
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 473

POLICE

Royal Ulster Constabulary Regulations 1996

Made - - - - *4th October 1996*

To be laid before Parliament

Coming into operation *12th November 1996*

The Secretary of State, in pursuance of section 25 of the Police Act (Northern Ireland) 1970⁽¹⁾, read with section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962⁽²⁾, and after consulting, in accordance with section 34(2) of the said Act of 1970, the Police Authority and the Police Association and after taking into account the recommendations made by the Police Negotiating Board for the United Kingdom and supplying that Board with a draft of the regulations in accordance with section 62(1) of the Police Act 1996⁽³⁾, hereby makes the following regulations:—

Part I

Commencement and Operation

Citation, operation and effect

1.—(1) These regulations may be cited as the Royal Ulster Constabulary Regulations 1996.

(2) These regulations shall come into operation on 12th November 1996, but shall have effect for the purposes of—

- (a) regulation 49(1)(d) as from 31st March 1993;
- (b) regulation 36(4)(f) as from 15th October 1994;
- (c) the increase, in Schedule 5, in London weighting as from 30th June 1995;
- (d) regulation 43 as from 17th July 1995;
- (e) regulation 44 as from 31st October 1995;
- (f) the increase, in Schedule 6, of the pay points for each rank as from the dates specified in the Tables;

(1) 1970 c. 9 (N.I.) as amended by 1994 c. 29 and modified by S.I. 1973/2163
(2) 1962 c. 7 (N.I.)
(3) 1996 c. 16

- (g) the increase, in Schedule 10, of dog handlers' allowances as from the dates specified therein; and
- (h) regulation 49(7) as from 31st March 1996.

Meanings assigned to certain expressions, etc.

2.—(1) The following expressions have the meanings hereby assigned to them—

“the Act” means the Police Act (Northern Ireland) 1970;

“central committee” has the meaning assigned to it in regulation 14 of the Police Association for Northern Ireland Regulations 1991(4);

“Discipline Regulations” means the regulations relating to discipline for the time being in force;

“the force” means the Royal Ulster Constabulary;

“maternity leave” has the meaning assigned thereto by regulation 33(1);

“member” means a member of the force and includes a member who is suspended under the Discipline Regulations;

“Pensions Regulations” means the regulations relating to Royal Ulster Constabulary pensions for the time being in force;

“police force in Great Britain” has the meaning assigned to a police force in the Police Act 1996 or a police force in the Police (Scotland) Act 1967(5) as the case may be;

“Promotion Regulations” means the regulations relating to qualifications and selection for promotion for the time being in force;

“public holiday” means New Year’s Day, St. Patrick’s Day, first Monday in May, last Monday in May, 12th July, last Monday in August, Christmas Day and 26th December; and, in addition, in any year where New Year’s Day, Christmas Day or 26th December falls on a Saturday or Sunday, any substitute day;

“university scholar” and, in relation to such a scholar, “course” and “study” have the meanings respectively assigned to them in paragraph 1 of Schedule 5.

(2) In these regulations a reference to an aerodrome constabulary is a reference to such a constabulary within the meaning of the Aviation Security Act 1982(6); and a reference to a rank in such a constabulary corresponding to a rank in the force is a reference to a rank in that constabulary designated for the purposes hereof by the Secretary of State as the rank corresponding to the rank in question.

(3) Nothing in these regulations shall be construed as authorising pay or allowances payable to any person to be reduced retrospectively.

(4) S.R. 1991 No. 168

(5) 1967 c. 77

(6) 1982 c. 36

Part II

Government

Authorised establishment

3. The establishment of the force shall be constituted by the maximum number of persons in each rank mentioned in regulation 4 which is determined for this purpose in accordance with section 6 of the Act.

Ranks

4. The force shall consist of members of the following ranks—

- Chief Constable
- Deputy Chief Constable
- Assistant Chief Constable
- Superintendent
- Chief Inspector
- Inspector
- Sergeant
- Constable.

Part-time appointments

5.—(1) The chief constable may, after consultation with the Police Association, appoint persons to perform part-time service in any rank.

(2) A person serving as a full-time member may not be appointed to perform part-time service without his consent.

(3) A person may be appointed under this regulation in the rank of constable only if he has, as a full-time member, completed the period of probation in that rank that was required by regulation 12.

(4) Any appointment under this regulation in any rank above that of sergeant may only be made on terms that provide for the holder to share with one other person appointed under this regulation in the rank in question the performance of duties that would otherwise fall to be performed by a single person appointed in that rank as a full-time member; if either of the persons sharing the duties ceases to hold his appointment and is not replaced, the other continues to hold the rank in which he was appointed under this regulation but is to be treated as having become a full-time member.

(5) In this regulation “full-time member” means a member appointed otherwise than under this regulation.

(6) In relation to persons appointed under this regulation to perform part-time service these regulations have effect with the modifications set out in Schedule 1.

Restrictions on the private life of members

6. The restrictions on private life contained in Schedule 2 shall apply to all members and no restrictions, other than those designed to secure the proper exercise of the functions of a constable, shall be imposed by the Police Authority or the chief constable on the private life of members except such as may temporarily be necessary or such as may be approved by the Secretary of State after consultation with the Advisory Board and any such restriction temporarily imposed shall be reported forthwith to the Secretary of State.

Business interests incompatible with membership of the force

7.—(1) If a member or a relative included in his family proposes to have, or has, a business interest within the meaning of this regulation, the member shall forthwith give written notice of that interest to the chief constable unless that business interest was disclosed at the time of his appointment as a member.

(2) On receipt of a notice given under paragraph (1), the chief constable shall determine whether or not the interest in question is compatible with the member concerned remaining a member and, within 28 days of the receipt of that notice, shall notify the member in writing of his decision.

(3) Within 10 days of being notified of the chief constable's decision as aforesaid, or within such longer period as the Police Authority may in all the circumstances allow, the member concerned may appeal to the Police Authority against that decision by sending written notice of his appeal to the Police Authority.

(4) On receipt of a notice given under paragraph (3) the Police Authority shall require the chief constable to submit to it, within the next following 10 days, a notice setting out the reasons for his decision and copies of any documents on which he relies in support of that decision; and the Police Authority shall send to the member concerned copies of such notice and documents and shall afford him a reasonable opportunity, being in no case less than 14 days, to comment thereon.

(5) Where a member has appealed to the Police Authority under paragraph (3) the Police Authority shall, within 28 days of receiving his comments on the notice and any other documents submitted by the chief constable under paragraph (4) or of the expiration of the period afforded for making comments if none have by then been received, give him written notice of its determination of the appeal but, where it has upheld the decision of the chief constable and, within 10 days of being so notified or within such longer period as the Police Authority may in all the circumstances allow, the member makes written request to the Police Authority for the reference of the matter to the Secretary of State, the matter shall be so referred and, unless and until the determination of the Police Authority is confirmed by the Secretary of State, it shall be of no effect and, in particular, no action in pursuance thereof shall be taken under paragraph (6).

(6) Where a member, or a relative included in his family, has a business interest within the meaning of this regulation which the chief constable has determined, under paragraph (2), to be incompatible with his remaining a member and either the member has not appealed against that decision under paragraph (3) or, subject to paragraph (5), on such appeal, the Police Authority has upheld that decision, then the chief constable may, subject to the approval of the Police Authority, dispense with the services of that member; and before giving such approval the Police Authority shall give the member concerned an opportunity to make representations and shall consider any representations so made.

(7) For the purposes of this regulation, a member or, as the case may be, a relative included in his family, shall have a business interest if—

- (a) the member holds any office or employment for hire or gain (otherwise than as a member of the force) or carries on any business; or
- (b) a shop is kept or a like business carried on by the member's spouse (not being separated from him) at any premises in Northern Ireland or by any relative included in his family at the premises at which he resides; or
- (c) the member, his spouse (not being separated from him) or any relative included in his family living with him holds, or possesses a pecuniary interest in, any such licence or permit as is mentioned in paragraph (8);

and a reference to a relative included in a member's family shall include a reference to his spouse, parent, son, daughter, brother or sister.

(8) The licence or permit referred to in paragraph (7)(c) is a licence or permit granted in pursuance of the law relating to liquor licensing, refreshment houses or betting and gaming or regulating places of entertainment in Northern Ireland.

(9) If a member or a relative included in his family has a business interest within the meaning of this regulation and, on that interest being notified or disclosed as mentioned in paragraph (1), the chief constable has, by written notice, required the member to furnish particulars of such changes in that interest, as respects its nature, extent or otherwise, as may be mentioned in the notice then, in the event of any such change in that interest being proposed or occurring, this regulation shall have effect as though the changed interest were a newly proposed, or newly acquired, interest which has not been notified or disclosed as aforesaid.

(10) In its application to a chief constable, deputy chief constable or assistant chief constable, this regulation shall have effect as if—

- (a) for any reference therein to the chief constable there were substituted a reference to the Police Authority;
- (b) for any reference in paragraph (3), (5) or (6) to an appeal there were substituted a reference to a request for reconsideration; and
- (c) the references in paragraph (6) to the approval of the Police Authority were omitted;

but the Police Authority shall not dispense with the services of a chief constable, deputy chief constable or assistant chief constable under this regulation without giving him an opportunity of making representations and shall consider any representations so made.

Business interests precluding appointment to the force

8.—(1) Save in so far as the chief constable may allow at the request of the candidate concerned, a person shall not be eligible for appointment to the force if he or a relative included in his family has a business interest within the meaning of regulation 7, and paragraphs (7) and (8) thereof shall apply for the purposes of the interpretation of this regulation as they apply for the purposes of that regulation.

(2) In its application to a candidate for appointment as chief constable, deputy chief constable or assistant chief constable, paragraph (1) shall have effect as if for any reference to the chief constable there were substituted a reference to the Police Authority.

Qualifications for appointment to the force

9.—(1) A candidate for appointment to the force shall—

- (a) produce satisfactory references as to character and, if he has served in any police force, in the armed forces, in the civil service or as a seaman, produce satisfactory proof of his good conduct while so serving;
- (b) have attained the age of 18 years;
- (c) be certified by a registered medical practitioner approved by the Police Authority to be in good health, of sound constitution and fitted both physically and mentally to perform the duties on which he will be employed after appointment;
- (d) if a candidate for appointment in the rank of constable, satisfy the chief constable that he is sufficiently educated by passing a written or oral examination in reading, writing and simple arithmetic, or an examination of a higher standard, as may be prescribed by the chief constable;
- (e) if a candidate for appointment in the rank of sergeant or inspector, be qualified for promotion to such rank in accordance with the provisions of the Promotion Regulations;

- (f) give such information as may be required as to his previous history or employment or any other matter relating to his appointment to the force;
 - (g) be given a notice in terms approved by the Secretary of State drawing attention to the conditions of service contained therein.
- (2) For the purposes of this regulation—
- (a) the expression “armed forces” means the naval, military or air forces of the Crown including any women’s service administered by the Defence Council; and
 - (b) the expression “seaman” has the same meaning as in the Merchant Shipping Act 1894(7).

Fixed term appointments for certain ranks

10.—(1) This regulation applies to every appointment of a person to the rank of chief constable, deputy chief constable or assistant chief constable.

(2) Where it is proposed to vary by agreement the conditions of service of a person who on 1st April 1995 held one of the ranks specified in paragraph (1) indefinitely so that he holds that rank instead for a fixed term—

- (a) that term shall be for a period authorised by paragraph (5) or, as the case may be, paragraph (6); and
- (b) this regulation shall apply to such a variation as it applies to an appointment and as if the variation was an appointment.

(3) Subject to paragraphs (5) and (6), the length of the term of an appointment of such a person as is specified in paragraph (1) or (2) shall be determined by the Secretary of State.

(4) In determining the length of the term of an appointment of such a person as is specified in paragraph (1) or (2), other than a person appointed to the rank of chief constable, the Secretary of State shall consider the views of the Police Authority.

(5) Subject to paragraphs (7) to (9), an appointment to the rank of chief constable shall be for a term of—

- (a) not more than seven years, and
- (b) not less than four years except with the agreement of the person so appointed.

(6) Subject to paragraphs (7) to (9), an appointment to the rank of deputy chief constable or assistant chief constable shall be for a term of—

- (a) not more than either—
 - (i) ten years, or
 - (ii) a period expiring with the date at which the person appointed reaches minimum retirement age or, if that period is less than four years, four years,
 whichever of the periods in heads (i) and (ii) is the shorter, and
- (b) not less than four years except with the agreement of the person so appointed.

(7) The term of appointment to which this regulation applies may be extended by agreement for a single period not exceeding one year where, in the opinion of the Secretary of State, the particular circumstances in which such an extension is sought are such as to justify it.

(8) The term of appointment to which this regulation applies may be extended by agreement for a period or periods up to the time when the person appointed—

- (a) has completed 30 years' pensionable service for the purposes of the Pensions Regulations, or

(b) has completed 25 years' pensionable service for those purposes and has attained the age of 50 years, whichever is the earlier.

(9) This regulation is without prejudice to any provision whereby a term of appointment comes to an end on promotion or transfer to another police force and to regulation 14(1) and (2) (retirement) and the provisions referred to in regulation 14(3).

(10) A person does not cease to be eligible for an appointment to which this regulation applies by reason only of the fact that he has completed an appointment for a term determined in accordance with this regulation.

(11) In this regulation “the minimum retirement age” means—

(a) in the case of a person who, on attaining the age of 55, will be entitled to reckon not less than 25 years' pensionable service for the purposes of the Pensions Regulations, that age; or

(b) in the case of a person who, on obtaining that age, will not be entitled to reckon 25 years' pensionable service for the purposes of those regulations, the age at which he will be so entitled or the age at which he will be required to retire under regulation A16(1) of those regulations, whichever is the earlier.

(12) For the purposes of determining an entitlement under paragraph (11), an election under regulation G4 of the Pensions Regulations (election not to pay pension contributions) shall be disregarded.

Requirement to advertise vacancies in certain ranks

11.—(1) Subject to paragraph (4), where a vacancy exists in one of the ranks specified in regulation 10(1), a notice of the vacancy which complies with paragraph (2) shall be published by the Police Authority.

(2) The notice referred to in paragraph (1) shall—

(a) invite applications to fill the vacancy;

(b) be published in—

(i) not less than one newspaper, or

(ii) not less than one journal which deals with police matters; and

(c) specify the date, which shall not be less than three weeks after the date of publication of the notice, by which applications must be made.

(3) Subject to paragraph (4), no appointment shall be made to fill a vacancy in one of the ranks specified in regulation 10(1) until after the date specified in accordance with paragraph (2)(c) in a notice in respect of that vacancy.

(4) Paragraphs (1) and (3) shall not apply where—

(a) the term of appointment of the person who currently holds the rank in which the vacancy would otherwise occur is extended under regulation 10(7) or (8), or

(b) that person is appointed for a further term and the conditions set out in paragraph (5) below are satisfied.

(5) The conditions referred to in paragraph (4) are that—

(a) the person who currently holds the rank in which the vacancy would otherwise occur does so by virtue of an appointment under regulation 10;

(b) the relevant appointment of that person was for a term which was less than the maximum term authorised in respect of that person by paragraph (5) or, as the case may be, (6) of regulation 10; and

- (c) the term for which it is proposed to appoint that person (and for which that person is subsequently appointed) is such that, when taken together with—
 - (i) the term for which he was appointed by the relevant appointment, and
 - (ii) the term for which he was appointed by any subsequent appointment,
 the terms in total do not exceed the maximum term of appointment to which he could have been appointed at the time of the relevant appointment under paragraph (5) or, as the case may be, (6) of regulation 10.
- (6) In paragraph (5) “relevant appointment” means—
 - (a) an appointment made under regulation 10 after the procedures required by paragraphs (1) and (3) of this regulation have been complied with; or
 - (b) a variation in the conditions of service in accordance with regulation 10(2).

Probationary service in the rank of constable

12.—(1) This regulation shall apply to a member appointed in the rank of constable other than such a member who transferred to the force from a police force in Great Britain, having completed the required period of probation therein.

(2) A member to whom this regulation applies shall, unless paragraph (3) applies to his case, be on probation for the first 2 years of his service as a constable following his last appointment thereto or for such longer period as the chief constable determines in the circumstances of a particular case.

(3) A member to whom this regulation applies who has served on probation for a period of not less than a year following a previous appointment to the force or a police force in Great Britain shall be on probation for the first year of his service as a constable following his last appointment thereto or for such longer period as the chief constable determines in the circumstances of a particular case:

Provided that the chief constable may at his discretion—

- (a) reduce the period of probation, so however that the reduced period, when aggregated with the previous period of probation, shall not be less than 2 years; or
 - (b) dispense with the period of probation, if the member, following his previous appointment, completed the required period of probation in the force in question.
- (4) For the purposes of this regulation—
- (a) in reckoning service, any period of unpaid leave shall be disregarded;
 - (b) in the case of a university scholar, in reckoning service his period of study shall be disregarded;
 - (c) in the case of a member who has been transferred to the force from an aerodrome constabulary by an order under section 30 of the Aviation Security Act 1982, his service in that constabulary shall, for the purposes of this regulation, be treated as if it were service in the force;
 - (d) in reckoning service in the case of a female member who has taken one or more periods of maternity leave—
 - (i) where that leave has been for fourteen weeks or more, the first fourteen weeks whilst on maternity leave shall be treated as if it were service in the force;
 - (ii) where that leave has been for less than fourteen weeks, any period spent on maternity leave shall be treated as if it were service in the force.

Discharge of probationer

13.—(1) Subject to the provisions of this regulation, during his period of probation in the force the services of a constable may be dispensed with at any time if the chief constable considers that he is not fitted, physically or mentally, to perform the duties of his office, or that he is not likely to become an efficient or well-conducted constable.

(2) A constable whose services are dispensed with under this regulation shall be entitled to receive a month's notice or a month's pay in lieu thereof.

(3) A constable's services shall not be dispensed with in accordance with this regulation and any notice given for the purposes thereof shall cease to have effect if he gives written notice to the Police Authority of his intention to retire and retires in pursuance of the said notice on or before the date on which his services would otherwise be dispensed with; and such a notice taking effect on that date shall be accepted by the Police Authority notwithstanding that less than a month's notice is given.

(4) Where a constable has received a notice under this regulation that his services are to be dispensed with and he gives written notice of his intention to retire and retires under paragraph (3), he shall nevertheless be entitled to receive pay up to and until the date on which the month's notice he has received would have expired or where he has received or is due to receive a month's pay in lieu of notice he shall remain entitled to that pay notwithstanding the notice he has given under paragraph (3).

Retirement

14.—(1) Without prejudice to the provisions mentioned in paragraph (3) and subject to paragraph (2), a member may retire only if he has given to the Police Authority a month's written notice of his intention to retire or such shorter notice as may have been accepted by that Authority:

Provided that, while suspended under the Discipline Regulations, a member may not, without the consent of the chief constable, give notice for the purposes of this regulation or retire in pursuance of a notice previously given.

(2) In the case of a chief constable, deputy chief constable or assistant chief constable, paragraph (1) shall have effect as if—

- (a) for "a month's" there shall be substituted "three months' "; and
- (b) for "chief constable" there were substituted "Police Authority".

(3) The provisions referred to in paragraph (1) are—

- (a) the provisions of section 7 of the Act relating to retirement in the interests of efficiency;
- (b) the provisions of the Pensions Regulations relating to compulsory retirement; and
- (c) the provisions of the Discipline Regulations relating to resignation as an alternative to dismissal.

Contents of personal records

15.—(1) The chief constable shall cause a personal record of each member to be kept.

(2) The personal record shall contain—

- (a) a personal description of the member;
- (b) particulars of his place and date of birth;
- (c) particulars of his marriage (if any) and of his children (if any);
- (d) a record of his service (if any) in any branch of Her Majesty's naval, military or air forces or in the civil service;

- (e) a record of his service (if any) in any other police force (including service in the Royal Ulster Constabulary Reserve) and of his transfers (if any) from one police force to another;
- (f) a record of whether he passed or failed to pass any qualifying examination at which he was a candidate;
- (g) a record of his service in the force including particulars of all promotions, postings, removals, injuries received, periods of illness, commendations, rewards, punishments other than cautions and the date of his ceasing to be a member with the reason, cause or manner thereof.

Provided that—

- (i) a punishment of a fine or of a reprimand shall be expunged after 3 years free from punishment, other than a caution;
- (ii) any other punishment shall be expunged after 5 years free from punishment, other than a caution;

but, in the case of a period free from punishment other than a caution which expired before 1st July 1989, only if the member so requests.

- (3) A member shall, if he so requests, be entitled to inspect his personal record.

Transfer of personal records

16. Where a member transfers to another police force his personal record shall be transferred to the chief officer of police of that other police force.

Personal record of member leaving the force

17.—(1) Where a member ceases to be a member he shall, unless he transfers to another police force, be given a certificate showing his rank and setting out the period of his service in the force and in any other police force.

(2) The chief constable may append to the certificate any recommendation which he feels justified in giving, such as that—

- his conduct was exemplary;
- his conduct was very good;
- his conduct was good.

(3) Where a member ceases to be a member otherwise than by transferring to another police force, his personal record shall be kept for such time as the chief constable may think fit and shall then be destroyed.

Fingerprints

18.—(1) Every member shall, in accordance with the directions of the chief constable, have his fingerprints taken.

(2) Fingerprints of members taken in accordance with paragraph (1) shall be kept separate from the fingerprints of persons whose fingerprints have been taken otherwise than in accordance with that paragraph.

(3) The fingerprints of a member taken in accordance with paragraph (1) and all copies and records thereof shall be destroyed on his ceasing to be a member, except that, where by reason of a transfer he becomes a member of another police force, his fingerprints and all copies and records thereof shall be transferred to the chief officer of police of that other police force.

Part III

Duty, Overtime and Leave

Duty to carry out lawful orders

19. Every member shall carry out all lawful orders and shall at all times punctually and promptly perform all appointed duties and attend to all matters within the scope of his office as a constable.

Normal daily period of duty

20.—(1) This regulation shall apply to every member below the rank of inspector who is not assigned to duties which the Secretary of State has specially excepted from the provisions of this regulation.

(2) The normal daily period of duty (including the period for refreshment referred to in paragraph (3)) of a member to whom this regulation applies shall be 8 hours.

(3) As far as the exigencies of duty permit—

(a) the normal daily period of duty shall be performed in one tour of duty; and

(b) subject to paragraph 4 of Schedule 4, an interval of 45 minutes shall be allowed for refreshment.

(4) Where a member is required to perform his normal daily period of duty in more than one tour of duty and does not travel to and from his home between tours, an interval for refreshment and rest shall normally be included at the beginning or end of one of those tours.

Meaning of “day” in Part III

21.—(1) In this Part, the expression “day”, in relation to members, means a period of 24 hours commencing at such time or times as the chief constable shall fix and the chief constable may fix different times in relation to different groups of members.

(2) In discharging his functions under paragraph (1), the chief constable shall have regard to the wishes of the central committee.

Variable shift arrangements

22.—(1) This regulation applies to members below the rank of inspector appointed otherwise than under regulation 5 (part-time appointments).

(2) The chief constable may bring into operation variable shift arrangements agreed by him with the central committee for all members to whom this regulation applies or for any particular group or groups of such members.

(3) Variable shift arrangements must provide, as respects members for whom they are in operation—

(a) for hours of duty equivalent to those resulting from the application of regulations 20(2) and 25(2), and

(b) for annual leave equivalent to that resulting from the application of regulation 30(1) and Schedule 4,

to other members.

(4) In relation to members for whom variable shift arrangements are in operation these regulations have effect with the modifications set out in Schedule 3.

Rostering of duties

23.—(1) The chief constable shall cause to be published, in accordance with this regulation, annual duty rosters for members below the rank of inspector and in these regulations—

- (a) a reference to a rostered rest day is to be construed, in relation to a member who is required to do duty on that day, as a reference to a day which according to the duty roster was, immediately before he was so required to do duty, to have been a rest day for the member; and
- (b) a day off granted in lieu of a rostered rest day shall be treated as a rostered rest day.

(2) Each such roster shall be published at intervals not exceeding 12 months and not later than one month before the date on which it is to come into force.

(3) Each such roster shall set out, for the 12 months following the date on which it comes into force, in relation to each member to whom it relates—

- (a) his rest days;
 - (b) those days, being public holidays, on which he may be required to do duty; and
 - (c) the times at which his scheduled daily periods of duty are to begin and end.
- (4) Subject to paragraph (5), a duty roster shall make provision for—
- (a) an interval of not less than 8 hours between the ending of each of a member's daily periods of duty and the beginning of the next; and
 - (b) an interval between each of his rostered rest days not exceeding 7 days;

unless the central committee agrees otherwise.

(5) Where, owing to the exigencies of duty, it is necessary to alter a duty roster, the officer responsible for making the alteration shall endeavour, so far as practicable, to avoid thereby requiring a member to do an additional daily period of duty such that the condition in paragraph (4)(a) would not be satisfied in relation thereto.

Overtime

24.—(1) Subject to, and in accordance with, the provisions of this regulation, a member below the rank of inspector shall be compensated in respect of time—

- (a) for which he remains on duty after his tour of duty ends, or
- (b) for which he is recalled between two tours of duty, or
- (c) which forms part of a tour of duty which he is required to begin earlier than the rostered time without due notice and on a day when he has already completed his normal daily period of duty,

and such time is referred to hereafter in these regulations as “overtime”.

(2) Such a member shall not be compensated under this regulation for overtime for which he receives an allowance or time off under regulation 25 (public holidays and rest days for ranks below inspector) or 57 (allowance for recurring escort duty, etc.).

(3) Subject to paragraphs (4) and (6), such a member shall be granted an allowance in respect of each week at the rate of a twenty-fourth of a day's pay for each completed period of 15 minutes of overtime worked by him on any occasion during that week, except that on each of the first 4 occasions on which overtime in respect of which the member was not informed as mentioned in paragraph (6) is worked during a week, 30 minutes of the overtime worked is to be disregarded.

(4) Where such a member, before the expiry of any pay period, elects, in respect of specified overtime worked by him during the weeks ending within that period, to be granted, in lieu of an allowance, time off subject to and in accordance with paragraph (5) and, in accordance therewith,

receives time off in respect of any overtime, no allowance in respect thereof shall be payable under paragraph (3).

(5) Subject to the exigencies of duty, where, by virtue of an election under paragraph (4), time off falls to be granted to a member in respect of any overtime worked by him in any week, then, within such time (not exceeding 3 months) after that week as the chief constable may fix, he shall grant to the member time off equal, subject to paragraph (6), to the period of that overtime worked by him during that week and, in addition, for each completed 45 minutes of such overtime, an additional 15 minutes off.

(6) For the purposes of paragraphs (3) and (5), no account shall be taken of any period of less than 30 minutes of overtime worked on any occasion, other than a period of 15 minutes of overtime in respect of which the member was informed at the commencement of his tour that he would be required to remain on duty after his tour ended.

(7) In computing any period of overtime for the purposes of this regulation—

- (a) where the member is engaged in casual escort duty, account shall be taken only of—
 - (i) time during which he is in charge of the person under escort,
 - (ii) such other time as is necessarily spent in travelling to or from the place where the member is to take charge of, or hand over, the person under escort, as the case may be, and
 - (iii) any other time that may be allowed by the chief constable, so however that, if the member is so engaged overnight and has proper sleeping accommodation, whether in a train or otherwise, the chief constable may exclude such period not exceeding 8 hours, during which the member is not in charge of the person under escort as he considers appropriate in the circumstances;
- (b) subject to sub-paragraph (d), where the tour or tours does not or do not amount in the aggregate to more than the normal daily period of duty, no account shall be taken of any overtime except so much as together with the tour or tours of duty exceeds the normal period of duty;
- (c) where a member is recalled to duty between two rostered tours of duty and is entitled to reckon less than 4 hours of overtime in respect of any period for which he is recalled, disregarding any overtime reckonable by virtue of regulation 28 (travelling time treated as duty), he shall be deemed to have worked for that period 4 hours of overtime in addition to any overtime reckonable by virtue of regulation 28; and
- (d) where the time at which a member is required to begin a rostered tour of duty is brought forward without due notice and so that he is required to begin that tour on a day on which he has already completed his normal daily period of duty, the time for which he is on duty before the rostered commencement time—
 - (i) shall be reckonable as overtime, and
 - (ii) shall be taken into account as part of that tour of duty.

(8) For the purposes of this regulation the following expressions have the meanings hereby respectively assigned to them, that is to say—

“a day’s pay” means the member’s pay for the week in question divided by 5;

“due notice” means notice given at least 8 hours before the revised starting time of the rostered tour of duty in question;

“member recalled to duty” does not include a member who is only warned to be in readiness for duty if required;

“normal daily period of duty” shall be construed in accordance with regulation 20;

“pay period” means the period for which, in pursuance of regulation 46 (pay day), a member is paid;

“week” means the period of 7 days beginning with such day as is fixed by the chief constable.

Public holidays and rest days for ranks below inspector

25.—(1) This regulation shall apply to every member below the rank of inspector.

(2) Subject to the following provisions of this regulation, a member shall, so far as the exigencies of duty permit, be allowed a day’s leave on each public holiday and be granted rest days at the rate of two rest days in respect of each week.

(3) A member shall, if required to do duty on a day which is a rostered rest day, be granted—

- (a) where he receives less than 15 days' notice of the requirement, an allowance at the appropriate rest-day rate; or
- (b) in any other case, another rest day, which shall be notified to him within 4 days of notification of the requirement.

(4) The appropriate rest-day is, for each completed 15 minutes of duty on a rostered rest day, the fraction of a day’s pay specified in paragraph (5).

(5) The fraction is—

- (a) where the member received less than 8 days' notice of the requirement, one sixteenth; and
- (b) in any other case, three sixty-fourths.

(6) A member shall, if required to do duty on a day which is a public holiday, be granted—

- (a) where he receives less than 8 days' notice of the requirement—
 - (i) an allowance at the appropriate rate and, in addition,
 - (ii) another day off in lieu thereof, which shall be notified to him within 4 days of notification of the requirement and which shall be treated for the purposes of this regulation as a public holiday;
- (b) in any other case, an allowance at the appropriate rate.

(7) A member who is required to do duty on a day which is a public holiday or a rostered rest day may, within 28 days of the day in question, elect to receive, in lieu of an allowance as mentioned in paragraph (3)(a) or paragraph (6)(a) or (b), time off equal—

- (a) in the case of a day which is a public holiday, to double, and
- (b) in the case of a rostered rest day—
 - (i) where the member received less than 8 days' notice of the requirement, to double, and
 - (ii) in any other case, to one and a half times,

the period of completed quarters of an hour of duty on the day in question.

(8) Where such a member who is required to do duty on a day which is a public holiday or a rostered rest day has elected to receive time off as mentioned in paragraph (7), the chief constable shall, subject to the exigencies of duty, grant such time off within such time (not exceeding 3 months) as he may fix; and subject to such time off being taken, no allowance in respect of the day in question shall be payable under paragraph (3)(a) or, as the case may be, paragraph (6)(a) or (b).

(9) Subject to paragraph (10), for the purposes of this regulation—

- (a) a member who is paid a dog handler’s allowance shall not be treated as required to do duty by reason only of his being required to care for the dog;
- (b) “a day’s pay” means a week’s pay, at the rate at which the member was paid on the day in question, divided by 5;

- (c) “the appropriate rate” means a sixteenth of a day’s pay for each completed 15 minutes of duty done on a public holiday;
- (d) a reference to a day which is a public holiday is to be construed, in relation to the member concerned, as a reference to a day within the meaning of regulation 21(1) (meaning of “day” in Part III) commencing at any time on the calendar date of the public holiday in question;
- (e) the expression “week” means a period of 7 days beginning with such day as is fixed by the chief constable;
- (f) where a member is required to do duty, or is recalled to duty, for a period or periods of less than four completed hours on a day which is a public holiday or a rostered rest day, such period or, as the case may be, each such period, shall be treated as though it were a period of 4 completed hours, except that a period of not more than one hour of duty on a rostered rest day shall, if it immediately follows a period for which he was on duty as part of a normal daily period of duty, count as the number of periods of 15 minutes actually completed;
- (g) where a member is required to do duty on a day which is a public holiday or on a rostered rest day, his period of duty shall include (save for the purposes of sub-paragraph (f)) the time occupied by him in going to, and returning from, his place of duty, not exceeding such reasonable limit as may be fixed by the chief constable, save that, for the purposes of this sub-paragraph, there shall be disregarded any period of time so occupied—
 - (i) which together with the member’s period of duty exceeds 6 hours, or
 - (ii) which is treated as a period of duty under regulation 28.

(10) Where it is at his own request that a member works on a day which is a public holiday or a rostered rest day, he shall not be treated for the purposes of this regulation as having been required to do duty on that day but shall be granted another day off in lieu thereof, which shall be treated as a public holiday or a rostered rest day as the case may be.

Public holidays and rest days for inspectors and chief inspectors

26.—(1) This regulation applies to every member of the rank of inspector or chief inspector.

(2) Such a member shall, so far as the exigencies of duty permit, be allowed a day’s leave on each public holiday and be granted rest days at the rate of two rest days in respect of each week.

(3) Where the exigencies of duty have precluded—

- (a) the allowance of a day’s leave on a public holiday, or
- (b) the grant in any week of two rest days,

to such a member, he shall, during the next following twelve months and so far as the exigencies of duty permit, be allowed or (as the case may be) granted a day’s leave in lieu of any such day not allowed or granted.

Public holidays and monthly leave days for ranks above chief inspector

27.—(1) This regulation shall apply to every member of, or above, the rank of superintendent.

(2) Such a member shall, so far as the exigencies of duty permit, be allowed a day’s leave on each public holiday and be granted in each month—

- (a) in the case of a superintendent, 8 monthly leave days;
- (b) in any other case, 1½ monthly leave days.

(3) Where the exigencies of duty have precluded—

- (a) the allowance of a day's leave on a public holiday, or
- (b) the grant in any month of eight monthly leave days,

to a superintendent, he shall, during the next twelve months and so far as the exigencies of duty permit, be allowed or (as the case may be) granted a day's leave in lieu of any such day not allowed or granted.

(4) Where the exigencies of duty have precluded the allowance of a day's leave on a public holiday to any such member other than a superintendent, he shall, during the next three months and so far as the exigencies of duty permit, be allowed a day's leave in lieu of any such day not allowed.

(5) For the purposes of this regulation the expression "month" means that period of 28 days beginning with such day as is fixed by the chief constable.

Travelling time treated as duty

28.—(1) This regulation shall apply where a member is—

- (a) required to perform—
 - (i) his normal daily period of duty, or
 - (ii) duty on a public holiday, or
 - (iii) duty on a day which would have otherwise been a rostered rest day
 in more than one tour of duty, or
- (b) recalled to duty between 2 tours of duty,

and travels to and from his home between tours or, as the case may be, in consequence of his recall (in this regulation referred to as "relevant travelling").

(2) For the purposes of this regulation, duty on a public holiday or on a day which would otherwise have been a rostered rest day shall be regarded as a recall to duty between 2 tours of duty only if the member, after completion of a period of such duty, is recalled for further duty.

(3) In computing any period of overtime for the purposes of regulation 24 or any period of duty for the purposes of regulation 25 (save for the purposes of paragraph (9)(f) thereof) the time occupied by such a member in relevant travelling, not exceeding such reasonable limit as may be fixed by the chief constable, shall be treated as a period of duty.

(4) For the purposes of regulation 54 the use of a motor vehicle for relevant travelling shall be treated as such use for the purpose of duties performed by the member concerned.

(5) Relevant travelling expenses shall be treated as expenses incurred in the execution of duty and, unless they are expenses in respect of which an allowance is payable under these regulations, the member concerned shall be reimbursed those expenses to the extent that they do not exceed such reasonable limit as the Police Authority may fix.

Meetings of Police Association treated as police duty

29. The attendance of a member at one of the following meetings of the Police Association shall be treated as an occasion of police duty—

- (a) in the case of the Police Federation for Northern Ireland—
 - (i) meetings of a regional board or the annual conference of members of the regional boards;
 - (ii) an ordinary or annual meeting of the central committee or a meeting of the conferences arrangements committee;
 - (iii) subject to the approval of the chief constable, an ad hoc meeting or committee or sub-committee meeting of a regional board or the central committee; and

- (iv) subject to the approval of the Secretary of State, after consultation with the Police Authority, a meeting other than such a meeting as is mentioned in sub-paragraph (i), (ii) or (iii); and
- (b) in the case of the Superintendents' Association—
 - (i) six one-day meetings annually of the executive committee, so however that additional meetings may be held with the permission of the chief constable if he is satisfied that such meetings are necessary in the public interest and that the business for which they are called can not reasonably be deferred until the next ordinary meeting of the committee; and
 - (ii) subject to the approval of the Secretary of State, after consultation with the Police Authority, a meeting other than such a meeting as is mentioned in sub-paragraph (i).

Annual leave

30.—(1) Every member shall, so far as the exigencies of duty permit, be granted annual leave in accordance with Schedule 4.

(2) The annual leave of a member shall be additional to the days upon which he is not required to perform police duties in accordance with—

- (a) regulation 25, in the case of a member below the rank of inspector, or
- (b) regulation 26 or 27, in the case of a member of, or above, that rank;

and a member below the rank of superintendent shall, so far as the exigencies of duty permit, be allowed to take his annual leave in one period continuous with such days as aforesaid falling within the period in which he desires to take annual leave.

Sick leave

31.—(1) A member shall not be entitled to be absent from duty on account of injury or illness unless a registered medical practitioner has certified him to be unfit for duty:

Provided that—

- (a) with the consent of the Police Authority, a member may be so absent without such certificate of unfitness where the period of unfitness for duty does not exceed 7 days, including any day on which, even if he were fit to do so, he would not have been required to perform police duty;
- (b) if, notwithstanding such certificate of unfitness for duty, a registered medical practitioner, appointed or approved by the Police Authority, has examined the member and considers him to be fit for duty, the Police Authority shall, if the medical practitioner who issued the certificate of unfitness for duty agrees, within 28 days of the difference of opinion coming to its attention, arrange for a third registered medical practitioner to examine the member and to report, in writing, to the other two practitioners concerned; the third registered medical practitioner shall be acceptable to the practitioner who issued the certificate of unfitness for duty and to the practitioner who has examined the member on behalf of the Police Authority, except that in the event of a failure to agree, the Police Authority may appoint such third registered medical practitioner as it considers appropriate; and if the third registered medical practitioner certifies the member to be fit for duty, or if the medical practitioner who issued the certificate of unfitness for duty does not agree to such further examination, the member shall no longer be entitled to be absent from duty.

(2) This regulation shall apply to a member who is in quarantine as it applies to a member who is ill and any reference to fitness or unfitness for duty shall be construed accordingly.

Leave for ante-natal care

32.—(1) A female member who is pregnant and who, on the advice of a registered medical practitioner, registered midwife or registered health visitor, has made an appointment to attend at any place for the purpose of receiving ante-natal care shall, subject to the following provisions of this regulation, have the right not to be unreasonably refused special leave from duty to enable her to keep the appointment.

(2) Subject to paragraph (3), the chief constable shall not be required by virtue of this regulation to permit a female member to take special leave from duty to keep an appointment unless, if he requests her to do so, she produces for his inspection—

- (a) a certificate from a registered medical practitioner, registered midwife or registered health visitor stating that she is pregnant, and
- (b) an appointment card or other document showing that the appointment has been made.

(3) Paragraph (2) shall not apply where the female member's appointment is the first appointment during her pregnancy for which she seeks permission to take special leave from duty in accordance with paragraph (1).

(4) A period of special leave from duty taken in accordance with paragraph (1) shall be treated as a period of duty.

Maternity leave

33.—(1) In this regulation—

“expected date of birth” means, subject to paragraph (4), the date given in accordance with paragraph (2)(b);

“maternity leave” means leave taken in accordance with the provisions of this regulation by a qualified member during the maternity period;

“maternity period”, in relation to such a member, means the period beginning six months before the probable date of birth of the member's child, as given under paragraph (2)(b) or, as the case may be, paragraph (4), and ending nine months after the date so given; and

“qualified member” means a member who qualifies under paragraph (2).

(2) Subject to the following provisions of this regulation, a female member qualifies for maternity leave when she has given to the chief constable notice stating—

- (a) that she is pregnant;
- (b) the probable date of the birth of her child; and
- (c) the date on which she intends to commence maternity leave or, where she proposes to take more than one period of maternity leave before the probable date of birth of her child, the proposed dates of those periods.

(3) A female member does not qualify for maternity leave where the chief constable has requested a certificate from a registered medical practitioner, registered midwife or registered health visitor setting out the matters referred to in paragraph (2)(a) and (b) and she fails to produce such a certificate.

(4) Where a certificate produced under paragraph (3) sets out a different date as the probable date of the birth of the child of the female member from the date given in accordance with paragraph (2)(b), the date given in the certificate shall have effect in place of the date given in the notice.

(5) A female member who is pregnant shall give the notice required by paragraph (2) as soon as reasonably practicable after she becomes aware of the probable date of birth of her child.

(6) The date given in accordance with paragraph (2)(c) may be amended by a subsequent notice to the chief constable, provided that not less than 21 days' notice is given of the qualified member's intention to return to duty.

(7) A qualified member shall commence maternity leave no later than the date given in accordance with paragraph (2)(b) and, subject to paragraphs (8) and (9), the leave shall continue until the last day of the maternity leave.

(8) Where a qualified member intends to return to duty before the end of the maternity period after taking maternity leave, she shall give the chief constable not less than 21 days' notice of her intention.

(9) A notice under paragraph (8) may be subsequently revoked; and any such revocation shall be without prejudice to the giving of another notice under that paragraph of an intention to return to duty before the end of the maternity period.

(10) During any period of maternity leave, a qualified member shall not be entitled to any sick leave under regulation 31.

(11) In paragraph (10) "period of maternity leave" means the period—

(a) beginning on—

(i) the date given in accordance with paragraph (2)(c) as the date on which the qualified member intends to commence maternity leave or, where she proposes to take more than one period of such leave, the first of those dates, or

(ii) where that date or, as the case may be, the first of those dates has been amended by a subsequent notice under paragraph (6), that date; and

(b) ending on—

(i) where a notice has been given under paragraph (8) and has not been subsequently revoked, the date so given, or

(ii) where no such notice has been given or remains in force, the last day of the maternity period.

Paternity leave

34.—(1) So far as the exigencies of duty permit, a male member shall be granted 2 days' paternity leave during the relevant part of a woman's maternity period.

(2) A woman's maternity period is one beginning with the later of—

(a) the date on which she is certified by a registered medical practitioner to be pregnant, and

(b) the date 6 months before the one estimated by that practitioner as being the probable date of birth,

and ending 9 months after the birth of the child.

(3) The relevant part of a woman's maternity period is any part during which—

(a) the member is married to and not separated from her, or

(b) they are not married to each other but are living together as husband and wife.

University scholars

35. This Part shall have effect in relation to a university scholar subject to the provisions of paragraph 2 of Schedule 5.

Part IV

Pay

Rate of pay

36.—(1) Schedule 6 shall have effect for determining the pay of members.

(2) In Schedule 6 any reference to service in a rank shall include service in a corresponding rank held on 31st May 1970.

(3) Subject to regulations 38, 39, 40 and 41, in reckoning the service of a member in any rank for the purposes of pay, account shall be taken of all his service in that rank; and service in a higher rank, on temporary promotion thereto or otherwise, shall be treated as if it had been service in that rank.

(4) For the purposes of this regulation, in reckoning a member's service in any rank—

- (a) that service shall be treated as unbroken by, and including, any period of service in Her Majesty's forces which he is entitled to reckon as pensionable service;
- (b) except where the Police Authority in the circumstances of a particular case otherwise determines with the approval of the Secretary of State no account shall be taken of any previous service in that rank which terminated in his reduction in rank as a punishment but any previous service in a higher rank which so terminated shall be treated as if it had been service in the rank to which the member was reduced;
- (c) no account shall be taken of any performance of the duties of that rank in respect of which a temporary salary is payable under regulation 37;
- (d) any period of unpaid leave shall be disregarded;
- (e) any service performed pursuant to an appointment under regulation 5 (part-time appointments) shall be multiplied by the factor which was the appropriate factor within the meaning of regulation 2(4) or (5) as it applied to him by virtue of paragraph 1 of Schedule 1;
- (f) in the case of a female member who has taken one or more periods of maternity leave—
 - (i) where that leave has been for fourteen weeks or more, account shall be taken of the first fourteen weeks whilst on maternity leave;
 - (ii) where that leave has been for less than fourteen weeks, account shall be taken of any period spent on maternity leave;

and, in the case of a member of a rank higher than that of chief inspector, paragraph (3) shall have effect subject to any contrary agreement so far as it relates to the reckoning of previous service in the force.

(5) Nothing in this regulation shall affect the operation of any provision of the Discipline Regulations and, in relation to a member suspended or fined thereunder, the provisions of paragraphs 1 and 3 of Schedule 7 or of paragraph 4 thereof shall have effect.

(6) Paragraph (1) and Schedule 6 shall have effect in relation to a university scholar subject to the provisions of paragraph 3 of Schedule 5.

Temporary salary

37.—(1) A member of the rank of assistant chief constable who is required, for a continuous period exceeding 7 days, to perform the duties normally performed by a member of the rank of deputy chief constable, otherwise (subject to paragraph (5)) than as the direct or indirect result of the absence of any member on a monthly or other leave day granted under regulation 27, shall be paid in respect of that period, other than the first 7 days thereof, at a rate, determined by the Secretary

of State pursuant to paragraph 1(2) of Schedule 6, within the range specified for the rank of deputy chief constable in the relevant column of the table in paragraph 1 of that Schedule.

- (2) In relation to such a member as is mentioned in paragraph (1), “the relevant column” means—
- (a) in the case of a member who has been appointed in the rank of assistant chief constable under regulation 10, column 2, and
 - (b) in the case of a member who has not been so appointed, column 3.

(3) A member of the rank of superintendent who is required, for a continuous period exceeding 7 days, to perform the duties normally performed by a member of a rank higher than his own, otherwise (subject to paragraph (5)) than as the direct or indirect result of the absence of any member on a monthly or other leave day granted under regulation 27, shall be paid in respect of that period, other than the first 7 days thereof, at a rate equal to the rate of pay of the member in that higher rank.

(4) A member of the rank of superintendent who is required for a continuous period exceeding 7 days to perform the duties normally performed by such a member whose pay under paragraph 2(3) of Schedule 6 is higher than his own, otherwise (subject to paragraph (2)) than as the direct or indirect result of the absence of any member on a monthly or other leave day granted under regulation 27, shall be paid in respect of that period, other than the first 7 days thereof, at a rate equal to the rate of pay of the member in that higher pay category.

- (5) Where any member is absent for a continuous period comprising both—
- (a) monthly or other leave days granted under regulation 27, and
 - (b) one or more annual leave days granted under regulation 30,

paragraphs (1) and (3) or (4) shall have effect as if the entire continuous period of absence were a period of annual leave.

(6) Subject to paragraph (9), a member below the rank of superintendent who, in any year, has been required to perform the duties normally performed by a member of a rank higher than his own for 14 complete days shall be paid in respect of each further complete day in that year on which he is required to perform such duties at a rate equal to the lowest rate of pay to which he would be entitled on promotion to the higher rank.

- (7) Where a member—
- (a) on his last scheduled working day in any year is required to perform the duties normally performed by a member of a rank higher than his own, and
 - (b) is paid in respect of that day temporary salary under paragraph (6), and
 - (c) on his first scheduled working day of the next following year continues for the complete day to perform such duties,

he shall be paid, in respect of the day mentioned in sub-paragraph (c) and any following complete day which together therewith forms a continuous period when he is required to perform such duties, as if that day or days had formed part of the year mentioned in sub-paragraph (a):

Provided that the said day or days shall be disregarded for the purposes of the application of paragraph (6) to that member in the year mentioned in sub-paragraph (c).

- (8) Where—
- (a) a member below the rank of inspector is entitled to be paid under paragraph (6),
 - (b) the higher rank is that of inspector or above, and
 - (c) the day on which the member is required to perform the duties referred to in paragraph (6) is not a public holiday or rostered rest day,

there shall be no entitlement to an allowance or time off under regulation 24 in respect of such duties.

- (9) Paragraph (6) shall not apply where—

- (a) a member below the rank of inspector is required to perform the duties normally performed by a member of the rank of inspector or above, and
- (b) the day on which the member is so required to perform such duties is a public holiday or rostered rest day.

(10) For the purposes of this regulation the expression “year” means a period of 12 months beginning on 1st April.

(11) For the purposes of this regulation, the expression “day” means, in relation to a member below the rank of inspector, his normal daily period of duty.

Reckoning of service in a police force in Great Britain

38.—(1) Where a member joined or rejoined the force having left a police force in Great Britain, on or after 29th June 1970, for that purpose or on exercising the right of reversion conferred by section 21(1) of the Act then, for the purposes of regulation 36, his service in any rank in the police force in Great Britain shall be treated as if it were service in the corresponding rank in the force:

Provided that in the case of a member of a rank higher than that of chief inspector this paragraph shall have effect subject to any contrary agreement.

(2) A member of the rank of constable shall be entitled to reckon, for the purposes of pay for that rank, any period of service in a police force in Great Britain not reckonable under paragraph (1).

(3) In this regulation any reference to a rank corresponding to a rank in the force is a reference to a rank in a police force in Great Britain, designated by the Secretary of State for the purposes hereof, as the rank corresponding to the rank in question.

Reckoning by constables of service in certain constabularies

39.—(1) A member of the rank of constable shall be entitled to reckon, for the purposes of pay for that rank, any period of service in a constabulary mentioned in paragraph (2).

(2) The constabularies referred to in paragraph (1) are—

- (a) the Ministry of Defence Police, that is to say the force established by section 1 of the Ministry of Defence Police Act 1987⁽⁸⁾ or, before the coming into force of that Act, comprising constables appointed under section 3 of the Special Constables Act 1923⁽⁹⁾ on the nomination of the Defence Council or, before 1st April 1964, of the Admiralty, Army Council or Air Council;
- (b) the Port of Tilbury London Limited’s police force, that is to say the force of constables appointed under section 154 of the Port of London Act 1968⁽¹⁰⁾.

Reckoning of service in an airport constabulary

40. Where a member of an aerodrome constabulary has been transferred to the force by an order under section 30 of the Aviation Security Act 1982⁽¹¹⁾ then, for the purposes of regulation 36, his service in any rank in that constabulary shall be treated as if it were service in the corresponding rank in the force.

(8) 1987 c. 4
 (9) 1923 c. 11
 (10) 1968 c. xxxii
 (11) 1982 c. 36

Reckoning by constables of overseas police service

41.—(1) A member of the rank of constable shall be entitled to reckon, for the purposes of pay for that rank, the following periods of service, that is to say, any period of—

- (a) certified overseas police service such as is mentioned in paragraph (2);
- (b) certified service in the British South Africa Police such as is mentioned in paragraph (3);
- (c) such service in a police force in the Channel Islands or the Isle of Man as is mentioned in paragraph (4),

notwithstanding that such service is not service in the rank of constable in the force.

(2) The reference in paragraph (1) to certified overseas police service is a reference to—

- (a) continuous service as a member of a police force in any territory or country outside the United Kingdom, being a colony, protectorate or protected state within the meaning of the British Nationality Act 1948⁽¹²⁾, a dependent territory within the meaning of the British Nationality Act 1981⁽¹³⁾, or, where appropriate, the territory or country wherein the colony, protectorate, protected state or dependent territory was incorporated after the inception of the service, subject to it having been certified by or on behalf of the Secretary of State that—

- (i) the service was, at its inception, pensionable, and
- (ii) in his opinion the person concerned ceased so to serve for reasons connected with constitutional developments in the territory or country in question, or

- (b) continuous service for 6 years or more as a member of a police force outside the United Kingdom, subject to it having been certified by or on behalf of the Secretary of State that—

- (i) the person concerned so served under a contract of service,
- (ii) immediately before he ceased so to serve, the person concerned was, for the purposes of section 12 of the Overseas Development and Co-operation Act 1980⁽¹⁴⁾, a person designated in accordance with such an agreement as is therein mentioned, and
- (iii) in his opinion the person concerned ceased so to serve for reasons connected with constitutional developments in the territory or country in question,

except that the said reference in paragraph (1) does not include a reference to service as a reversionary member of a home police force as defined in the Police Pensions Regulations 1987⁽¹⁵⁾.

(3) The reference in paragraph (1) to certified service in the British South Africa Police is a reference to continuous service as a member thereof, for a period which included 11th November 1965, up to such time, on or after that date, as the person concerned ceased to perform duties therein, subject to his having ceased to perform those duties before 2nd March 1970 and subject to it having been certified by or on behalf of the Secretary of State that he approves the application of this regulation in the case of the person concerned.

(4) The reference in paragraph (1) to service in a police force in the Channel Islands or the Isle of Man is a reference to service in—

- (a) the Island police force maintained under the Police Force (Guernsey) Law 1986,
- (b) the States of Jersey police force maintained under the Jersey Laws entitled the Police Force (Jersey) Law 1974, or
- (c) the Isle of Man Constabulary maintained under the Police Act 1993 (an Act of Tynwald).

⁽¹²⁾ 1948 c. 56

⁽¹³⁾ 1981 c. 61

⁽¹⁴⁾ 1980 c. 63

⁽¹⁵⁾ S.I. 1987/257

Pay during sick leave

42.—(1) Subject to paragraphs (2), (3) and (4), if, on any relevant day, a member has, during the period of 12 months ending with that day, been on sick leave for 183 days, he ceases for the time being to be entitled to full pay, and becomes entitled to half pay, while on sick leave.

(2) Subject to paragraphs (3) and (4), if on any relevant day a member has been on sick leave for the whole of the period of 12 months ending with that day, he ceases for the time being to be entitled to any pay while on sick leave.

(3) The chief constable may in a particular case determine that for a specified period—

- (a) a member who is entitled to half pay while on sick leave is to receive full pay, or
- (b) a member who is not entitled to any pay while on sick leave is to receive either full pay or half pay,

and may from time to time determine to extend the period.

(4) The chief constable, if he is satisfied after consultation with a registered medical practitioner appointed or approved by the Police Authority, that a particular case is exceptional, shall determine in consultation with the said medical practitioner that for a specified period—

- (a) a member who is entitled to half pay while on sick leave is to receive full pay, or
- (b) a member who is not entitled to any pay while on sick leave is to receive either full pay or half pay.

An exceptional case is a case in which the member's being on sick leave is directly attributable to an injury received in the execution of his duty, as defined in the Pensions Regulations.

(5) For the purpose of this regulation a relevant day is a day after 30th October 1995 on which a member is on sick leave, and in this regulation—

- (a) references to a member's being on sick leave are references to his being absent from duty while entitled to be so, or with the consent of the Police Authority, under regulation 31,
- (b) references to full pay are references to pay at the rate ascertained from regulation 36, and
- (c) references to half pay are references to pay at half the rate of the member's full pay.

Pay during maternity leave

43.—(1) Subject to the following provisions of this regulation, a female member who satisfies the conditions in paragraph (2) is entitled to be paid as respects the first three months of any period or periods of maternity leave in any one maternity period (as defined by regulation 33) taken in accordance with regulation 33, but is not entitled to be paid thereafter.

(2) The conditions referred to in paragraph (1) are that—

- (a) at the beginning of the week in which the expected date of birth (as defined in regulation 33(1)) occurs, the female member will have served continuously for a period of not less than sixty-three weeks in the force or in a police force in Great Britain; and
- (b) on the date ("the relevant date") fifteen weeks before the expected date of birth (as so defined) she either—
 - (i) remains pregnant, or
 - (ii) has given birth prematurely to a baby who is alive on the relevant date.

(3) In this regulation "week" means a period of seven days beginning with Sunday.

Deductions from pay of social security benefits and statutory sick pay

44.—(1) There shall be deducted from the pay of a member who is in receipt of full pay (within the meaning of regulation 42(5)(b))—

- (a) the amount of any short-term or long-term incapacity benefit to which he is entitled under the Social Security (Incapacity for Work) (Northern Ireland) Order 1994⁽¹⁶⁾, and
- (b) any statutory sick pay to which he is entitled under the Social Security Contributions and Benefits (Northern Ireland) Act 1992⁽¹⁷⁾,

and for the purposes of sub-paragraph (a) any increase for adult and child dependants shall be treated as forming part of the benefit or allowance to which it relates.

(2) For the purposes of this regulation, a woman member who, as a married woman or widow, has elected to pay contributions under section 19 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 at the reduced rate shall be deemed to be entitled to any social security benefits mentioned in paragraph (1) to which she would have been entitled had she not elected to contribute at the reduced rate.

Calculation of monthly, weekly and daily pay

45.—(1) A month's pay shall be calculated, for all purposes, at a monthly rate of pay determined by dividing by 12 the annual rate.

(2) A week's pay shall be calculated, for all purposes, at a weekly rate of pay determined by dividing by 52# the annual rate.

(3) A day's pay shall be calculated, except for the purposes of regulations 24 and 25, at a daily rate determined by dividing by 7 the weekly rate, determined as aforesaid.

Pay day

46.—(1) Members shall be paid at such intervals as the Police Authority may fix and the Police Authority may fix different intervals for different ranks of members.

(2) In fixing the interval for any rank, the Police Authority shall have regard to the wishes of the members of that rank.

(3) The Police Authority may, if it thinks fit, pay to a member such part of his pay as it may determine in advance of the day on which it would otherwise be due to be paid in accordance with this regulation.

Part V

Allowances and Other Emoluments

Restriction on payment of allowances

47.—(1) No allowances shall be paid to a member except as provided by these regulations or approved by the Secretary of State, and the amounts and conditions of payment of such allowances shall be as so provided or approved.

(2) Subject to paragraph (3), nothing in this regulation shall apply to the reimbursement of expenses incurred by a member in the execution of his duty, being expenses authorised either

⁽¹⁶⁾ S.I. 1994/1898 (N.I. 12)

⁽¹⁷⁾ 1992 c. 7

generally or specifically by the Police Authority in respect of which no allowance is payable under these regulations.

(3) A member of the rank of superintendent or above who is required to travel by train in the execution of his duty shall be entitled to travel in first-class accommodation and to be reimbursed his expenses accordingly.

Restriction on payments for private employment of police

48. Without prejudice to the generality of regulation 47, a member who is engaged on duty at the request of any person who has agreed to pay the Police Authority for the member's services shall not be entitled to any payment for those services except as provided by the regulations applicable to him.

Removal allowance

49.—(1) Where a member moves his home in circumstances to which this paragraph applies, the Police Authority shall—

- (a) either reimburse the reasonably incurred cost of removal or carry out the removal;
- (b) where the member was the owner of his former home, reimburse expenses reasonably incurred by him in connection with the disposal thereof;
- (c) where the member is the owner of his new home, reimburse expenses reasonably incurred by him in connection with the acquisition thereof if—
 - (i) he was the owner of his former home, or
 - (ii) the Police Authority, after consulting the chief constable, is satisfied that he could neither have been provided with a suitable house or quarters nor have been reasonably expected to find suitable rented accommodation within a reasonable distance of his normal place of duty,

so, however, that where the Police Authority is of the opinion that the member could have acquired a suitable home for a consideration less than that actually paid, it may restrict the reimbursement of expenses directly related to the consideration paid by him to expenses which would have been reasonably incurred had he paid that lesser consideration;

- (d) reimburse the member his payments in connection with his former home by way of mortgage interest, rent or rates payable in respect of the first 26 weeks following the move and may, if it thinks fit, reimburse him such payments in respect of such further period as it may determine so, however, that where the Police Authority is of the opinion that the member had not taken all reasonable steps to reduce or terminate his liability to make such payments as aforesaid, it may restrict the reimbursement to payments which the member would have been liable to make had he taken all such steps.

(2) Paragraph (1) applies where the member moves his home—

- (a) on joining the force in the rank of assistant chief constable or a higher rank; or
- (b) except as a consequence of joining the force, and the removal is, in the opinion of the chief constable, due to the exigencies of police duty or is made at the request of the chief constable and is, in his opinion, in the interests of the efficiency of the force.

(3) Where a member moves his home in consequence of his voluntarily transferring to the force from a police force in Great Britain otherwise than in circumstances to which paragraph (2) applies, the Police Authority may—

- (a) either reimburse the reasonable cost of removal or carry out the removal;
- (b) in the circumstances mentioned in paragraph (1)(b), reimburse the expenses there mentioned;

(c) in the circumstances and subject to the conditions mentioned in paragraph (1)(c), reimburse the expenses there mentioned;

(d) subject to the conditions mentioned in paragraph (1)(d), reimburse the expenses there mentioned.

(4) Where the cost of removal is reimbursed or the removal is carried out by the Police Authority under paragraph (1) or (3), then, subject to paragraph (5), in respect of expenditure incidental to the move the Police Authority shall pay the member an allowance of the amount hereinafter provided.

(5) An allowance under paragraph (4)—

(a) shall not be payable, where a member who has never been married moves from furnished accommodation;

(b) shall only be payable if the chief constable so decides, where a member moves from unfurnished into furnished accommodation.

(6) In the case of a member who—

(a) moves into furnished accommodation; or

(b) moves into unfurnished accommodation but has not previously, while a member, lived in such accommodation,

the amount of the allowance under paragraph (4) shall be £20.

(7) In the case of any other member the amount of the allowance under paragraph (4) shall not exceed £1,396 nor be less than the minimum amount mentioned in paragraph (8) but, subject as aforesaid, shall equal the aggregate of the following amounts—

(a) the amount of the expenditure incidental to the move reasonably incurred by the member, and

(b) where he satisfies the Police Authority that, in consequence of the move, he has failed to benefit, in whole or in part, from expenditure reasonably incurred by him prior to the move (other than such payments as are referred to in paragraph (1)(d)), the whole or the proportionate part of that expenditure so far as it is not recoverable by him.

(8) The minimum amount referred to in paragraph (7) shall be—

(a) where the member holds, or is transferring to be appointed in, a rank higher than that of superintendent, such amount as may be determined by the Secretary of State on the recommendation of the Police Authority;

(b) where he holds, or is transferring to be appointed in, the rank of superintendent, £129;

(c) where he holds, or is transferring to be appointed in, the rank of inspector or chief inspector, £102;

(d) where he holds, or is transferring to be appointed in, any rank lower than inspector, £82.

(9) Where a member has been requested by the chief constable, in the interests of the efficiency of the force, to move his home, and—

(a) the member has, in consequence, in connection with the contemplated disposal of his home and acquisition of a new home, incurred any expenses; and

(b) he would, if he had moved his home, have been reimbursed those expenses by the Police Authority in pursuance of paragraph (1)(b) or (c); but

(c) in consequence of a subsequent decision of the chief constable, the member does not in fact move his home,

he shall be entitled, notwithstanding that he has not moved his home, to be reimbursed those expenses by the Police Authority.

(10) In this regulation—

- (a) any reference to an owner of any property is a reference to an occupier thereof whose interest therein is either a freehold interest or a leasehold interest which is neither a yearly or shorter tenancy nor a furnished tenancy;
- (b) any reference to expenses incurred in connection with the disposal or acquisition of any property shall be construed as including, in particular, estate agent's, auctioneer's and solicitor's fees, stamp duty and expenses in connection with the redemption, transfer or taking out of a mortgage and any reference to expenses incurred in connection with the acquisition of any property shall be construed as also including expenses in connection with the contemplated acquisition of a property other than that acquired;
- (c) any reference to a member includes a member of a police force in Great Britain who transfers to the force; and
- (d) the expression "rates" includes—
 - (i) any rate within the meaning of Article 2(2) of the Rates (Northern Ireland) Order 1977(18); and
 - (ii) the reasonable costs of emptying a cess-pit where the premises do not have main drainage.

Plain clothes allowance

50.—(1) A member below the rank of assistant chief constable who is required, for a continuous period of not less than a week, to do duty in plain clothes shall be paid a plain clothes allowance at such annual rate as shall be determined by the Secretary of State.

(2) A member below the rank of superintendent who is required to perform duties in plain clothes for not less than 40 hours in the aggregate in any period of 6 months shall, subject to paragraph (3), be paid a plain clothes allowance in respect of such duties at such hourly rate as shall be determined by the Secretary of State.

(3) For the purposes of paragraph (2) and the calculation of the aggregate duration of the duties there referred to—

- (a) where the duties were performed on an occasion falling within such a continuous period of plain clothes duty as is mentioned in paragraph (1), no account shall be taken of those duties;
- (b) where the duties performed on any occasion lasted less than 4 completed hours, no account shall be taken of those duties;
- (c) where the duties performed on any occasion lasted for a completed number of hours and a fraction of an hour, no account shall be taken of that fraction.

(4) Notwithstanding anything in paragraph (1) or (2), where a member is provided with overalls when doing duty in plain clothes or for any other reason is, in the opinion of the Secretary of State, put to substantially less or substantially more than the normal expense caused by wearing his own clothes, a plain clothes allowance payable to him under paragraph (1) or (2) shall be payable not at the rate determined under the paragraph in question but at such rate as may be approved by the Secretary of State having regard to the circumstances of the case.

Detective expenses allowance

51.—(1) This regulation shall apply in the case of a member who is assigned, for a period of not less than a week, to detective duty and, while so assigned, is, in the opinion of the chief constable, usually engaged in outside duty.

(2) Such a member of the rank of superintendent shall be paid a detective expenses allowance at the rate of £5 a week; and shall not be eligible for the reimbursement of expenses incurred in the execution of his duty in respect of any individual item of expenditure of £1.25 or less.

(3) Such a member below the rank of superintendent shall be paid a detective expenses allowance at the rate of £3 a week and shall not be eligible for the reimbursement of expenses incurred in the execution of his duty in respect of any individual item of expenditure of 75p or less.

Subsistence, refreshment and lodging allowances

52.—(1) A member of or below the rank of superintendent who, having been retained on duty beyond his normal daily period of duty or engaged on duty away from his usual place of duty, certifies that, by reason of being so retained or engaged, he has been unable to obtain a meal in his usual way and that, as a consequence thereof, he has incurred additional expenditure to obtain food, shall—

- (a) if the period for which he is so retained or engaged is not less than two hours but does not exceed five hours, be paid a refreshment allowance;
- (b) if the period for which he is so retained or engaged exceeds 5 hours, be paid a subsistence allowance.

(2) A member of or below the rank of superintendent who, having been retained on duty beyond his normal daily period of duty or engaged on duty away from his usual place of duty, certifies that he has incurred additional expense for the purpose of obtaining lodging which he would not have required if he had not been so retained or engaged shall be paid a lodging allowance.

(3) A member of or below the rank of superintendent who satisfies the chief constable that during his normal period of duty he has, though not away from his usual place of duty, been prevented by the exigencies of duty from obtaining a meal in his usual way and that he has, as a consequence thereof, incurred additional expenditure to obtain food, may be paid a refreshment allowance.

(4) For the purposes of this regulation the expression “usual place of duty” means—

- (a) in the case of a member below the rank of superintendent, the police station or other police establishment, or
- (b) in the case of a member of the rank of superintendent, the divisional or sub-divisional headquarters or other police establishment,

in which the member is stationed or, where such place of duty has been temporarily changed and after such period from the date of change as the chief constable may determine, in which he is temporarily stationed, as the case may be.

(5) A subsistence, refreshment or lodging allowance payable under the foregoing provisions of this regulation shall be of an amount determined in accordance with Schedule 8.

(6) A member above the rank of superintendent may be paid an allowance, at such annual rate as is determined by the Secretary of State on the recommendation of the Police Authority, to cover additional expenditure incurred by him in obtaining food and lodging by reason of the exigencies of duty.

Advances to cover expenses when away on duty

53. Where a member of or below the rank of chief inspector is required to do duty away from his usual place of duty he shall be given, if he so requests, an advance to cover, as far as practicable, any expenses which he will probably incur.

Motor vehicle allowances

54.—(1) Where the chief constable is of the opinion that the duties normally performed by a member are of such a nature that it is—

- (a) essential, or
- (b) desirable,

that the member in question should, at all material times, have a motor vehicle at his disposal, he may authorise that member to use (subject to his directions) a motor vehicle owned by the member for the purposes of duties performed by him and, subject as hereinafter provided, in respect of such use the member shall be paid a motor vehicle allowance.

(2) A motor vehicle allowance shall not be payable in respect of the authorised use of a motor vehicle unless there was in force, in relation thereto, a policy of insurance in terms approved by the Police Authority, in relation to the use in question, for the purposes hereof.

(3) A motor vehicle allowance shall not be payable in respect of the authorised use of a motor car of a cylinder capacity exceeding 500 c.c. unless the member concerned was willing to carry passengers for the purposes of the duties performed by him or, in the case of passengers being members or members of any police force, by those members.

(4) A motor vehicle allowance in respect of the authorised use of a motor car of a cylinder capacity exceeding 500 c.c. shall, subject as aforesaid, be payable—

- (a) where the chief constable is of the opinion mentioned in paragraph (1)(a), at the essential user's rate;
- (b) where the chief constable is of the opinion mentioned in paragraph (1)(b), at the casual user's rate,

as provided in Schedule 9:

Provided that where the member concerned holds a rank above that of superintendent he may instead be paid a flat-rate motor vehicle allowance at such annual rate as is determined by the Police Authority on such basis as is approved by the Secretary of State.

(5) A motor vehicle allowance in respect of the authorised use of—

- (a) a motor car of a cylinder capacity not exceeding 500 c.c., or
- (b) a motor bicycle,

shall, subject as aforesaid, be payable on such conditions and at such rate as is approved by the Secretary of State.

(6) In its application to the chief constable this regulation shall have effect as if any reference therein to that officer were a reference to the Police Authority.

(7) Paragraph 1 of Schedule 9 shall have effect for the purposes of the interpretation of this regulation.

Dog handler's allowance

55.—(1) Where a dog owned by the Police Authority is kept and cared for by a member at his home, the member shall be paid a dog handler's allowance in respect of the care accorded to the dog on the member's rest days and on public holidays.

(2) A dog handler's allowance shall be of an amount determined in accordance with Schedule 10.

(3) For the purposes of this regulation and of Schedule 10, a member shall be treated as keeping and caring for a dog at his home if he would be so doing but for his being on annual leave.

Allowance in respect of medical charges

56.—(1) A member, if the charges are incurred by reason of an injury received without his default in the execution of his duty as a constable, shall be reimbursed the normal standard charges incurred in his case under Articles 5, 61, 62, 63 and 98 of the Health and Personal Social Services (Northern

Ireland) Order 1972(19) (which Articles relate to charges for certain drugs, medicines and appliances and for dental treatment).

(2) For the purposes of the preceding paragraph, the terms “injury” and “injury received in the execution of duty” have the same meanings as they have in the Pensions Regulations.

Allowance for recurring escort duty, etc.

57. An allowance may be paid, of such amount and under such conditions as may be determined by the Secretary of State on the recommendation of the Police Authority, in respect of recurring escort duty or other specific duties involving recurring retention on duty beyond the normal daily period and not covered by any other payment.

Continuance of allowances when member ill

58. If a member, who is regularly in receipt of a plain clothes allowance, detective expenses allowance or any allowance to meet an expense which ceases during his or her absence from duty, is placed upon the sick list or is on maternity leave, the allowance shall be payable during his or her absence from duty up to a period of a month but thereafter, during the remainder of his or her absence from duty, payment may be suspended at the discretion of the chief constable.

Allowances in respect of periods of suspension

59. This Part shall have effect in relation to a member suspended under the Discipline Regulations, subject to the provisions of paragraphs 2 and 3 of Schedule 7.

University scholars

60. This Part shall have effect in relation to a university scholar, subject to the provisions of paragraph 4 of Schedule 5.

General

61. A member claiming any allowance under this Part shall comply with such directions as may be given by the Police Authority from time to time as to the time and manner of claiming and certification.

Part VI

Uniform and Equipment

Issue of uniform and equipment

62.—(1) Uniform and equipment shall be issued by the Police Authority free of charge to sergeants and constables in accordance with the provisions of Schedule 11.

(2) Uniform and equipment may, if the Police Authority so determines, be issued as required to a member of or above the rank of inspector.

Re-issue of uniform and equipment

63. Uniform and equipment handed back to the Police Authority shall not be re-issued to another member until it has received any necessary cleaning or renovation and is in serviceable condition.

Ownership of uniform and equipment

64. Subject to regulation 65, the uniform and equipment issued by the Police Authority shall not become the property of the member to whom they are issued and shall be handed back by him to the Police Authority on his leaving the force.

Replacement of uniform and equipment

65. On any article of uniform or equipment being replaced by the Police Authority, the article shall be handed back to the Police Authority unless the member, with the consent of the Police Authority, buys such article at a price to be fixed by the Police Authority or, with such consent, retains it without payment.

Part VII

Revocations, Savings and Transitional Provisions

Revocations and savings

- 66.—(1) The regulations specified in Part I of Schedule 12 are revoked.
(2) The revocations have effect subject to the savings in Part II of Schedule 12.

Transitional provisions

67. Without prejudice to sections 28 and 29 of the Interpretation Act (Northern Ireland) 1954(20), any appointment, deduction, payment, application, or election made, or approval, direction, consent, certificate or notice given, or any record or list kept, or any rank adopted, or any overtime worked or hours of duty worked on any public holiday or rest day, or any maximum limit fixed, or other thing done under any of the regulations revoked by these regulations or for the purposes thereof shall not be invalidated by the revocations effected by regulation 66, but shall, in so far as it could have been made, given, kept, adopted, worked, fixed or done under a provision of these regulations or for the purposes thereof, have effect as if it had been made, given, kept, adopted, worked, fixed or done under, or for the purposes of, that provision.

P. B. B. Mayhew
One of Her Majesty's Principal Secretaries of
State
Northern Ireland Office

4th October 1996

SCHEDULE 1

Regulation 5(6)

Modification for part-time service

1. In regulation 2 (meanings assigned to certain expressions, etc.) there shall be inserted after paragraph (3) the following paragraphs—

“(4) In relation to a member below the rank of inspector—

- (a) “the determined hours” are the number of hours which the chief constable has determined, under regulation 20(2) or (4A)(a), as his normal period of duty in a relevant period,
- (b) “a relevant period” is a period for which a duty roster relating to him has effect, for the time being, under regulation 23, and
- (c) “the appropriate factor” is

$\frac{A}{B}$

where—

A is the number of the determined hours, and

B is 40 times the number of weeks in the relevant period.

(5) In relation to a member above the rank of sergeant, the appropriate factor is $\frac{1}{2}$.”

2. In regulation 12 (probationary service in the rank of constable)—

- (a) in paragraph (1) the words after “constable” shall be omitted;
- (b) in paragraph (2) there shall be substituted for the words after “this regulation applies” the words “may be required to serve on probation for such period, not exceeding 2 years and 6 months, as the chief constable determines in the circumstances of a particular case.”; and
- (c) paragraphs (3) and (4)(c) shall be omitted.

3. In regulation 13 (discharge of probationer)—

- (a) in paragraph (1) there shall be substituted for the words “his period” the words “any period”; and
- (b) there shall be inserted after paragraph (4) the following paragraph—

“(4A) For the purposes of this regulation a month’s pay is to be calculated by multiplying one-twelfth of the annual rate ascertained from Schedule 6 by the appropriate factor.”

4. In regulation 20 (normal daily period of duty) for paragraphs (2) to (4) there shall be substituted the following paragraphs—

“(2) The normal period of duty, in every relevant period, of a member to whom this regulation applies, which is to be performed in accordance with general arrangements made by the chief constable, after consulting the Police Authority and the Police Association, is, subject to paragraph (4A), the total number of hours determined by the chief constable with the agreement of the member at the time of his appointment.

(3) For the purposes of paragraph (2) a day of annual leave counts as a period of duty of 8 hours multiplied by the appropriate factor.

(4) The chief constable shall review a member’s normal period of duty at intervals of not more than 52 weeks, and in doing so shall have regard to the number of hours actually spent on duty during the interval preceding the review.

(4A) After a review under paragraph (4)—

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- (a) any number of hours different from that determined under paragraph (2) which was determined by the chief constable and agreed to by the member becomes the member’s normal period of duty, and
 - (b) if no different number was agreed to by the member, his normal period of duty is the number of hours determined under paragraph (2).
- (4B) The number of hours determined under paragraph (2) or (4A)(a) must not be less than 16 times the number of weeks in the relevant period.
- (4C) As far as the exigencies of duty permit, a shift shall consist of one continuous period.
- (4D) Where in one day a member is on duty for a continuous period of 5 hours or more, an interval for refreshment shall, as far as the exigencies of duty permit, be allowed in accordance with the Table below.

TABLE

Number of hours	Refreshment interval
Less than 6 hours	30 minutes
6 hours or more, but less than 7 hours	35 minutes
7 hours or more, but less than 8 hours	40 minutes
8 hours or more	45 minutes

(4E) Where a shift consists of two periods, amounting in total to 5 hours or more, and the member does not travel to and from his home between those periods, an interval for refreshment and rest shall normally be included at the beginning or end of one of them.”.

5. In regulation 23 (rostering of duties)—

- (a) in paragraph (1)—
 - (i) the word “annual” shall be omitted, and
 - (ii) after sub-paragraph (b) there shall be inserted the following sub-paragraph—
 - “and
 - (c) a reference to a free day is to be construed as a reference to a day which is not—
 - (i) a day on which a shift is, according to the duty roster, to begin or end, or
 - (ii) a rostered rest day, or
 - (iii) a public holiday.”;
- (b) in paragraph (2) after the word “roster” there shall be inserted the words “(except one relating to a member who has agreed with the chief constable on a different period) shall have effect for a period of 12 months, and”;
- (c) in paragraph (3)—
 - (i) for the words “the 12 months following the date on which it comes into force” there shall be substituted the words “the period for which it has effect”,
 - (ii) after sub-paragraph (a) there shall be inserted—
 - “(aa) his free days;”, and
 - (iii) in sub-paragraph (c) for the words “his scheduled daily periods of duty are” there shall be substituted the words “each of his shifts is”;

- (d) in paragraph (4)—
 - (i) in sub-paragraph (a) for the words “daily periods of duty” there shall be substituted the words “shifts”, and
 - (ii) in sub-paragraph (b) before the words “an interval” there shall be inserted the words “unless he has agreed with the chief constable on a longer interval,”; and
- (e) in paragraph (5) for the words “daily period of duty” there shall be substituted the word “shift”.

6. For regulation 24 (overtime) there shall be substituted the following regulation—

“24.—(1) This regulation applies to a member below the rank of inspector.

(2) A member who has been on duty for more than 40 hours in any period of 7 days, beginning with such day as is fixed for the purposes of this regulation by the chief constable (a “relevant week”), is entitled, in respect of any day during that period in which he has been on duty for more than 8 hours (a “long-duty day”), to an allowance at the rate of one-twelfth of an hour’s pay for each completed 15 minutes in excess of 8 hours, except that on each of the first 4 occasions on which overtime, which the member was not told at the beginning of the shift would be required, is worked during a relevant week, 30 minutes of the overtime worked is to be disregarded.

(3) A member may, before the end of a pay period (that is to say, a period comprising one of the intervals between payments under regulation 46), elect to be granted time off, instead of an allowance under paragraph (2), in respect of any long-duty day that occurred during a relevant week ending within the pay period.

(4) Subject to the exigencies of duty, where a member has elected as mentioned in paragraph (3) the chief constable shall, within 3 months after the end of the relevant week, grant him time off equal to the total of—

- (a) the time in excess of 8 hours spent on duty in the day, or as the case may be in each of the days, in respect of which the election was made, and
- (b) 15 minutes in respect of each completed 45 minutes of that time.

(5) Any time counting for the purposes of regulation 36 (rate of pay) as time spent on duty, except—

- (a) time for which an allowance is received under paragraph (7) or under regulation 25 or 57, and
- (b) any period of less than 30 minutes worked during the first 30 minutes after the end of a rostered shift, except a period of 15 minutes which the member was told at the beginning of the shift would be required,

counts as time spent on duty for the purposes of paragraph (2).

(6) For the purposes of paragraph (2) a period of duty—

- (a) which resulted from a member’s being recalled and returning to duty between two rostered shifts, and
- (b) the length of which, after deducting any travelling time counting as a period of duty by virtue of regulation 28, was less than 4 hours,

counts as a period of duty lasting for the aggregate of 4 hours and any period counting by virtue of regulation 28.

(7) Where the time at which a member is required to commence a rostered shift is brought forward—

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- (a) without giving him notice 8 hours or more before the new commencement time, and
- (b) so that he is required to commence that shift on the day on which his previous shift ended,

he is entitled to an allowance at the rate of one-twelfth of an hour's pay for each completed 15 minutes of the time for which he is on duty before the rostered commencement time.

(8) A member who has become entitled to an allowance under paragraph (7) may, before the end of the pay period during which the day on which he was required to commence the shift occurred, elect to be granted time off instead of the allowance.

(9) Subject to the exigencies of duty, where a member has elected as mentioned in paragraph (8) the chief constable shall, within 3 months after the date of election, grant him time off equal to one and one-third times the number of completed quarters of an hour for which he was on duty before the rostered commencement time.

(10) Where—

- (a) on any day on which he has a rostered shift a member has been on duty for a period exceeding the length of that shift, and
- (b) he is not entitled in respect of that day to any allowance under paragraph (2) or (7),

he may, not later than 4 days after the end of the relevant week in which the day in question occurred, elect to be granted time off in respect of the excess over the length of the shift ("the excess period").

(11) For the purposes of paragraphs (2) and (10) a continuous period of duty which began before and ended after the beginning of a day shall—

- (a) if the day on which it ended was not—
 - (i) a public holiday,
 - (ii) a rostered rest day, or
 - (iii) a free day,

in respect of which he became entitled to an allowance under regulation 25, be treated as having fallen wholly within, and

- (b) in any other case, be treated as having consisted only of so much of the period as fell within,

the day on which the period began.

(12) Subject to the exigencies of duty, where a member has elected as mentioned in paragraph (10), the chief constable shall, within 3 months after the date of the election, grant him time off equal to the excess period.

(13) For the purpose of regulation 36 (rate of pay), any extra period of duty in respect of which time off is granted under paragraph (4) or (9) counts as one and one third times the number of completed quarters of an hour comprised in the extra period of duty, and a period falling within paragraph (6)(a) and (b) counts as one of 4 hours."

7. In regulation 25 (public holidays and rest days for ranks below inspector)—

- (a) in paragraph (4) for the words "a day's pay" there shall be substituted the words "the member's hourly rate of pay calculated in accordance with regulation 36";
- (b) in paragraph (5)—
 - (i) for the words "one sixteenth" there shall be substituted the words "one quarter", and
 - (ii) for the words "three sixty-fourths" there shall be substituted the words "one eighth";
- (c) there shall be inserted after paragraph (5) the following paragraphs—

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“(5A) A member who—

- (a) is required to do duty on a free day, and
- (b) receives less than 15 days' notice of the requirement,

shall be granted another free day in lieu, which shall be notified to him within 4 days of notification of the requirement.

(5B) This paragraph applies where—

- (a) a member is required to do duty on a free day, and
- (b) he receives less than 15 days' notice of the requirement, and
- (c) the duty is of such a nature that it would not in the circumstances have been reasonably practicable for it to have been done by any other member.

(5C) Where paragraph (5B) applies—

- (a) if the member was on duty for more than 8 hours on the free day and for more than 40 hours (in addition to any hours on a rostered rest day or a public holiday for which an allowance fell to be granted under paragraph (3)(a) or (6)(a) or (b)) during the week in which the free day occurred, he is entitled to an allowance at the rate of one twelfth of an hour's pay for each completed period of 15 minutes of duty done on the free day, and
- (b) in any other case, he is entitled to time off equal to the total length of those periods.

(5D) Where—

- (a) a member is required to do duty on a free day, and
- (b) he receives less than 15 days' notice of the requirement,

but paragraph (5C) does not apply, he is entitled to an allowance at the appropriate rest-day rate.”;

(d) after paragraph (7) there shall be inserted the following paragraph—

“(7A) A member who is required to do duty on a free day may within 28 days of that day elect to receive—

- (a) in lieu of an allowance under paragraph (5C)(a), time off equal to one and one-third times, and
- (b) in lieu of an allowance under paragraph (5D), time off equal to one and one-half times,

the period of completed quarters of an hour of duty done on the free day,”;

(e) in paragraph (8)—

- (i) after the words “rostered rest day” there shall be inserted the words “or on a free day”,
- (ii) after the words “paragraph (7)” there shall be inserted the words “or (7A)”, and
- (iii) after the words “as the case may be” there shall be inserted the words “paragraph (5C) or (5D) or”;

(f) in paragraph (9)—

(i) for sub-paragraph (b) there shall be substituted the following sub-paragraph—

- “(b) “the appropriate rate” is, for each completed 15 minutes of duty done on a public holiday, one quarter of the member's hourly rate of pay calculated in accordance with regulation 36,”;

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- (ii) sub-paragraph (c) shall be omitted, and
 - (iii) in sub-paragraphs (f) and (g) after the words “rostered rest day”, wherever occurring, there shall be inserted the words “or a free day”, and in sub-paragraph (f) for the words “a normal daily period of duty” there shall be substituted the words “a rostered shift”;
 - (g) in paragraph (10) after the words “rostered rest day”, wherever occurring, there shall be inserted the words “or a free day”; and
 - (h) after paragraph (10) there shall be inserted the following paragraph—
 - “(11) For the purposes of regulation 36 (rate of pay)—
 - (a) a day’s leave allowed under paragraph (2) and a day off granted under paragraph (6)(a) or under paragraph (10) in respect of a public holiday each count as a period of duty of 8 hours multiplied by the appropriate factor, and
 - (b) so much of any time off granted under paragraph (7A) or (8) as exceeds the time spent on duty on the public holiday, rest day or free day counts as time spent on duty.”.
8. In regulation 26 (public holidays and rest days for inspectors and chief inspectors) there shall be substituted—
- (a) in paragraph (2) for the words after “be granted” the words “in each week the number of rest days arrived at by multiplying the appropriate factor by two”; and
 - (b) in paragraph (3)(b) for the words after “any week of” the words “the number of rest days arrived at by multiplying the appropriate factor by two”.
9. In regulation 27 (public holidays and monthly leave days for ranks above chief inspector)—
- (a) in paragraph (2) after the words “each month” there shall be inserted the words “the amount of leave arrived at by multiplying by the appropriate factor”; and
 - (b) in paragraph (3)—
 - (i) for the words “eight monthly leave days” there shall be substituted the words “the amount of leave arrived at by multiplying 8 days by the appropriate factor”, and
 - (ii) for the words after “permit” there shall be substituted the words “be allowed a day’s leave in lieu of any day on a public holiday not allowed (or as the case may be) be granted the balance of monthly leave as additional monthly leave”.
10. In regulation 28 (travelling time treated as duty)—
- (a) for paragraph (1) there shall be substituted the following paragraph—
 - “(1) This regulation shall apply to a member where—
 - (a) a shift consists of two separate periods, or
 - (b) he is recalled to duty between shifts,and he travels to and from his home between those periods or, as the case may be, in consequence of his recall (in this regulation referred to as “relevant travelling”);”;
 - (b) in paragraph (3) for the words from “overtime” to “thereof” there shall be substituted the words “duty for the purposes of regulation 24, regulation 25 (except paragraph (9)(f) or regulation 36)”.
11. In regulation 30 (annual leave)—
- (a) in paragraph (1) after the words “Schedule 4” there shall be inserted the words “, except that in the case of a member above the rank of sergeant any period of leave calculated in accordance with Schedule 4 is to be multiplied by the appropriate factor”; and

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(b) after paragraph (1) there shall be inserted the following paragraph—

“(1A) In the case of a member below the rank of inspector, each day of annual leave granted counts for the purposes of regulation 36 (rate of pay) as a period of duty of 8 hours multiplied by the appropriate factor.”.

12. In regulation 31 (sick leave) after paragraph (2) there shall be inserted the following paragraph—

“(3) While a member below the rank of inspector is entitled under this regulation to be absent from duty, any rostered shift counts for the purposes of regulation 36 (rate of pay) as a period of duty of the same duration.”.

13. In regulation 34 (paternity leave) after paragraph (3) there shall be inserted the following paragraph—

“(4) In the case of a member below the rank of inspector, each day of paternity leave granted counts for the purposes of regulation 36 (rate of pay) as a period of duty of 8 hours multiplied by the appropriate factor.”.

14. In regulation 36 (rate of pay)—

(a) for paragraph (1) there shall be substituted the following paragraph—

“(1) A member below the rank of inspector shall be paid for time spent on duty at an hourly rate calculated by multiplying the annual rate ascertained

from Schedule 6 by

$$\frac{6}{12.520}.$$

and

(b) after paragraph (1) there shall be inserted the following paragraph—

“(1A) A member above the rank of sergeant shall be paid at an annual rate calculated by multiplying that ascertained from Schedule 6 by the appropriate factor.”.

15. In regulation 37 (temporary salary)—

(a) in paragraph (3)—

(i) after the words “performed by a” there shall be inserted the words “full-time”, and

(ii) after the words “pay of the” there shall be inserted the words “person appointed as a full-time”;

(b) in paragraph (6)—

(i) after the words “performed by a” there shall be inserted the words “full-time”, and

(ii) after the words “to the higher rank” there shall be inserted the words “as a full-time member”; and

(c) in paragraph (11) for the words after “inspector” there shall be substituted the words “the period that would constitute his normal daily period of duty if he were a full-time member, and “full-time member” means a member of the force appointed otherwise than under regulation 5.”.

16. In regulation 43 (pay during maternity leave) after paragraph (3) there shall be inserted the following paragraph—

“(4) A woman member below the rank of inspector who satisfies the conditions in paragraph (2) is to be treated for the purposes of regulation 36 (rate of pay) as having been on duty for the number of hours determined by multiplying the number of her determined

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hours by the length in days of the paid leave period and dividing the result by the length in days of the relevant period.”.

17. In regulation 49 (removal allowance) after paragraph (5) there shall be inserted the following paragraph—

“(5A) Every sum of money specified in paragraphs (6) to (8) is to be multiplied by the appropriate factor.”.

18. In regulation 50 (plain clothes allowance) in paragraph (1)—

- (a) for the words “for a continuous period of not less than a week” there shall be substituted the words “on 7 or more consecutive days”; and
- (b) after the word “determined” there shall be inserted the words “(regard being had to the appropriate factor)”.

19. In regulation 51 (detective expenses allowance)—

- (a) in paragraph (1) for the words “for a period of not less than a week” there shall be substituted the words “on 7 or more consecutive days”; and
- (b) after paragraph (1) there shall be inserted the following paragraph—

“(1A) The rates specified in paragraphs (2) and (3) as the rates of allowance under this regulation are to be multiplied by the appropriate factor.”.

20. In regulation 52 (subsistence, refreshment and lodging allowances) at the end of paragraph (3) there shall be inserted the words

“, and, in relation to a member below the rank of inspector, references in this regulation to his normal daily period of duty are to be construed as references to—

- (i) a period of duty lasting 8 hours, or
- (ii) periods of duty performed in one day amounting in total to 8 hours”.

21. In Schedule 5 (university scholars) in paragraph 3(2) for the words “the rate of” there shall be substituted the words “the rate obtained by multiplying by the appropriate factor”, and the words after “a year” shall be omitted.

22. In Schedule 7 (effect of disciplinary action on pay and allowances) in paragraph 4—

- (a) after the words “13 weeks” there shall be inserted the words “multiplied by the reciprocal of the appropriate factor”; and
- (b) after the words “weekly pay” there shall be inserted the words “multiplied by the appropriate factor”.

23. In Schedule 9 (motor vehicle allowances) after paragraph 2(2) there shall be inserted the following paragraph—

“(2A) The fixed element calculated in accordance with sub-paragraph (2) shall be multiplied by the appropriate factor.”.

24. In Part II of Schedule 12 (revocations and savings) after paragraph 8 there shall be added the following paragraph—

“Modification for part-time service

9.—(1) This paragraph applies to a qualifying or a rejoining member appointed pursuant to regulation 5 to perform part-time service.

(2) Where such a member as is mentioned in sub-paragraph (1) is entitled to a replacement allowance under paragraphs 2 to 6, the allowance shall be multiplied by the appropriate factor.”.

SCHEDULE 2

Regulation 6

Restrictions on the private life of members

1. A member shall at all times abstain from any activity which is likely to interfere with the impartial discharge of his duties or which is likely to give rise to the impression amongst members of the public that it may so interfere; and in particular a member shall not take any active part in politics.

2. A member shall not reside at premises which are not for the time being approved by the chief constable.

3.—(1) A member shall not, without the previous consent of the chief constable, receive a lodger in a house or quarters with which he is provided by the Police Authority or sub-let any part of the house or quarters.

(2) A member shall not, unless he has previously given written notice to the chief constable, receive a lodger in a house in which he resides and in respect of which he receives an allowance under Part II of Schedule 12 or sub-let any part of such a house.

4. A member shall not wilfully refuse or neglect to discharge any lawful debt.

SCHEDULE 3

Regulation 22(4)

Modification for variable shift arrangements

1. In regulation 20 (normal daily period of duty) there shall be substituted for paragraphs (2) to (4) the following paragraphs—

“(2) As far as the exigencies of duty permit, a shift shall consist of one continuous period.

(3) Where in one day a member is on duty for a continuous period of 5 hours or more, time for refreshment shall, as far as the exigencies of duty permit, be allowed in accordance with the Table below:

TABLE

Number of hours	Refreshment time
Less than 6 hours	30 minutes
6 hours or more, but less than 7 hours	35 minutes
7 hours or more, but less than 8 hours	40 minutes
8 hours or more, but less than 9 hours	45 minutes
9 hours or more, but less than 10 hours	50 minutes
10 hours or more	60 minutes

(4) Where a shift consists of two periods amounting in total to 5 hours or more and the member does not travel to and from his home between those periods, an interval for refreshment and rest shall normally be included at the beginning or end of one of them.”.

2. In regulation 23 (rostering of duties)—

(a) in paragraph (1) omit the word “annual”;

(b) in paragraph (3)—

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- (i) for the words “the 12 months following the date on which it comes into force” substitute “the period for which it has effect”, and
 - (ii) in sub-paragraph (c) for the words “his scheduled daily periods of duty are” substitute “each of his shifts is”;
 - (c) in paragraph (4)(a) for the words “daily periods of duty” substitute “shifts”; and
 - (d) in paragraph (5) for the words “daily period of duty” substitute “shift”.
3. In regulation 24 (overtime)—
- (a) in paragraph (1)—
 - (i) for the words “his tour of duty” substitute “a rostered shift”,
 - (ii) for the words “tours of duty” substitute “rostered shifts”, and
 - (iii) for the words “a tour of duty” and for the words “his normal daily period of duty” substitute “a rostered shift”;
 - (b) in paragraph (6) for the word “tour”, wherever occurring, substitute “shift”;
 - (c) omit paragraph (7)(b);
 - (d) in paragraph (7)(c) for the words “tours of duty” substitute “shifts”;
 - (e) in paragraph (7)(d)—
 - (i) for the words “a rostered tour of duty” substitute “a rostered shift”,
 - (ii) for the words “begin that tour” substitute “begin that shift”,
 - (iii) for the words “his normal daily period of duty” substitute “a rostered shift”, and
 - (iv) for the words “that tour of duty” substitute “that shift”; and
 - (f) in paragraph (8) in the definition of “due notice” for the words “tour of duty” substitute “shift”.
4. In regulation 25 (public holidays and rest days for ranks below inspector) in paragraph (2) after the words “the rate of” insert “not less than” and in paragraph (9)(f) for the words “a normal daily period of duty” substitute “a rostered shift”.
5. In regulation 28 (travelling time treated as duty) for paragraph (1) substitute—
- “(1) This regulation applies to a member where—
- (a) a shift consists of two separate periods, or
 - (b) he is recalled to duty between two shifts,
- and he travels to and from his home between those periods or, as the case may be, in consequence of his recall (in this regulation referred to as “relevant travelling”).”.
6. In regulation 30 (annual leave) omit paragraph (1).
7. In regulation 37 (temporary salary)—
- (a) in paragraph (6) for the words from “in any year” to “equal to” substitute “has had qualifying shifts amounting in total to 112 hours shall be paid, in respect of each further qualifying shift in that year, at the hourly rate arrived at by dividing by 8 a day’s pay at”;
 - (b) in paragraph (7)—
 - (i) for sub-paragraph (a) substitute—

“(a) has a qualifying shift as his last rostered shift in any year, and”,
 - (ii) in sub-paragraph (b) for the word “day” substitute “shift”,
 - (iii) for sub-paragraph (c) substitute—

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- “(c) has a qualifying shift as his first rostered shift in the next following year,”
- (iv) for the words from “that day” to “formed part of” substitute “the shift mentioned in sub-paragraph (c) and any qualifying shifts beginning on days that follow consecutively the day on which that shift began as if that shift or shifts had occurred in”, and
- (v) in the proviso for the words “day or days” substitute “shift or shifts”, and
- (c) for paragraph (11) substitute—
- “(11) For the purposes of this regulation the expression “qualifying shift” means, in relation to a member, a rostered shift throughout which he is required to perform duties normally performed by a member of the force of a rank higher than his own.”.
8. In regulation 52 (subsistence, refreshment and lodging allowances) at the end of paragraph (3) insert “, and references in this regulation to a member’s normal daily period of duty are to be construed as references to a rostered shift”.
9. In regulation 57 (allowance for recurring escort duty, etc.) for the words “beyond the normal daily period” substitute “after rostered shifts”.
10. Omit Schedule 4.

SCHEDULE 4

Regulation 30(1)

Annual leave

1.—(1) Subject to regulation 30 and the provisions of this Schedule, every member of or above the rank of superintendent shall be granted in each leave year the following period of annual leave namely—

- (a) in the case of a member of the rank of superintendent, 31 days;
- (b) in the case of a member of a rank higher than that of superintendent who has not completed 10 years' relevant service, not less than 42 days; and
- (c) in any other case, not less than 48 days.

(2) Subject as aforesaid and to paragraph (3) every member holding a rank below that of superintendent shall be granted in each leave year commencing after 31st December 1994 the period of leave set out opposite his relevant service as a member in the Table below—

TABLE

Relevant service	Annual leave
Under 5 years' relevant service	21 days
5 or more years' relevant service	23 days
10 or more years' relevant service	26 days
15 or more years' relevant service	27 days
20 or more years' relevant service	29 days

(3) Where the annual leave entitlement of a member, immediately before the coming into effect of this paragraph, in respect of the first leave year commencing after 31st December 1994, exceeded the

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period prescribed, in his case, in respect of that year, by the foregoing provisions of this paragraph, he shall continue to be entitled to be granted such greater period of leave until such time as he shall have completed such number of years' relevant service as, by virtue of the said provisions, entitle him to an increased period of leave.

2. In the leave year in which a member is appointed to, is promoted in, or retires from the force or completes such number of years' relevant service as will entitle him to an increased period of annual leave, his annual leave shall be calculated at the rate of a twelfth of the period of annual leave appropriate, under paragraph 1, to the rank held by him for each complete month of service in that rank in the leave year in question, a fraction of a day being reckoned as a day:

Provided that where a member is promoted or completes the said number of years' relevant service while completing a month's service in the leave year in question, he shall be treated for the purposes of this paragraph as if he had been promoted or, as the case may be, had completed the said number of years' relevant service at the beginning of that month's service.

3. In the case of a member below the rank of assistant chief constable, the chief constable may, in his discretion and subject to the exigencies of duty—

- (a) notwithstanding anything in paragraphs 1 and 2, where he is satisfied that, in any leave year, the member has not taken the full period of annual leave specified in those paragraphs, grant the member, during the following leave year, additional days of annual leave not exceeding the number of days not taken, so, however, that he shall not exercise his discretion so as to grant more than 5 additional days of annual leave to a member unless he is satisfied that there are exceptional circumstances and that it is in the interests of efficiency to do so;
- (b) grant the member not more than 5 additional days of annual leave, to be taken in the last month of the leave year, subject to a corresponding reduction being effected in the member's period of annual leave under paragraph 1 for the following year.

4.—(1) Subject to sub-paragraph (2), days of annual leave granted under this Schedule may be taken, at the discretion of the chief constable and subject to the exigencies of duty, as a single period, or as single days, or in periods of more than one day, or as half days.

(2) In the case of a member below the rank of superintendent, not more than 3 days of annual leave shall be taken as half days and, where annual leave is so taken, the member—

- (a) shall do duty on that day for 4 hours, and
- (b) shall not be entitled to be allowed an interval for refreshment such as is mentioned in regulation 20(3).

5.—(1) Where a member has been recalled to duty from a period of absence from duty to which this paragraph applies, he shall be granted, in compensation for being recalled to duty on any day during that period which is a day of annual leave or a day taken off in lieu of overtime—

- (a) if he was so recalled to duty for 1 or 2 days (whether or not in the latter case those days formed a single period), 2 days' annual leave in lieu of each such day for which he was so recalled; or
- (b) if he was so recalled to duty for 3 or more days (whether or not forming a single period), 2 days' annual leave in lieu of each of the first 2 such days for which he was so recalled, and 1½ days' annual leave in lieu of each such day for which he was so recalled thereafter.

(2) This paragraph applies to a period of absence from duty of 3 or more days, where at least one of those days is a day of annual leave and the other days, if not days of annual leave, are rostered rest days, days taken off in lieu of overtime, public holidays (or days taken off in lieu thereof) or monthly leave days, or any combination thereof.

6.—(1) For the purposes of this Schedule, the following expressions have the meanings hereby respectively assigned to them, that is to say—

- (a) “leave year” means that period of 12 months beginning on such date as may from time to time be determined by the Police Authority;
- (b) “relevant service” means any service which the member concerned is entitled to reckon for the purposes of pay together with any service which he was previously so entitled to reckon—
 - (i) in the case of a member below the rank of superintendent, in any lower rank;
 - (ii) in any other case, in the rank of superintendent (or any equivalent rank held prior to 1st June 1970) or any higher rank;
 - (iii) as a member of the Ulster Special Constabulary who had the option of attaining permanent status in accordance with the Ulster Special Constabulary Pensions Regulations 1950(21),

except that relevant service shall not include any such service as is mentioned in regulation 45 of the Police Regulations 1995(22) by a member of a police force in Great Britain who transfers to the Royal Ulster Constabulary.

(2) Where a member of an aerodrome constabulary has been transferred to the force by an order under section 30 of the Aviation Security Act 1982(23) then, for the purposes of this paragraph, his service in any rank in that constabulary shall be treated as if it were service in the corresponding rank in the force.

SCHEDULE 5

Regulations 2, 35, 36(6) and 60

University scholars

1.—(1) In this Schedule a reference to a university scholar is a reference to a member nominated for a course of university study by the Secretary of State or by the Police Authority in pursuance of arrangements in that behalf approved by the Secretary of State and, in relation to such a member, the expression “course” means the course for which he has been nominated and which he has undertaken and “study” means study for the purposes of that course.

(2) For the purposes of this paragraph a full-time course leading to a degree awarded by the Council for National Academic Awards shall be treated as a course of university study notwithstanding that the course is provided otherwise than at a university.

2. Regulations 20, 24 and 25 shall not apply to a university scholar for the duration of his course except for such period or periods, if any, as he is engaged otherwise than in study.

3.—(1) This paragraph shall apply to a university scholar who has undertaken a course of study given wholly or mainly at an institution within the City of London or the metropolitan police district.

(2) Where such a university scholar takes up residence within the City of London or the metropolitan police district and the taking up of such residence is, in the opinion of the Police Authority, due to his having undertaken his course, then, for the duration of the course (whether or not he is so resident throughout that period), he shall be entitled to supplementary pay at the rate of £1,440 a year and his rate of pay, determined in accordance with Part IV of these regulations, shall be increased accordingly.

(21) S.R. & O. (N.I.) 1950 No. 97 (p. 617) as amended by S.R. & O. (N.I.) 1969 No. 64

(22) S.I. 1995/215

(23) 1982 c. 36

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4. Where a university scholar moves his home and the removal is, in the opinion of the Police Authority, due to his having undertaken or completed his course of study and is, in their opinion, reasonable in all the circumstances of his case, regulation 49 shall have effect in his case as if the removal were such as is mentioned in paragraph (1) thereof.

SCHEDULE 6

Regulation 36

Determination of pay

1.—(1) This paragraph applies for the determination of the annual pay of any person who holds the rank of chief constable, deputy chief constable or assistant chief constable.

(2) The annual pay of such a person as is mentioned in sub-paragraph (1) shall be an amount, determined by the Secretary of State in accordance with sub-paragraph (4), which shall be within the range specified in the relevant entry in the following table.

TABLE

Annual Salary with effect as from 31st August 1995

1 Rank	2 Member appointed under Regulation 10	3 Member not appointed under Regulation 10
Chief Constable	£93,294 to £100,269	£88,731 to £95,373
Deputy Chief Constable	£74,635 to £80,215	£70,985 to £76,298
Assistant Chief Constable	£53,310 to £61,191	£50,769 to £58,278

(3) In the case of a person who has been appointed in the rank of assistant chief constable other than under regulation 10, the amount determined in accordance with sub-paragraph (2) shall not be less than the amount that the annual pay of that person would have been in that rank if the Royal Ulster Constabulary (Amendment No. 2) Regulations 1995(24) had not been made.

(4) Before making a determination under sub-paragraph (2) or regulation 37(1) (temporary salary), the Secretary of State shall consider the views of—

- (a) the Police Authority in the case of a member of the rank of chief constable; and
- (b) the Police Authority and the chief constable in any other case.

(5) In making a determination under sub-paragraph (2) or regulation 37(1), the Secretary of State shall have regard to—

- (a) the pay of those members immediately above and below the member whose pay is being determined; and
- (b) that member's responsibilities;

and the Secretary of State may have regard to any other consideration which he considers to be relevant, other than the performance of the member in question.

2.—(1) Subject to sub-paragraphs (2) to (12), the annual pay of a member below the rank of assistant chief constable is the amount specified below at the pay point for his pay category.

(24) S.R. 1995 No. 400

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(2) The pay points for superintendents are the following.

Pay Category	Pay Point	Annual Salary with effect as from 31st August 1995 £
A	1	38,724
B	2	39,678
C	3	40,635
D	4	41,589
E	5	42,543
F	6	43,497
G	7	44,454
H	8	45,408
I	9	46,362

(3) The pay categories for superintendents are the following.

Category	Description
A	The member is a superintendent and— (a) was appointed in that rank after 31st August 1994, (b) immediately before his appointment was an inspector or chief inspector in pay category F or a lower category, and (c) has not completed one year's service in the rank of superintendent.
B	The member is a superintendent— (a) who was appointed in that rank before 1st September 1994 and has not completed 1 year's service in it, or (b) who was appointed in that rank after 31st August 1994 and has not completed one year's service in it but, immediately before his appointment, was a chief inspector in pay category G or a higher category, or (c) who was appointed in that rank after 31st August 1994 at pay category A and has completed 1 year's service in it.
C	The member is a superintendent— (a) who was appointed in that rank before 1st September 1994 and has completed 1 year's service in it, or

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Category	Description
D	<p>(b) who was appointed in that rank after 31st August 1994 and has completed 1 year's service in it at pay category B.</p> <p>The member is a superintendent—</p> <p>(a) who was appointed in that rank before 1st September 1994 and has completed 2 years' service in it, or</p> <p>(b) who was appointed in that rank after 31st August 1994 and has completed 1 year's service in it at pay category C.</p>
E	<p>The member is a superintendent—</p> <p>(a) who was appointed in that rank before 1st September 1994 and has completed 3 or more years' service in it, or</p> <p>(b) who was appointed in that rank after 31st August 1994 and has completed 1 year's service in it at pay category B.</p>
F	<p>The member is a superintendent—</p> <p>(a) who has been assigned by the chief constable to this category, or</p> <p>(b) who was a chief superintendent on 31st August 1994 but since his promotion to that rank has not completed one year's service (including subsequent service as a superintendent), or</p> <p>(c) who has completed one year's service at pay category E, or</p> <p>(d) who has completed one or more years' service in this pay category and who does not qualify for pay category G, H or I.</p>
G	<p>The member is a superintendent—</p> <p>(a) who has been assigned by the chief constable to this category, or</p> <p>(b) who was a chief superintendent on 31st August 1994 and, since his promotion to that rank, has completed one year's service (including subsequent service as a superintendent), or</p> <p>(c) who has been assigned to pay category F by virtue of a decision under paragraph (a) of the description of that category and who</p>

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Category	Description
H	<p>has completed one year's service at that pay category, or</p> <p>(d) who has completed one or more years' service in this pay category and who does not qualify for pay category H or I.</p> <p>The member is a superintendent—</p> <p>(a) who has been assigned by the chief constable to this category, or</p> <p>(b) who was a chief superintendent on 31st August 1994 and, since his promotion to that rank, has completed two years' service (including subsequent service as a superintendent), or</p> <p>(c) who has been assigned to pay category G by virtue of a decision under paragraph (a) of the description of that category and who has completed one year's service at that pay category, or</p> <p>(d) who has completed one or more years' service in this pay category and who does not qualify for pay category I.</p>
I	<p>The member is a superintendent—</p> <p>(a) whose pay category would otherwise be H but who has been assigned by the chief constable to this category, or</p> <p>(b) who was a chief superintendent on 31st August 1994 and, since his promotion to that rank, has completed three or more years' service (including subsequent service as a superintendent), or</p> <p>(c) who has been assigned to pay category H by virtue of a decision under paragraph (a) of the description of that category and who has completed one year's service at that pay category, or</p> <p>(d) who has completed one or more years' service in this pay category.</p>

(4) The pay points for inspectors and chief inspectors are the following.

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Pay Category	Pay Point	Annual salary with effect as from 31st August 1995 £	Annual salary with effect as from 31st August 1996 £
A	1	28,470	29,466
B	2	29,310	30,336
C	3	30,147	31,203
D	4	30,984	32,067
E	5	31,824	32,937
F	6	32,478	33,615
G	7	33,138	34,299
H	8	33,795	34,977
I	9	34,386	35,589

(5) The pay categories for inspectors and chief inspectors are the following.

Category	Description
A	The member is an inspector who— (a) has not completed one year's service in that rank, and (b) was not on 31st August 1994 an inspector to whom the revoked sub-paragraph (5) applied.
B	The member is an inspector who has either— (a) completed one year's service in that rank, or (b) not completed one year's service in it but was on 31st August 1994 an inspector to whom the revoked sub-paragraph (5) applied.
C	The member is an inspector who has either— (a) completed 2 years' service in that rank, or (b) not completed 2 years' service in it but— (i) was on 31st August 1994 an inspector to whom the revoked sub-paragraph (5) applied, and (ii) has completed one year's service in that rank.
D	The member is an inspector who has either— (a) completed 3 years' service in that rank, or

Category	Description
	<p>(b) not completed 3 years' service in it but—</p> <p>(i) was on 31st August 1994 an inspector to whom the revoked sub-paragraph (5) applied, and</p> <p>(ii) has completed 2 years' service in that rank.</p>
E	<p>The member is—</p> <p>(a) a person appointed in the rank of chief inspector who has not completed one year's service in it and has not been assigned to pay category F, or</p> <p>(b) an inspector who, having completed 3 years' service in the rank and, having been assigned to this pay category by the chief constable, thereby holds the rank of chief inspector, or</p> <p>(c) an inspector who has completed 4 years' or more service in that rank, or</p> <p>(d) an inspector who has not completed 4 years' service in that rank and who has not been assigned to the category by virtue of paragraph (b) of this description, but who—</p> <p>(i) was on 31st August 1994 an inspector to whom the revoked sub-paragraph (5) applied, and</p> <p>(ii) has completed 3 years' service in that rank.</p>
F	<p>The member is—</p> <p>(a) a person appointed in or holding the rank of chief inspector who has completed one year's service in it at pay category E, or</p> <p>(b) a person who was a chief inspector on 31st August 1994—</p> <p>(i) who has completed one year's service in that rank, or</p> <p>(ii) to whom on that date the revoked sub-paragraph (5) applied and who has not completed one year's service in that rank, or</p> <p>(c) a person appointed in the rank of chief inspector who was assigned to this pay category by the chief</p>

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Category	Description
G	<p>constable and has not completed one year's service in it, or</p> <p>(d) an inspector who, having completed 3 or more years' service in that rank and having been assigned to this pay category by the chief constable, thereby holds the rank of chief inspector.</p> <p>The member is a chief inspector—</p> <p>(a) who has completed one year's service in that rank and has been assigned to this pay category by the chief constable, or</p> <p>(b) who has completed one year's service in it at pay category F, or</p> <p>(c) who was a chief inspector on 31st August 1994 and—</p> <p>(i) has completed 2 years' service in that rank, or</p> <p>(ii) to whom on that date the revoked sub-paragraph (5) applied and who has completed one year's service, but not 2 years' service, in that rank, or</p> <p>(d) who has completed one or more years' service in this pay category and who does not qualify for pay category H or I.</p>
H	<p>The member is a chief inspector who held that rank on 31st August 1994 and—</p> <p>(a) who has completed three or more years' service in that rank, or</p> <p>(b) to whom on that date the revoked sub-paragraph (5) applied and who has completed two, but not three, years' service in that rank.</p>
I	<p>The member is a chief inspector who held that rank on 31st August 1994 and—</p> <p>(a) (a) who has completed four or more years' service in that rank, or</p> <p>(b) to whom on that date the revoked sub-paragraph (5) applied and who has completed three, but not four, years' service in that rank.</p>

(6) The pay points for sergeants are the following.

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Pay Category	Pay Point	Annual salary with effect as from 31st August 1995 £	Annual salary with effect as from 31st August 1996 £
A	1	22,014	22,785
B	2	22,809	23,607
C	3	23,604	24,429
D	4	24,402	25,257
E	5	24,930	25,803
F	6	25,674	26,574

(7) The pay categories for sergeants are the following.

Category	Description
A	The member has not completed one year's service in the rank of sergeant.
B	The member has completed one year's service in that rank.
C	The member has completed 2 years' service in that rank.
D	The member has completed 3 years' service in that rank.
E	The member has completed 4 years' service in that rank.
F	The member has completed 5 or more years' service in that rank.

(8) The pay points for constables are the following.

Pay Category	Pay Point	Annual salary with effect as from 31st August 1995 £	Annual salary with effect as from 31st August 1996 £
A	1	14,412	14,916
B	2	15,648	16,197
P	1(P)	16,525	17,103
C	3	16,710	17,295
D	4	17,082	17,679
E	5	17,532	18,147
F	6	18,141	18,777
G	7	18,726	19,380
H	8	19,335	20,013
I	9	19,893	20,589

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Pay Category	Pay Point	Annual salary with effect as from 31st August 1995 £	Annual salary with effect as from 31st August 1996 £
J	10	20,397	21,111
K	11	21,057	21,795
L	12	21,828	22,593
M	13	22,809	23,607

(9) The pay categories for constables are the following.

Category	Description
A	The member — (a) was appointed before 1st September 1994, was under 22 years of age on appointment and has not completed one year's service, or (b) was appointed after 31st August 1994, is not a protected member and is undergoing initial training.
B	The member — (a) was appointed before 1st September 1994, was under 22 years of age on appointment and has completed one year's service, or (b) was appointed after 31st August 1994, is not a protected member, has completed initial training and has been assigned by the chief constable to this category.
P	The member is a protected member and— (a) is undergoing initial training, or (b) has completed initial training and has not been assigned by the chief constable to category C.
C	The member was appointed after 31st August 1994, has completed initial training and has been assigned by the chief constable to this category.
D	The member— (a) (a) has completed 2 years' service, or (b) was appointed before 1st September 1994 and was of the age of 22 years or over on appointment.
E	The member has completed 3 years' service.
F	The member has completed 4 years' service.

Category	Description
G	The member has completed 5 years' service.
H	The member has completed 6 years' service.
I	The member has completed 7 years' service.
J	The member has completed 8 years' service.
K	The member has completed 10 years' service.
L	The member has completed 12 years' service.
M	The member has completed 14 years' or more service.

(10) In sub-paragraph (5), “the revoked sub-paragraph (5)” means sub-paragraph (5) of paragraph 2 of Schedule 5 to the Royal Ulster Constabulary Regulations 1984(25) (which required pay to be determined in certain cases as if the member had an additional year’s service) as it had effect on 31st August 1994; and in sub-paragraph (9), references to completing service of a specified number of years include service spent on initial training or on probation, and references to a protected member are to a member who was appointed after 31st August 1994 but before 9th December 1994 and was of the age of 22 years or over on appointment.

(11) Where a member promoted to or appointed in the rank of sergeant last served before his promotion or appointment in the rank of constable, then his annual pay for the rank of sergeant shall be determined—

- (a) if he had 12 or more (but less than 14) years' reckonable service as a constable, as if he had an additional year’s service as a sergeant;
- (b) if he had 14 or more years' reckonable service as a constable, as if he had an additional 2 years' service as a sergeant.

(12) In sub-paragraph (11), any reference to a member’s reckonable service in any rank is a reference to the service reckonable for the purposes of his pay in the rank, including any additional service reckonable by virtue of this paragraph or otherwise.

SCHEDULE 7

Regulations 36(5) and 59

Effect of disciplinary action on pay and allowances

1.—(1) Subject to paragraph 3, a member suspended under the Discipline Regulations who—

- (a) is detained, in pursuance of a sentence of a court, in a prison or other institution to which the Prison Act (Northern Ireland) 1953(26) applies, or is in custody (whether in prison or elsewhere) between conviction by a court and sentence, or
- (b) has absented himself from duty and whose whereabouts are unknown to the chief constable (or a deputy chief constable acting as chief constable),

shall not, by virtue of regulation 36, be entitled to pay in respect of his period in detention or custody or, as the case may be, in respect of the period during which his whereabouts are unknown as aforesaid.

(25) S.R. 1984 No. 62, to which there were amendments not affecting the revoked sub-paragraph (5); revocation was effected by S.R. 1994 No. 431

(26) 1953 c. 18 (N.I.)

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(2) Where the member suspended is the chief constable or another senior officer within the meaning of the Discipline Regulations, sub-paragraph (1)(b) shall have effect as if for the words after “unknown” there were substituted the words “to the Police Authority”.

2. Subject to paragraph 3, a member suspended under the Discipline Regulations shall not, by virtue of Part V of these regulations, be entitled to any allowance, in respect of the period of suspension, other than an allowance under Part II of Schedule 12.

3. Where a member returns to duty when the period of suspension comes to an end and—
- (a) it has been decided that he shall not be charged with a disciplinary offence, or
 - (b) he has been so charged and all the charges have been dismissed, or
 - (c) he has been so charged and has been punished by a reduction in his rate of pay, fine, reprimand or caution,

he shall receive, as from the date of his suspension, the pay to which, but for paragraph 1, and the allowances to which, but for paragraph 2, he would have been entitled by virtue of these regulations.

4. Where a member is fined under the Discipline Regulations, the fine shall, without prejudice to any other method of recovery, be recoverable by way of deductions from the member’s pay during the period of 13 weeks following the imposition of the fine so, however, that the aggregate sum which may be deducted in pursuance of this paragraph in respect of any one week (whether on account of one or more fines) shall not exceed a seventh of his weekly pay:

Provided that in the event of the member leaving the force, the whole amount of any fine unpaid may be deducted from any pay then due.

SCHEDULE 8

Regulation 52(5)

Subsistence, refreshment and lodging allowances

1.—(1) Subject as hereinafter in this Schedule provided, the amount of a subsistence, refreshment or lodging allowance payable under regulation 52 shall be in accordance with such scale appropriate to the rank of the member concerned as shall be determined by the Secretary of State; and separate scales shall be determined for members of the rank of superintendent and for members below that rank.

(2) The scales of refreshment allowances shall provide for the allowance payable in respect of one meal and that payable in respect of two meals.

(3) The scales of subsistence allowances shall provide for the allowance payable in respect of a period of retention or engagement on duty of—

- (a) over 5 hours but not exceeding 8 hours;
- (b) over 8 hours but not exceeding 12 hours;
- (c) over 12 hours but not exceeding 24 hours;
- (d) over 24 hours.

2. If a lodging allowance is payable as well as a subsistence allowance in respect of a period of retention or engagement on duty of 16 hours or less, the subsistence allowance shall be of the amount appropriate to a retention or engagement for a period exceeding 8 hours and not exceeding 12 hours.

3. If the chief constable is satisfied in any particular case that the amount of the allowances calculated in accordance with paragraphs 1 and 2 is not sufficient to cover the actual expenses necessarily incurred, he may authorise payment of the difference.

4. If a member below the rank of superintendent is required during any period to accompany a member of that or a higher rank, paragraph 1 shall apply to his case as respects that period as if he held the rank of superintendent.

SCHEDULE 9

Regulation 54

Motor vehicle allowances

1. For the purposes of regulation 54 and of this Schedule the following expressions have the meanings hereby respectively assigned to them—

“authorised use” means the use, authorised under regulation 54, of a motor vehicle owned by the member concerned for the purposes of his duties as a member, and “period of authorised use” means the period during which such use is authorised;

“cylinder capacity” means the cylinder capacity of the engine of a vehicle calculated in accordance with regulations under paragraph 2(4) of Schedule 1 to the Vehicle Excise and Registration Act 1994(27);

“motor bicycle” means a mechanically propelled bicycle (including a motor scooter, a bicycle with an attachment for propelling it by mechanical power and a mechanically propelled bicycle used for drawing a sidecar);

“motor car” means a mechanically propelled vehicle other than a motor bicycle and, accordingly, includes a mechanically propelled tricycle;

“year” means a period of twelve months beginning on such date as may be determined by the Police Authority;

and a reference to a motor vehicle owned by a member is a reference to such a vehicle kept and used by him.

2.—(1) Subject as hereinafter provided, the amount of a motor vehicle allowance, payable at the essential user’s rate, shall, in any year, comprise a fixed element and a mileage element, calculated as provided in sub-paragraphs (2) and (3).

(2) The fixed element shall be calculated by reference to the number of completed months comprised in the period of authorised use for the year in question, at such annual rate as is specified by the Secretary of State by reference to the cylinder capacity of the motor car in question.

(3) The mileage element shall be calculated, in relation to authorised use, at such rate as is specified by the Secretary of State by reference to the cylinder capacity of the motor car in question, and for that purpose he may so specify—

(a) a basic rate, in relation to authorised use not exceeding such mileage as is specified by him (“the basic mileage”), and

(b) a reduced rate, in relation to authorised use in excess of the basic mileage.

(4) Where, in any year, a motor vehicle allowance is payable at the essential user’s rate, it shall be payable in such instalments, in advance or in arrear, as the Police Authority may determine; but when the amount of the allowance for that year is finally calculated, any over-payment shall be recoverable.

(5) Where, in any year, a motor vehicle allowance is payable at the essential user’s rate to a member and—

(a) the member is on sick leave or maternity leave, or

(27) 1994 c. 22

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(b) the motor car in question is out of order

for a continuous period of four or more weeks in that year, the allowance shall be reduced by such amount as the Police Authority determines as being appropriate in all the circumstances.

(6) Where, in any year, a motor vehicle allowance is payable at the essential user's rate but the period of authorised use is a fraction only of that year, sub-paragraph (3) shall have effect as if, for the reference to the basic mileage, there were substituted a reference to the corresponding fraction of that mileage; and, for the purposes of this paragraph, the monthly rate of the fixed element of such an allowance so payable shall be taken to be a twelfth of the annual rate.

3. The amount of a motor vehicle allowance payable at the casual user's rate shall, in any year, be an amount calculated, in relation to the mileage of authorised use in that year, at such rate as is specified by the Secretary of State by reference to that mileage and the cylinder capacity of the motor car in question, except that where the amount of the allowance would be less if it were calculated at the essential user's rate, it shall be of an amount calculated in accordance with paragraph 2.

4. The amount of a motor vehicle allowance payable to a member shall not exceed that which would be payable if the vehicle in question were of such a cylinder capacity, not being less than 1,000 c.c., as the chief constable, with the approval of the Police Authority, has determined appropriate for use for the purposes of the duties normally performed by the member concerned.

SCHEDULE 10

Regulation 55

Dog handler's allowance

1. Subject as hereinafter provided, a dog handler's allowance shall be payable—

- (a) in the case of a member of the rank of constable, at the annual rate, with effect as from 31st August 1995, of £987 and, with effect as from 31st August 1996, of £1,023;
- (b) in the case of a member of any other rank, at the annual rate, with effect as from 31st August 1995, of £1,347 and, with effect as from 31st August 1996, of £1,395.

2. Where the member keeps and cares for at his home more than one dog owned by the Police Authority, the annual rate of the allowance shall be multiplied by the number of such dogs so kept and cared for.

SCHEDULE 11

Regulation 62

Issue of uniform and equipment

1. The uniform specified in the following Tables, for men and women respectively shall be issued in accordance with those Tables, subject to any modifications approved by the Secretary of State:

Provided that where particular duties or the duties of a particular member entail greater or less wear than normal, the issue of any article of uniform may be made as required.

TABLES**MEN**

Article	Issue	Maximum number in issue
Jacket	1 annually (period of wear 4 years)	4
Trousers	3 pairs every 3 years	4
Raincoat	1 every 3 years	1
Gabardine coat	1 every 5 years	1
General service coat	1 every 6 years	1
Caps	1 every 18 months	2
Cap cover	As required	1
Shirts (collar attached)	3 annually	6
Ties	2 annually	2
Pullover (lightweight)	As required	2
Gloves, leather	1 pair every 3 years	2 prs
Gloves (white)	As required	2 prs
Belts (trousers)	As required	1
Epaulettes	As required	4
Kapok lining	1 every 5 years	1
Overtrousers	As required	1

WOMEN

Article	Issue	Maximum number in issue
Jacket	1 annually (period of wear 3 years)	3
Skirts	3 every 3 years	4
Slacks	As required	1
Raincoat	1 every 3 years	1
Gabardine coat	1 every 5 years	1
General service coat	1 every 6 years	1
Caps	1 every 18 months	2
Cap cover	As required	1
Blouses	3 annually	6
Ties	2 annually	2
Pullover (lightweight)	As required	2

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Article	Issue	Maximum number in issue
Gloves	1 pair every 3 years	2 prs
Epaulettes	As required	4
Kapok lining	1 every 5 years	1
Shoulder bag	As required	1

2. Uniform or equipment issued by the Police Authority which is lost or damaged otherwise than owing to the member's default or is faulty or is ill-fitting shall be replaced or repaired by the Police Authority free of charge:

Provided that this paragraph shall not apply to minor repairs or alterations which can be satisfactorily carried out by the member.

3. Clothing for particular or specialist duties shall be issued as and when necessary.
4. Issues of equipment shall be made as circumstances require.

SCHEDULE 12

Regulation 66(1)

Revocations and savings

Part I

Revocations

Regulations	References
Royal Ulster Constabulary Regulations 1984	S.R. 1984 No. 62
Royal Ulster Constabulary (Amendment) Regulations 1984	S.R. 1984 No. 380
Royal Ulster Constabulary (Amendment) Regulations 1985	S.R. 1985 No. 119
Royal Ulster Constabulary (Amendment No. 2) Regulations 1985	S.R. 1985 No. 292
Royal Ulster Constabulary (Amendment No. 3) Regulations 1985	S.R. 1985 No. 362
Royal Ulster Constabulary (Amendment) Regulations 1986	S.R. 1986 No. 118
Royal Ulster Constabulary (Amendment No. 2) Regulations 1986	S.R. 1986 No. 284
Royal Ulster Constabulary (Amendment No. 3) Regulations 1986	S.R. 1986 No. 314
Royal Ulster Constabulary (Amendment) Regulations 1987	S.R. 1987 No. 205

Regulations	References
Royal Ulster Constabulary (Amendment No. 2) Regulations 1987	S.R. 1987 No. 441
Royal Ulster Constabulary (Amendment) Regulations 1988	S.R. 1988 No. 340
Royal Ulster Constabulary (Amendment) Regulations 1989	S.R. 1989 No. 207
Royal Ulster Constabulary (Amendment) Regulations 1990	S.R. 1990 No. 74
Royal Ulster Constabulary (Amendment No. 2) Regulations 1990	S.R. 1990 No. 82
Royal Ulster Constabulary (Amendment No. 3) Regulations 1990	S.R. 1990 No. 433
Royal Ulster Constabulary (Amendment No. 4) Regulations 1990	S.R. 1990 No. 435
Royal Ulster Constabulary (Amendment) Regulations 1991	S.R. 1991 No. 459
Royal Ulster Constabulary (Amendment) Regulations 1992	S.R. 1992 No. 447
Royal Ulster Constabulary (Amendment) Regulations 1993	S.R. 1993 No. 207
Royal Ulster Constabulary (Amendment No. 2) Regulations 1993	S.R. 1993 No. 464
Royal Ulster Constabulary (Amendment) Regulations 1994	S.R. 1994 No. 71
Royal Ulster Constabulary (Amendment No. 2) Regulations 1994	S.R. 1994 No. 186
Royal Ulster Constabulary (Amendment No. 3) Regulations 1994	S.R. 1994 No. 331
Royal Ulster Constabulary (Amendment No. 4) Regulations 1994	S.R. 1994 No. 378
Royal Ulster Constabulary (Amendment No. 5) Regulations 1994	S.R. 1994 No. 431
Royal Ulster Constabulary (Amendment) Regulations 1995	S.R. 1995 No. 117
Royal Ulster Constabulary (Amendment No. 2) Regulations 1995	S.R. 1995 No. 400

Part II

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Savings

General Interpretation

1. In this Part, any reference to the 1984 regulations is a reference to the Royal Ulster Constabulary Regulations 1984.

Housing Payments

Interpretation

2.—(1) This paragraph has effect for defining expressions used in this Schedule.

(2) “Qualifying member” means a member who—

- (a) immediately before 1st September 1994 was a member of the Royal Ulster Constabulary or another police force,
- (b) was not then on unpaid leave,
- (c) has at all times after 31st August 1994 been a member of a police force, and
- (d) has not after that date been on unpaid leave.

(3) “Rejoining member” means a member who by reason only of a relevant absence is not a qualifying member.

(4) “Relevant absence” means—

- (a) a period of central service or overseas service, or
- (b) a period of unpaid leave,

ending after 31st August 1994.

(5) “Housing emoluments” means any one or more of the following kinds of payments under the revoked provisions as they had effect before 1st September 1994—

- (a) a housing allowance under regulation 40,
- (b) a transitional rent allowance and a transitional supplementary rent allowance under regulation 40B,
- (c) a supplementary housing allowance under regulation 41, and
- (d) a compensatory grant under regulation 42,

and in relation to a rejoining member includes a rent allowance under regulation 40 as it had effect before 1st April 1990; and “housing allowance” and “transitional rent allowance” mean respectively the allowances mentioned in (a) and (b).

(6) “The revoked provisions” means the provisions of the 1984 regulations relating to housing and housing payments that were revoked on 1st September 1994(28), that is to say regulations 40 to 42 and paragraph 4(1) and (2) of Schedule 4.

Qualifying member previously provided with accommodation

3.—(1) A qualifying member who ceases to occupy a house or quarters with which he was provided free of rent becomes entitled to a replacement allowance.

(2) The replacement allowance is, subject to paragraph 8, an allowance at a rate equal to the total of—

(28) By S.R. 1994 No. 331

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- (a) the rate at which housing allowance or, as the case may be, transitional rent allowance, was payable, or would have been payable if he had not been occupying the house or quarters, immediately before 1st September 1994, and
- (b) the rate at which any allowance under regulation 40(11) or 41(3) was or would have been then payable.

Qualifying member with housing emoluments

4.—(1) A qualifying member who immediately before 1st September 1994 was in receipt of housing emoluments is entitled to a replacement allowance unless he is provided with a house or quarters free of rent.

(2) The replacement allowance is, subject to paragraph 8, an allowance at the rate at which the housing emoluments were payable immediately before 1st September 1994.

Rejoining member previously provided with accommodation

5.—(1) A rejoining member who, immediately before the relevant absence began, was occupying a house or quarters with which he was provided free of rent becomes entitled to a replacement allowance unless he is again provided with a house or quarters free of rent.

(2) The replacement allowance is, subject to paragraph 8, an allowance at the rate which, if he had not been occupying the house or quarters, housing allowance, or as the case may be transitional rent allowance, would have been payable—

- (a) where the relevant absence began before 1st September 1994, immediately before it began, and
- (b) in any other case, immediately before 1st September 1994.

Rejoining member previously in receipt of housing payments

6.—(1) A rejoining member who immediately before the relevant absence began was in receipt—

- (a) of housing emoluments, or
- (b) of a replacement allowance under paragraph 3 or 4,

becomes entitled to a replacement allowance unless he is provided with a house or quarters free of rent.

(2) The replacement allowance is, subject to paragraph 8, an allowance—

- (a) where sub-paragraph (1)(a) applies, at the rate at which the housing emoluments were payable, and
- (b) where sub-paragraph (1)(b) applies, at the rate at which the previous replacement allowance was payable,

immediately before the relevant absence began.

Member provided with house or quarters

7. A qualifying member or a rejoining member who—

- (a) is provided with a house or quarters free of rent, and
- (b) if the revoked provision had continued in force would have been entitled to an allowance under regulation 40(11) or 41(3) of the 1984 regulations,

is, subject to paragraph 8, entitled to an equivalent replacement allowance.

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

Variation and termination of replacement allowances

8.—(1) Subject to sub-paragraph (2), in circumstances in which—

- (a) a housing allowance or transitional rent allowance payable as mentioned in paragraph 3(2) or 5(2), or
- (b) any of the housing emoluments mentioned in paragraphs 4(1), 6(1)(a) and 7

would, if the revoked provisions had continued in force, have fallen to be reduced or discontinued, the replacement allowance in question is reduced accordingly or, if the effect of a discontinuance would have been that no housing emoluments remained payable, terminated.

(2) For the purposes of sub-paragraph (1) it is to be assumed that a housing allowance or transitional rent allowance would not have fallen to be reduced by reason of the member's being married to or sharing accommodation with another member appointed after 31st August 1994.

(3) In circumstances in which any allowance or housing emoluments mentioned in sub-paragraph (1) would, if the revoked provisions had continued in force, have fallen to be increased otherwise than under regulation 40A of the 1984 regulations (which provided for biennial adjustment of housing allowances) or in which any new housing emoluments would in that case have become payable, the replacement allowance in question is increased accordingly.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations consolidate with amendments the Royal Ulster Constabulary Regulations 1984 (the 1984 Regulations), as amended by the regulations specified in Part I of Schedule 12 to these regulations. The amendments, other than drafting amendments, made by these regulations are as follows.

Regulation 5 authorises the chief constable to make part-time appointments and applies the regulations to part-time appointees with the modifications set out in a new Schedule 1, the main ones of which are as follows. Part-time constables (who must have completed full-time probation before appointment) may be required to serve a further period of probation (paragraphs 2 and 3). Part-time duty in ranks below inspector is to be performed in accordance with general arrangements made by the chief constable after consulting the Police Authority and the Police Association, an individual's normal period of duty during a duty roster period being a number of hours determined with his agreement by the chief constable (paragraph 4). That number, divided by the hours that would be required of a full-time member, constitutes the "appropriate factor" (paragraph 1) to be used in calculating various entitlements: for ranks above sergeant the factor is one half, since in their case a part-time appointment involves the sharing of duties with one member (see regulation 5(4)). Examples of the use of the factor occur in paragraphs 7, 8 and 9 (public holidays, rest days and monthly leave days); 11 (annual leave); 14(b) (senior ranks' pay); 17 (removal allowance); and 18, 19, 21, 22, 23 and 24 (various other allowances). Regulation 36 is amended to scale down pay for part-time appointees.

The upper age limit for recruitment to the force, and the requirement for a certificate of service to state the circumstances of a member's leaving the force, have been removed from regulations 9 and 17 respectively.

Regulation 32 confers a right on a female member to take special leave in order to receive ante-natal care. Regulations 33 and 43 make fresh provision in respect of maternity leave. Under regulation 43 the first 3 months of maternity leave continue to be paid, subject to the conditions in 43(2) being satisfied. However, the entitlement to maternity leave has been altered. The automatic requirement in regulation 27(3) of the 1984 Regulations for a certificate of pregnancy from a registered medical practitioner has been replaced by regulation 33(2) under which the female member can give a notice stating that she is pregnant; however, if so requested by the chief constable, she will have to provide a certificate which can now be given by a registered midwife or registered health visitor as well as by a registered medical practitioner.

Regulations 12 and 36 are amended so that, in reckoning service for the purposes of probation and pay, account is taken of maternity leave.

Regulation 34 makes provision for the grant of paternity leave.

Regulation 44 is amended so that the deductions from pay in respect of certain social security benefits which are authorised by that regulation apply only when the member is on full pay.

Regulation 49(1)(d) and paragraph 1 of Schedule 4 have been amended to correct errors made by previous amendments.

Rates of pay for all ranks and the categories which determine pay for members of the rank of superintendent are amended. The pay of superintendents when they act for a period in excess of 7 days for superintendents in higher pay categories is increased, as is the dog handler's allowance.

Regulation 1(2) provides that the regulations shall come into operation on 12th November 1996 and also provides that the provisions of the regulations specified in that paragraph shall have effect from earlier dates. Retrospective effect is authorised by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962.