, the fire officer shall report such change of name to the Chief Fire Officer who shall, in accordance with established standard procedure, inform the Permanent Secretary and the Department of Public Administration.

Promotion

11. Promotion in the Fire and Rescue Service shall be conducted in accordance with the provisions of section 4 and established standard procedures.

Personal records

12. (1) Without prejudice to the provisions of any other enactment, the Chief Fire Officer shall cause to be kept a personal record of every member of the Fire and Rescue Service and every such record shall contain—

(a) a description of such member;

(b) particulars of the place and date of birth of such member;

(c) particulars of the marriage and children, if any, of such member;

(d) particulars of prior service, if any, of such member in the service of the Government or a government agency;

(e) particulars of any courses attended and the achievement, if any, gained in such courses;

(f) the personal appraisal report or reports of such member;

(g) such other information respecting the service of the member in the Fire and Rescue Service including—

(i) particulars of all promotions, postings, transfers, injuries, periods of illness, commendations, rewards, penalties other than reprimands, and

(ii) the date of his termination of employment with the reason, cause or manner for the termination.

(2) In circumstances where the personal records of fire officers cannot be stored at the Fire Station, these records shall be stored at the Department of Public Administration.

(3) A member of the Fire and Rescue Service is entitled to inspect his personal record and may, upon request, inspect such record in the presence of a fire officer or a member of staff at the Department of Public Administration, as may be authorised for that purpose.

(4) The member of the Fire and Rescue Service shall return the record at the end of its inspection to such fire officer or a member of staff at the Department of Public Administration, as may be authorised to ensure its return to the person in charge of personal records.

(5) Where a person ceases to be a member of the Fire and Rescue Service, the Chief Fire Officer—

(a) may, upon request, give to such person a certificate of service specifying the rank and period of service of the person in the Fire and Rescue Service and the reason for the cessation of service together with a recommendation as to conduct; and

(b) shall cause to be kept the personal record of the person for such time as the Chief Fire Officer considers fit and thereafter destroy or supervise the destruction of such record.

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PART 3

PROBATIONARY PERIOD

Probation generally

13. (1) Subject to subsection (2), where, at any time during any probationary period, a subordinate fire officer shows, by his aptitude, conduct or otherwise, that he is not likely to become an efficient member of the Fire and Rescue Service, the Chief Fire Officer may, in accordance with the provisions of the Act and established standard procedures, recommend to the Governor to dispense with the services of such officer at the end of the probationary period.

(2) The Chief Fire Officer shall provide such subordinate officer with a reasonable opportunity to show cause why the recommendation to dispense with his services should not be made to the Governor.

Probation on first appointment

14. (1) Without prejudice to the provisions of any other enactment, where a member of the Fire and Rescue Service is appointed on probation for the first time, the member shall, before the end of the probationary period, satisfy the Chief Fire Officer that he has become proficient in—

(a) the driving and the handling of vehicles and marine crafts being the property of the Fire and Rescue Service;

(b) the basic first aid and rescue training techniques applicable to the Fire and Rescue Service;

(c) the use of any specified safety device which may be in operation in the Fire and Rescue Service; and

(d) the basic techniques applicable to the bringing down of living persons from buildings by carrying such persons down a ladder or by lowering such persons from buildings or from a ladder.

(2) For any of the purposes specified in subsection (1), a member of the Fire and Rescue Service may be required to undergo such tests as the Chief Fire Officer thinks necessary.

(3) Subject to subsection (1), where any member of the Fire and Rescue Service is appointed on probation and the Chief Fire Officer is, before the end of the probationary period—

(a) satisfied that the service of that member is satisfactory; and

(b) of the opinion that the Governor ought to be advised to reduce that probationary period;

the Chief Fire Officer shall make a recommendation to that effect, for transmission in accordance with established standard procedures, to the Governor.

PART 4

PAY, ALLOWANCES AND PERFORMANCE APPRAISALS

Rates of pay

15. The rates of pay of fire officers shall be at rates of pay approved by the Government from time to time and approved in the annual estimates of Anguilla.

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Increment

16. (1) The Chief Fire Officer shall sign every certificate in respect of a recommendation for the grant of increment in accordance with this section.

(2) Notwithstanding anything to the contrary in the provisions of the General Orders, when a Deputy Chief Fire Officer, Station Officer or a subordinate fire officer is on an incremental pay scale, the Chief Fire Officer shall, one month before the annual increment becomes due for payment, consider whether he can sign the certificate to the effect that the fire officer has served with efficiency, diligence and fidelity during the past year.

(3) Where the Chief Fire Officer is able to recommend the grant of increment to the fire officer on incremental pay scale, he shall sign the certificate to that effect and submit it in duplicate to the Permanent Secretary of the Department of Public Administration for approval.

(4) When the certificate is signed and approved, the original shall be attached to the next pay voucher on which pay is authorised and shall constitute authority for payment of the increment and the duplicate shall be returned to the Chief Fire Officer, for attachment to the personal record of the fire officer maintained by the Chief Fire Officer.

(5) If for any reason the Chief Fire Officer is unable to recommend the grant of the increment to the fire officer, the Chief Fire Officer must inform the Permanent Secretary of the Department of Public Administration and the fire officer, giving detailed reasons and submitting his recommendations as to whether the increment due is to be forfeited or deferred in accordance with the provisions of these Regulations.

(6) The Chief Fire Officer shall not take into account any act of minor misconduct if the fire officer otherwise qualifies for an increment in other respects.

(7) A fire officer who is dissatisfied with the recommendation of the Chief Fire Officer in his case under this section shall have a right of appeal to the Governor.

Deferral or forfeiture of increment

17. (1) The Chief Fire Officer may recommend the deferral of the payment of increment to a fire officer for a period not exceeding 6 months.

(2) Where the Permanent Secretary of the Department of Public Administration, after considering any representations by a fire officer, is of the view that on the basis of the performance appraisal report and representations of the fire officer that the payment of an increment to the fire officer is not justified, he shall—

(a) defer the payment of the increment to the fire officer for a period not in excess of 12 months;

(b) notify the fire officer in writing of his decision to defer the payment of the increment and the reasons for the decision; and

(c) in such notice, specify the period of such deferral.

(3) Where the Permanent Secretary of the Department of Public Administration defers payment of an increment to a fire officer under subsection (2), he shall not less than 30 days before the expiration of the specified period obtain a report on that fire officer from the Chief Fire Officer.

(4) Where the Permanent Secretary of the Department of Public Administration, after taking into account the report referred to in subsection (3), is of the view that the payment of the increment is justified, he shall grant the payment of the increment from such date as he may determine.

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(5) Where the Permanent Secretary of the Department of Public Administration is of the view that the report referred to in subsection (3) does not justify the payment of the increment, he may refuse to award the increment and such refusal shall be recorded in the performance appraisal report of the relevant fire officer.

(6) The refusal to award an increment under subsection (5) shall be deemed a forfeiture of the increment.

(7) The deferral of the payment of an increment or the forfeiture of an increment under this section shall not affect the incremental date of the fire officer.

Uniform allowance

18. (1) The Chief Fire Officer, Deputy Chief Fire Officer and every Fire Station Officer, if not in receipt of free uniform under section 30, shall be paid a uniform allowance—

(a) in the case of the Chief Fire Officer and Deputy Chief Fire Officer, an amount of $1,000 per annum or such higher amount as the Governor in Council may direct; and

(b) in the case of a Fire Station Officer, an amount of $800 per annum or such higher amount as the Governor in Council may direct.

(2) Every subordinate fire officer, shall be provided with an allowance of $480 per annum or such higher amount as the Governor in Council may direct for the upkeep of the uniform of that fire officer.

Responsibility allowance

19. Responsibility allowances may be paid to Fire Station Officers at a rate that the Governor in Council may direct.

Special services pay

20. (1) Subject to subsection (2), a member of the Fire and Rescue Service who performs or assists in performing a special service for which fees are paid in accordance with the Act, shall be entitled to such proportion of the such fees as special services allowance as may be specified from time to time in Standing Orders.

(2) The amount payable to any member of the Fire and Rescue Service in respect of any special service performed shall be at a rate not greater than 75% of the rate payable by the person for whom the special service is performed, and the remaining sum shall be paid into the Consolidated Fund.

(3) The Chief Fire Officer in his discretion will determine whether the fire officer should be paid at a rate less than 75% of the rate payable by the person for whom the special service is performed.

Authorisation of deduction from pay

21. (1) Subject to any enactment, a fire officer may in writing authorise the Accountant General to make deductions from his pay for the repayment of any debt owed to the Government pursuant to section 33(5).

(2) Notwithstanding subsection (1), where the debt is owed to the Government or has been incurred as a penalty consequent on disciplinary proceedings, the Accountant General may with or without the authorisation of the fire officer, deduct such sums from the pay of that fire officer accordingly.

(3) The Minister responsible for finance shall determine the type of deductions that may be permitted to be accommodated on the payroll as an approved deduction.

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Performance appraisals reports

22. (1) Periodic assessments of the job performance and career appraisal potential of a fire officer in relation to his contribution to the Fire and Rescue Service shall be conducted, subject to subsection (2) and section 23, in such manner as the Department of Public Administration may determine.

(2) The assessment shall—

(a) be conducted every year and, if the Chief Fire Officer so recommends, may be conducted every quarter in any one year;

(b) be presented in a form, which shall be known as the performance appraisal report;

(c) provide for communication to a fire officer of the nature of his job performance for the period under review and of his career potential; and

(d) ensure the participation of the fire officer in the establishment of standards required in order that his job performance and career potential may be accurately evaluated by a reporting officer.

Conduct of performance appraisal

23. (1) The Chief Fire Officer shall designate a fire officer as a reporting officer to conduct the assessment of the job performance of another fire officer in the Fire and Rescue Service.

(2) The reporting officer referred to in subsection (1) shall be of a higher rank than the fire officer who is the subject of the assessment.

(3) Every reporting officer shall communicate fully to the fire officer who is the subject of the assessment the matters concerning the job performance of that fire officer and record in the performance appraisal report—

(a) the strengths and areas for improvement in the job performance of such fire officer based on the duties and standards previously agreed upon by that fire officer and the reporting officer;

(b) the means, if any, by which the job performance of such fire officer may be improved;

(c) the training and development needs of such fire officer within the Fire and Rescue Service;

(d) the means by which the job satisfaction of such fire officer can be enhanced;

(e) the future career potential of such fire officer and how it may be developed; and

(f) the duties and standards of performance required of the fire officer for the next year or, as the case may be, for the next quarter.

(4) The reporting officer shall ensure that any commendation or award in respect of the fire officer who is assessed is recorded in the job performance appraisal report of that fire officer.

(5) Every fire officer who is assessed shall comment in the performance appraisal report on any aspect of the assessment, whether such report is satisfactory or otherwise.

(6) Where, during the conduct of an assessment in respect of any year, a shortcoming in performance is recorded in a performance appraisal report for that year, the Chief Fire Officer shall discuss the content of the performance report with the relevant fire officer and the reporting officer.

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(7) The Chief Fire Officer shall—

(a) in accordance with established standard procedures, forward to the Department of Public Administration a copy of every performance appraisal report signed by him and endorsed as having been seen by the relevant fire officer; and

(b) on request, make available to the relevant fire officer a copy of such report.

PART 5

LEAVE AND RELATED BENEFITS

Duty period, leave *in lieu* of duty

24. The Chief Fire Officer shall make provisions in the Standing Orders for—

(a) the normal daily period of duty, including the period allowed for the partaking of refreshment;

(b) the granting of leave *in lieu* of duty where a member of the Fire and Rescue Service remains on duty after the completion of the tour of duty or is called out between tours of duty;

(c) the granting of leave on public holidays where the exigencies of the Fire and Rescue Service permit; and

(d) the granting of leave after the performance of duty on a public holiday as soon as the exigencies of the Fire and Rescue Service permit.

Application for leave

25. (1) Subject to subsection (2), every application for leave shall—

(a) be submitted in the standard application form and in accordance with established standard procedures, to the Department of Public Administration; and

(b) if the fire officer intends to be out of Anguilla for 5 days or more during the period of leave, contain an address or telephone number at which communication can reach that fire officer with the minimum of delay.

(2) Where the leave is for a period in excess of 2 days on account of sickness, the application for leave must be accompanied by a certificate from the approved medical practitioner recommending that the leave be granted.

(3) Without prejudice to subsection (1), every fire officer must, before the 15th day of November in each year, inform the Chief Fire Officer of the dates when subject to the exigencies of the Fire and Rescue Service, that fire officer intends to take any period of leave in excess of 2 days during the year next following that date.

(4) The Chief Fire Officer shall, on or before the 1st day of January in each year—

(a) prepare a roster in respect of leave to be granted during that year to members of the Department of the Fire and Rescue Service; and

(b) inform every fire officer on or before the 1st day of January of that year when it is convenient for that fire officer to take leave in that year.

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(5) On the recommendation of the Medical Board, a fire officer in whose case the Medical Board certifies that there is reasonable prospect of eventual recovery may be granted sick leave with full pay up to a maximum period including any period of sick leave granted under subsection (2) but not exceeding 6 months, but where the sickness—

(a) is due to any injury or illness suffered by the fire officer in the actual discharge of his duties and without his own default; or

(b) is on account of circumstances specially attributable to the nature of the duties of the fire officer,

the fire officer shall in accordance with established standard procedures, be entitled to a further grant of sick leave with full pay.

(6) The Chief Fire Officer shall cause to be kept, a register in respect of leave granted in which shall be entered—

(a) the names of every fire officer to whom leave is granted;

(b) the particulars of the duration of such leave; and

(c) the address and telephone number at which a fire officer who is on leave may be located or contacted during such leave.

Extension of leave

26. (1) Section 25 applies to every application for extensions of leave and where such application is on account of sickness for a period of leave in excess of 2 days, that application must be accompanied by a certificate in respect of the sickness from an approved medical practitioner.

(2) Where an extension of leave is granted, the extension of leave must be deducted from the annual leave of the officer at the time the extension is granted.

Overstaying leave

27. (1) Subject to the provisions of this section but without prejudice to any disciplinary action that may be commenced against him under the Act and these Regulations, Deputy Chief Fire Officer, a Fire Station Officer or subordinate fire officer who fails to report for duty at the fire station where such fire officer is stationed on the date on which his leave expires shall—

(a) be regarded as absent from duty without permission and without pay; and

(b) forfeit his pay for such day or days as he may overstay his leave.

(2) The Chief Fire Officer shall promptly make to the Permanent Secretary Public Administration a written report in respect of the failure of every Fire Station Officer or, as the case may be, every subordinate fire officer to report for duty after leave or absence without permission.

(3) If it should be clearly proved to the satisfaction of the Chief Fire Officer that such overstaying was due to no fault of the fire officer, the Chief Fire Officer may recommend the grant of leave with or without pay.

(4) Every report made by the Chief Fire Officer under this section shall be submitted to the Public Service Commission in accordance with established standard procedures.

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Leave certificate evidence of fact

28. (1) A leave certificate signed by the Chief Fire Officer and counter-signed by the Permanent Secretary Public Administration in accordance with established procedures shall be evidence of the facts stated in the leave certificate.

(2) The holder of a leave certificate shall produce such certificate if he is called upon to do so—

(a) in the case of a Deputy Chief Fire Officer or Fire Station Officer, by the Chief Fire Officer; and

(b) in the case of a subordinate fire officer, by any fire officer of higher rank.

Examination by Medical Board

29. Any Deputy Chief Fire Officer, Fire Station Officer or subordinate fire officer who on account of sickness has taken leave for 100 days or more during a 2 year period shall be required, if called upon by the Governor so to do, to submit himself for examination by a Medical Board consisting of not less than 2 Government Medical Officers.

PART 6

UNIFORMS, EQUIPMENT, TRAINING AND DUTIES

Uniforms

30. (1) The Chief Fire Officer, Deputy Chief Fire Officer and every Fire Station Officer shall, on first appointment to their respective rank, receive uniform at the public expense in accordance with this section.

(2) Every member of the Fire and Rescue Service, including every auxiliary fire officer, shall be supplied on loan, with uniform, equipment and where applicable, bedding, at the public expense in accordance with Standing Orders.

(3) All articles of uniform, equipment and bedding issued to any member of the Fire and Rescue Service shall be marked with the service number and surname of the member.

(4) Trainee firefighters shall be issued such uniform and equipment as the Chief Fire Officer may specify and the uniform and equipment shall be marked with the trainee number and surname of the trainee firefighter.

(5) Uniforms and equipment issued to any member of the Fire and Rescue Service shall be of such design and shall be worn in such manner as is laid down in Standing Orders.

(6) When any article of uniform or equipment has been replaced by some other article, the replaced article shall be handed in to the Fire and Rescue Service store unless the member of the Fire and Rescue Service to whom such replaced article was issued, with the consent of the Chief Fire Officer, buys such replaced article at a price to be fixed by the Chief Fire Officer.

(7) Uniform or equipment handed in under subsection (6) or delivered up under the provisions of the Act shall not be reissued to any other member of the Fire and Rescue Service until such uniform or equipment has received any necessary cleaning or renovation and is in serviceable condition.

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Duty of Chief Fire Officer to determine description of uniform

31. The Chief Fire Officer shall—

(a) determine the description of all articles of uniform and the orders of dress to be worn by members of the Fire and Rescue Service; and

(b) publish such description and orders of dress in the Standing Orders.

Unauthorised badges and emblems

32. No fire officer, auxiliary fire officer or trainee firefighter shall wear with his uniform any badge, emblem or decoration that is not officially approved by the Chief Fire Officer or the Governor.

Government property

33. (1) Every article of clothing, equipment and other accoutrements supplied at the public expense to a member of the Fire and Rescue Service shall remain the property of the Government.

(2) Every subordinate fire officer and every auxiliary fire officer or trainee firefighter to whom such articles of clothing, equipment and other accoutrements are issued shall be responsible—

(a) for the proper care of the articles of clothing, equipment and other accoutrement; and

(b) for handing over the articles of clothing, equipment and other accoutrement issued to him on termination of employment or when ordered to do so by a fire officer of higher rank.

(3) Every subordinate fire officer and every auxiliary fire officer or trainee firefighter shall—

(a) keep every article of clothing, equipment and other accoutrement issued to him constantly clean and serviceable; and

(b) where any such article issued to him is lost or damaged, submit to the Chief Fire Officer a written report of such loss or damage and the circumstances in which the loss or damage arose.

(4) The report referred to in paragraph (3)(b) shall include the name of any fire officer whose article was lost or damaged.

(5) A fire officer is liable to make good by stoppage or deduction from pay any damage to or loss of any article of clothing, equipment and other accoutrement otherwise than by fair wear and tear or through injury sustained in the performance of duty, unless he can show that the loss or damage did not arise from his own default or negligence.

Training

34. (1) Every Fire Station Officer and every subordinate fire officer shall undergo training in fire fighting and rescue duties appropriate to the rank of that fire officer, and the Chief Fire Officer shall determine the frequency and duration of such training and days on which such training shall occur.

(2) Notwithstanding subsection (1), the Chief Fire Officer may exempt a member of the Fire and Rescue Service who is 55 years of age or older from taking part or continuing to take part in any aspect of training if the Chief Fire Officer is of the opinion that such training is physically exhausting or will be physically exhausting if continued.

(3) References in subsections (1) and (2) to "training" shall be construed to include references to—

(a) all drills specified in the Fire and Rescue Service Drill Book;

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(b) pump drills, wet and dry;

(c) ladder and escape drills;

(d) subject to specified safety devices then in use in the Fire and Rescue Service and practical rescue drills, relevant carrying down drills;

(e) combined drills including foam drills;

(f) hose drills;

(g) ambulance drills including stretcher drills;

(h) pump operations;

(i) training with respect to knots and lines;

(j) fire boat drills and exercises;

(k) rowing, sculling, steering and navigation;

(l) communication exercises;

(m) first aid exercises including drills in cardiopulmonary resuscitation;

(n) squad drills;

(o) watch room procedures;

(p) driving and other lectures and exercises concerning mechanical equipment used by the Fire and Rescue Service;

(q) lectures, seminars and other presentations using audio-visual material or otherwise on Fire and Rescue Service matters;

(r) continuous physical exercise, whether during day-time or night-time hours;

(s) airport fire training courses and other like training courses for airport duties; and

(t) any other training conducive to the effectiveness and efficiency of the Fire and Rescue Service which appears in Standing Orders issued from time to time.

Duty to carry out lawful orders

35. Every member of the Fire and Rescue Service shall—

(a) carry out all lawful orders issued to that member;

(b) at all times, act punctually and promptly in the exercise and performance of all duties and matters within the scope of his office as a member of the Fire and Rescue Service; and

(c) in the exercise of his office, act with strict impartiality and courtesy towards the members of the general public.

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PART 7

STORES

Service establishment and contents to be kept in good condition

36. (1) The fire officer with the highest rank in charge of any fire station or an establishment or office of the Fire and Rescue Service shall ensure that every item of furniture being the property of the Government in or on the premises of such fire station, establishment or office is maintained in good order and condition.

(2) Where any item of furniture in any fire station or establishment or office of the Fire and Rescue Service requires repair or needs to be replaced, the relevant officer of the Ministry of Infrastructure shall be notified so that inspection, repair or, where applicable, replacement of that item of furniture can be effected.

Issue of stores

37. Subject to the financial instructions or to regulations relating to stores made under the Act or any other enactment, the Chief Fire Officer may direct the issue of miscellaneous stores to fire stations and establishments and offices of the Fire and Rescue Service at such intervals as the Chief Fire Officer considers fit.

Requisitions

38. (1) The supply of stores, uniforms and equipment shall occur only on a requisition made in writing to the fire officer in charge of stores.

(2) A delivery and receipt voucher signed by the fire officer making the issue shall be sent with every supply of stores, uniforms or equipment requisitioned in accordance with subsection (1).

(3) The fire officer receiving any stores, uniforms or equipment requisitioned in accordance with this section shall, on receipt of such stores, uniforms or equipment, sign the delivery and receipt voucher and return it to the fire officer in charge of stores.

Stores ledger

39. (1) The fire officer in charge of stores shall—

(a) keep stores ledgers in which he shall enter the receipt, issue and return of stores when stores are received or issued or are returned to stores, as the case may be; and

(b) give a receipt for articles or items returned to stores.

PART 8

SPECIAL SERVICES

Prescribed form for requesting special services

40. (1) Every request under section 27 or 43 of the Act for assistance from the Fire and Rescue Service—

(a) shall be made in writing to the Chief Fire Officer; and

(b) shall contain the following information—

(i) the full name, address and telephone number of the applicant,

(ii) the nature of the assistance required,

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(iii) the location or address of the place where the assistance is to be provided and

(iv) where applicable, an estimate of the number of fire officers required.

(2) Notwithstanding subsection (1), where a person is not able to make a request in writing at the time the request for assistance is made or before assistance is provided, the person shall, as soon as practicable but not later than 7 days after the date of making that request, comply with the provisions of that subsection.

Consideration of requests

41. The Chief Fire Officer shall respond promptly to the person requesting assistance from the Fire and Rescue Service having regard to the exigencies of the Fire and Rescue Service, including available personnel and other resources.

Register of special services

42. (1) The Chief Fire Officer shall keep a register in which shall be recorded all requests for assistance from the Fire and Rescue Service and the nature and extent of any assistance provided by the Fire and Rescue Service.

(2) Without limiting the generality of subsection (1), the Chief Fire Officer shall record—

(a) the day and time the request for assistance was made;

(b) where no assistance is provided, the reason for not providing such assistance; and

(c) where assistance is provided—

(i) the day and time such assistance was provided,

(ii) the number and rank of fire officers assigned to provide assistance, and

(iii) the fees, if any, charged for the provision of the assistance.

Fees

43. The fees payable per hour or part of an hour to the Fire and Rescue Service for special services provided or performed by subordinate fire officers shall be—

(a) determined in accordance with the assigned officers' established rate of pay as determined per hour; and

(b) paid to the Comptroller of Inland Revenue for payment into the Consolidated Fund.

PART 9

CONDUCT, DISCIPLINE AND PROCEDURE

General conduct

44. Every fire officer shall conduct himself, at all times, in a manner that does not bring discredit to the reputation of the Fire and Rescue Service or to the public service.

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Appearance and turn out

45. (1) Every fire officer shall—

(a) be clean and smart in appearance;

(b) be alert on duty, smart in his movements and respectful in bearing and manner; and

(c) not appear in the public view improperly dressed.

(2) Every fire officer shall keep the hair on the head, face and chin, as the case may be, of that fire officer neatly dressed and groomed.

Duties of a fire officer

46. (1) A fire officer shall—

(a) carry out all lawful orders issued to him by a fire officer who is senior in office; and

(b) at all times, punctually and promptly, perform all appointed duties and attend to all matters within the scope of his office.

(2) A Fire Station Officer who is in charge of a fire station shall be responsible for the state of his command and for the conduct and efficiency of all members of the Fire and Rescue Service under his command.

(3) In the absence of the Fire Station Officer at the fire station where he is posted, the authority and responsibility of the Fire Station Officer shall devolve upon the next fire officer in seniority at that fire station unless the Chief Fire Officer specifically directs otherwise.

(4) In the discharge of his duties, a fire officer shall be courteous and polite both to members of the Fire and Rescue Service and to members of the public.

Saluting

47. (1) Every Fire Station Officer and every subordinate fire officer shall salute the Governor, Deputy Governor, Premier, Minister who is assigned responsibility for the Fire and Rescue Service, Chief Fire Officer and Deputy Chief Fire Officer.

(U.K. S.I. 2019 No. 852, s. 13(a))

(2) Every subordinate fire officer shall salute every Fire Station Officer in accordance with Standing Orders.

(3) Every fire officer to whom the compliments referred to in subsections (1) and (2) are paid shall acknowledge them in an appropriate manner.

(4) Every fire officer shall pay compliments to such designated persons, on such occasions and in such manner, as the Chief Fire Officer may direct.

Absence to be reported

48. (1) A fire officer shall not be absent from duty without leave or reasonable excuse.

(2) Where a fire officer is unable to perform the duties of his office, whether on account of sickness or some other cause, he shall promptly make or cause to be made a report in that regard to the Chief Fire Officer or to the fire officer senior in office to whom he reports.

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(3) Without prejudice to the provisions of the General Orders, a fire officer when leaving Anguilla shall inform the Chief Fire Officer in writing of the date and time of his scheduled departure and return, or in a case of emergency, communicate such information to a fire officer senior in office to him who shall report the facts forthwith in writing to the Chief Fire Officer.

Activities outside the Fire and Rescue Service

49. (1) A fire officer, whether on leave or otherwise, shall not, at any time and without first obtaining the relevant permission in writing from the Governor—

(a) engage in any activity which is likely in any way to impair his usefulness as a fire officer;

(b) undertake private work for remuneration or engage in any trade or any professional, commercial, agricultural or industrial undertaking; and

(c) engage in any private work or in any occupation or undertaking which is likely in any way to conflict with the interest of the Fire and Rescue Service or be inconsistent with his position as a fire officer.

(2) The fire officer shall submit the application for the relevant permission together with—

(a) full details of the private work or other activity; and

(b) the particulars of the remuneration offered and when the work is required to be performed.

Prohibition respecting interview on question of public policy, etc.

50. (1) A fire officer shall not—

(a) subject to subsection (2), allow himself to be interviewed on questions of public policy; or

(b) allow himself to be interviewed on matters affecting the defence or security resources of Anguilla or any other territory or any country.

(2) A fire officer acting in his capacity as a representative of the Association may allow himself to be interviewed on questions of public policy.

Prohibition respecting certain public meetings

51. (1) The Chief Fire Officer, Deputy Chief Fire Officer or a Fire Station Officer may not call a public meeting to consider any action of the Government or actively participate in the proceedings of a meeting called for such purpose or procure signature to any public petition regarding the actions of the Government to the extent that such prohibition is reasonable for the proper performance of his official functions.

(2) A fire officer shall not participate in meetings of any political party or any organization while on duty or while wearing official uniform.

(3) Nothing in this section shall be construed as affecting the right of a fire officer to participate actively in a meeting called or to sign a petition prepared by the Association on matters affecting the Fire and Rescue Service.

Prohibition respecting publication of information

52. A fire officer shall not—

(a) make public or communicate to the press or to any individual any documents, papers or information; or

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(b) make private copies of any documents, papers or information;

which he may possess in his official capacity, unless his duties require him to do so.

Prohibition respecting comments on national or local matter

53. (1) Subject to subsections (2) and (3), a Fire Sub-Officer or a fire officer of higher rank shall not publish by words, pictures or other signal—

(a) in a public place; or

(b) in any medium of communication including newspapers, journals, wireless, television or computer link up;

any information or expression of opinion on matters of a political or administrative nature so as to be said to be publishing such information or expression.

(2) Subsection (1) does not apply where—

(a) such fire officer, by publishing the relevant information or expression is executing or performing the duties of his office; or

(b) the approval in writing of the Permanent Secretary or Chief Fire Officer has been obtained by such fire officer in relation to the subject and facts of such publication.

(3) Where the Chief Fire Officer is in any doubt as to the propriety of any proposed publication or broadcast referred to in this section, he shall refer the matter to the Governor.

(4) This section does not apply to the publication of material by a fire officer acting in his capacity as a representative of the Association.

Fire officer not to edit or manage newspaper

54. Except in the case of the official organ of the Association, a fire officer shall not without the permission in writing of the Governor—

(a) act as editor of any newspaper or take part directly or indirectly in the management of a newspaper; or

(b) anonymously contribute to any newspaper any statement or article which may reasonably be regarded as a commentary on the politics of Anguilla or the administration of the Government or that of the Government of any other territory or country.

Rules relating to broadcast talks

55. (1) Broadcast talks by a fire officer shall be governed by the following rules—

(a) subject to paragraph (b), it shall be open to a fire officer to make his own terms with the broadcasting authority, but the work involved in the preparation and delivery of the lecture or talk shall not be done when the fire officer is on duty;

(b) where a broadcast of a lecture or talk is necessary or desirable to enable the Fire and Rescue Service to carry out its recognised duties to the community, there shall be no payment either to the fire officer or the Fire and Rescue Service arising out of the preparation or delivery of such lecture or talk to be broadcasted;

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(c) a lecture or talk on any particular subject which is to be broadcasted and is not necessary for the purposes of the Fire and Rescue Service may be given by a fire officer who is an expert in the particular subject, whether or not such fire officer has specialised in such subject in his official capacity;

(d) where the subject matter of a broadcast talk is related to the work or the policy of the Fire and Rescue Service, or if the fire officer delivering the broadcast talk is to be announced by his departmental title, the prior approval of the Governor is required for the purpose of ensuring—

(i) that there is nothing in the broadcast talk which is contrary to public interest or inconsistent with the status of the fire officer, and

(ii) that the standing of the fire officer is sufficient to justify the delivery by him of a lecture under his departmental title.

(2) For the purposes of this section "broadcast talk", in relation to a fire officer, means the broadcast of a talk or lecture delivered by the fire officer.

Indebtedness

56. A fire officer shall not incur indebtedness to the extent that—

(a) the fire officer is unable to pay his debts; and

(b) such indebtedness affects or impairs his efficiency or has brought or is likely to bring the Fire and Rescue Service into disrepute.

Bankruptcy, insolvency, etc.

57. (1) A fire officer against whom bankruptcy proceedings have been instituted or who becomes insolvent or who is declared a bankrupt shall, within 7 days of the happening of such event, report that fact to the Chief Fire Officer.

(2) The Chief Fire Officer shall promptly and in accordance with established standard procedures submit the report to the Permanent Secretary of the Department of Public Administration for transmission confidentially to the Governor.

Fire officer not to solicit intervention

58. A fire officer shall not solicit the intervention of members of the House of Assembly, a Minister of Government or any prominent member of the community to support or advance his individual claims in the Fire and Rescue Service.

Gifts and rewards

59. (1) No fire officer shall accept any gift, present or reward which is likely to influence him in the performance of his duty.

(2) Except with the permission of the Chief Fire Officer, a fire officer shall not accept any gift, present or reward from any member of the public or from any organization for services rendered in the course of the performance of his duties.

(3) A fire officer shall not receive any gift, present or reward from any fire officer who is subordinate in office to him except—

(a) subject to paragraph (b), with the permission of the Chief Fire Officer; and

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(b) in the case of the Chief Fire Officer, with the permission of the Governor.

(4) Notwithstanding subsections (1), (2) and (3), a fire officer may accept a gift, present or reward offered by—

(a) a representative of a foreign government on the occasion of any official visit to the territory or country of that government;

(b) a community organisation on a social occasion where such gift, present or reward represents the work or achievement of such organisation; or

(c) other fire officers on the occasion of marriage, retirement, promotion or such other occasions approved by the Chief Fire Officer or, as the case may be, the Governor.

Fire officer to attend Medical Board

60. A fire officer shall not fail or refuse to attend a Medical Board as directed by the Chief Fire Officer or, as the case may be, the Governor.

Other acts of misconduct

61. (1) A fire officer is guilty of misconduct if the fire officer, without reasonable excuse—

(a) fails to perform in a proper manner any duty imposed upon him as a fire officer;

(b) contravenes any of these Regulations, any Standing Orders or enactment relating to the Fire and Rescue Service; or

(c) behaves in a manner which—

(i) tends to bring discredit to the reputation of the Fire and Rescue Service, or

(ii) is otherwise prejudicial to the efficient conduct of the Fire and Rescue Service.

(2) Without prejudice to the generality of subsection (1), a fire officer is guilty of misconduct if the fire officer commits the disciplinary offence of—

(a) discreditable conduct, that is to say, the fire officer acts in any disorderly manner or in any manner prejudicial to discipline or which is reasonably likely to bring discredit on the reputation of the Fire and Rescue Service or of the public service;

(b) insubordinate or oppressive conduct, that is to say, the fire officer—

(i) is insubordinate by word, act or demeanour,

(ii) acts in an oppressive or tyrannical manner towards a fire officer having a lower rank,

(iii) uses obscene, abusive or insulting language to any other fire officer,

(iv) wilfully or negligently makes any false complaint or statement against any other fire officer, or

(v) withholds any report or allegation against any fire officer;

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(c) disobedience to orders, that is to say, the fire officer disobeys or without good and sufficient cause omits or neglects to carry out any lawful order, written or otherwise, or fails to promptly comply with such order;

(d) neglect of duty, that is to say, the fire officer—

(i) neglects or without good and sufficient cause fails to do, promptly and diligently, anything which is his duty as a fire officer to do,

(ii) absents himself from his place of work or his official duties without leave or valid excuse,

(iii) is habitually irregular in the time of his arrival and departure from his place of employment,

(iv) idles or gossips while on duty,

(v) fails to perform his duty in accordance with orders or, without permission or sufficient cause, leaves his place of duty to which he has been posted,

(vi) fails to report any matter which it is his duty to report,

(vii) fails to report anything which he knows concerns a criminal charge,

(viii) fails to disclose any evidence which he, or any person within his knowledge, can give for or against any person or defendant in a criminal charge,

(ix) omits to make any necessary entry in any official document or book,

(x) neglects or omits, without good and sufficient cause, to carry out any instructions of an approved medical practitioner under these Regulations, or

(xi) while absent from duty on account of sickness, commits an act that is calculated to retard his return to duty;

(e) falsehood or prevarication, that is to say, the fire officer—

(i) knowingly makes or signs any false statement in any official document or book,

(ii) wilfully or negligently makes any false, misleading or inaccurate statement,

(iii) without good and sufficient cause, destroys or mutilates any official document or record, or

(iv) without good and sufficient cause, alters or erases an entry in any official document or record contrary to section 71;

(f) breach of confidence, that is to say, the fire officer—

(i) divulges any matter which is his duty to keep secret,

(ii) directly or indirectly, gives notice to any person outside the Fire and Rescue Service against whom a warrant has been issued or is about to be issued,

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(iii) without proper authority shows to any person outside the Fire and Rescue Service any book or any written or printed document which is the property of the Fire and Rescue Service,

(iv) makes any anonymous communication to the Chief Fire Officer or any fire officer senior in office,

(v) signs or circulates any petition or statement with regard to any matter concerning the Fire and Rescue Service except through the established chain of command to the Chief Fire Officer,

(vi) calls or attends any unauthorised meeting concerning the Fire and Rescue Service, or

(vii) canvasses any fire officer in regard to any matter concerning the Fire and Rescue Service other than a matter relating to the business and functions of the Association;

(g) corrupt practice, that is to say, the fire officer—

(i) receives or solicits any private advantage for himself or for another person as a consequence of performing his duties,

(ii) fails to account for or to make prompt and true return of any money or property received by him in his official capacity,

(iii) directly or indirectly solicits or receives any gratuity, present, subscription or testimonial without the consent of the Chief Fire Officer, or

(iv) places himself under pecuniary obligation to any person who holds a licence concerning the granting or renewal of which the Fire Service may have to report or give evidence;

(h) improper use of uniform or facilities, that is to say, the fire officer, while on or off duty, uses, without the consent personally given by the Chief Fire Officer, any property including uniform or facilities provided for the purposes of the Fire and Rescue Service for some purpose not connected with his official duties;

(i) uncleanliness, that is to say, the fire officer, while on duty, is improperly dressed or is dirty or untidy in his person, clothing or accoutrements;

(j) absence without leave or being late for duty, that is to say, the fire officer, without reasonable excuse, is absent without leave from duty or is late for parade or any other duty;

(k) unlawful or unnecessary exercise of authority, that is to say, the fire officer—

(i) uses any unnecessary violence against any person with whom the fire officer is brought into contact in the execution of his duty, or

(ii) is uncivil to any member of the public;

(l) damage to clothing or articles supplied, that is to say, the fire officer—

(i) wilfully or by carelessness causes any loss or damage to any article of clothing, accoutrement or to any book, document or any other property of the Fire and Rescue Service given to him or used by him for the performance of his duty or entrusted to his care, or

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(ii) fails to report any loss or damage referred to in subparagraph (i);

(m) drunkenness, that is to say, the fire officer while on duty or required for duty is unfit for duty through the taking of drink;

(n) drinking on duty or soliciting drink, that is to say, the fire officer—

(i) without the consent of his senior officer, drinks or receives from any other person any intoxicating liquor while he is on duty, or

(ii) demands, or endeavours to persuade any other person to give to him, or to purchase or obtain for him, any intoxicating liquor while he is on duty;

(o) entering licensed premises, that is to say, the fire officer, while on duty and without permission or reasonable excuse, enters any public premises licensed under the liquor licensing laws or any other premises where liquors are stored or distributed when his presence in or on such premises is not required in the execution of his duty;

(p) illicit drug taking, that is to say, the fire officer is found to be indulging in the use of narcotic or psychotropic substances;

(q) unlawfully lending, borrowing or accepting presents, that is to say, the fire officer lends money to a fire officer in a rank senior to him or borrows or accepts any money, gift, present or reward from any officer subordinate in office to him;

(r) incurring debt, that is to say, the fire officer incurs debt without any reasonable prospect of repaying the debt or, having incurred debt, he makes no reasonable effort to repay the debt;

(s) being an accessory to an act of misconduct, that is to say, the fire officer connives at or is knowingly an accessory to an act of misconduct;

(t) damage to property, that is to say, the fire officer wilfully or recklessly damages property belonging to the Fire and Rescue Service;

(u) proving a criminal offence, that is to say, the fire officer has been proved guilty in a court of law of a criminal offence.

Forfeiture of benefits on dismissal

62. Where a fire officer is dismissed from the Fire and Rescue Service, any benefit which would have otherwise been payable to the fire officer on departure from such Service may be forfeited.

Remuneration on suspension

63. Where a fire officer is exonerated in disciplinary proceedings from an alleged act of misconduct or commission of a disciplinary offence which had resulted in a suspension without pay under prescribed regulations respecting discipline, the fire officer shall be entitled to receive the remuneration he would have received had he not been so suspended.

Complaints, investigations and determination of charges

64. (1) The Chief Fire Officer shall ensure that prompt action is taken to investigate and settle any complaint made under section 56 of the Act.

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(2) A report required to be submitted pursuant to section 58(1) of the Act by the Chief Fire Officer to the Governor or, as the case may be, by the Fire Station Officer to the Chief Fire Officer shall include—

(a) the name and address of the complainant;

(b) the date on which the complaint was made;

(c) the particulars of the complaint or allegation;

(d) the name, designation and service number and other particulars of the fire officer who is the subject of the complaint;

(e) where there is a suspicion of a commission of a criminal offence—

(i) the particulars of any notification made to the Police Force, and

(ii) where the Police Force has not been notified, the reasons for such non-notification;

(f) the detailed result of the enquiry made by the Fire and Rescue Service and any Police enquiries.

PART 10

COMMUNICATION

Channel of communication

65. (1) Subject to subsection (2), any communication relating to matters under the Act or these Regulations which a fire officer wishes to address to the Chief Fire Officer shall, wherever possible, be forwarded through the established chain of command.

(2) Where a fire officer intends to address to any Government official or a Department of Government any official communication relating to the employment of the fire officer, the fire officer shall submit the official communication to the Chief Fire Officer for transmission in accordance with subsection (3) to such official or, as the case may be, such Department.

(3) The Chief Fire Officer shall, on receipt of the official communication, transmit that official communication together with his written comments, if any, to the relevant official or Department.

Chief Fire Officer to facilitate requests by Governor and Commission

66. The Chief Fire Officer shall facilitate any request made by the Governor or the Commission by giving to the relevant fire officer the appropriate direction which accords with the request of the Governor or, as the case may be, the Commission.

Circulations of official publications

67. The Chief Fire Officer shall bring to the attention of fire officers the regulations, orders, notices, circulars, and other official publications affecting fire officers or relating to the Fire and Rescue Service.

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PART 11

HOSPITAL AND MEDICAL ATTENTION

Medical and health insurance

68. (1) Every fire officer is entitled to insurance coverage under the Medical and Health Insurance Policy maintained or established by the Government of Anguilla for public officers or such other health and medical insurance programme replacing that Policy.

(2) Without prejudice to the generality of subsection (1), hospital, medical attention and health care coverage shall be provided to every fire officer in accordance with the terms and conditions specified in the Medical and Health Insurance Policy or, as the case may be, such other medical and health insurance programme replacing that Policy referred to in that subsection.

(3) Where a fire officer is injured or suffers or contracts an illness in the execution of his duty through no fault, misconduct or neglect of the fire officer and the costs of medical treatment arising as a result of such injury or illness are in excess of the allowable coverage, the Government shall meet the whole of such excess costs out of public funds.

PART 12

MISCELLANEOUS PROVISIONS

Assignment of fire officers to airport duties

69. No fire officer shall be assigned for duties at an airport unless the fire officer has successfully completed the required training relating to the provision of fire and rescue services at airports.

Standing Orders and notices

70. Any Standing Order made under these Regulations or any notice issued to any fire officer under these Regulations shall be a lawful order for the purposes of Part 8.

Erasures, etc. in official documents and records

71. (1) Except as provided in this section, no fire officer shall make any erasures, defacements or obliterations in any official document or record required to be kept and maintained by the Fire and Rescue Service.

(2) Where a mistake is made in an original entry, the mistake shall be corrected by drawing a single line in ink through it and writing in the correct entry.

(3) Every entry which is corrected under this section requires the initials of the responsible fire officer and those of his immediate supervisor.

Acceptance of foreign currency

72. Except with the permission of the Permanent Secretary of the Ministry of Finance, no foreign currency shall be accepted by fire officers for payment in the transaction of Government business.

Appeals

73. The Chapter in the General Orders respecting grievances, applies with the necessary modification and adaptations to an appeal under these Regulations.

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Legal proceedings

74. (1) A fire officer who desires to initiate legal proceedings on his own behalf against another fire officer or against a member of the public with respect to any matter arising out of, or in the course of the execution of his duty, shall not initiate such proceedings unless he first submits in writing through the Chief Fire Officer to the Governor a statement setting out the facts of the case and obtains the written permission of the Governor to proceed.

(2) Where a fire officer is charged with an offence arising out of, or in the course of the execution of his duties, and the Attorney General is satisfied that such officer acted in good faith in the execution of his duty, that fire officer shall be granted legal representation in the conduct of his defence.

Availability of Regulations

75. The Chief Fire Officer—

(a) shall take reasonable steps to ensure that every fire officer is familiar with the contents of the written law affecting the operation and conduct of the Fire and Rescue Service; and

(b) may, on request by a fire officer, make or cause to be made available to the fire officer a copy of these Regulations.

Acts deemed to be done under these Regulations

76. On 9 September 2013, any administrative action done or any privilege or benefit including permission or approval given in respect of a matter to which these Regulations apply or relate shall be deemed to have been done or given in accordance with these Regulations.

Citation

77. These Regulations may be cited as the Fire and Rescue Service Regulations, Revised Regulations of Anguilla, F29-3.

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