

2003 No. 184

POLICE

**Police Service of Northern Ireland (Amendment)
Regulations 2003**

Made - - - - - *20th March 2003*

Coming into operation *21st April 2003*

To be laid before Parliament

The Secretary of State, in pursuance of section 25 of the Police (Northern Ireland) Act 1998(a), read with section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(b) and after consulting, in accordance with section 25(8) of the Police (Northern Ireland) Act 1998, the Northern Ireland Policing Board 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(c), hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Police Service of Northern Ireland (Amendment) Regulations 2003.

(2) These regulations shall come into operation on 21st April 2003.

(3) In these regulations “the principal regulations” means the Royal Ulster Constabulary Regulations 1996(d).

Re-introduction of Chief Superintendent Rank

2. In section 77(1) of the Police (Northern Ireland) Act 2000(e) in the definition of “senior officer” before the word “superintendent” there shall be inserted the word “chief”.

3. The principal regulations shall be amended as follows:

(1) In regulation 4 (Ranks) below “assistant chief constable” there shall be inserted the words “Chief Superintendent.”

(2) In regulation 27(2)(a) , 27(3) and 27(4) (Public holidays and monthly leave days for ranks above chief inspector) after “superintendent” there shall be inserted “or chief superintendent”.

(3) In regulation 37(3) and (4) (Temporary Salary) after “superintendent” there shall be inserted “or chief superintendent”.

(a) 1998 c. 32
(b) 1962 c. 7 (N.I.)
(c) 1996 c. 16
(d) 1996 No. 473
(e) 2000 c. 32

(4) In regulation 49(8)(a) (Removal Allowance) where the word “superintendent” appears there shall be substituted “chief superintendent”.

(5) In regulation 49(8)(b) after “superintendent” there shall be inserted “or chief superintendent”.

(6) In regulation 52(1), (2) and (3) (Subsistence, refreshment and lodging allowances) on each occasion where the word “superintendent” appears there shall be substituted “chief superintendent”.

(7) In regulation 52(4)(b) after “superintendent” there shall be inserted “or chief superintendent”.

(8) In regulation 52(6) where the word “superintendent” appears there shall be substituted “chief superintendent”.

(9) In regulation 54(4) (Motor vehicle allowances) where the word “superintendent” appears there shall be substituted “chief superintendent”.

(10) In Schedule 4 (Annual Leave) –

(a) in paragraph 1(1)(a) after “superintendent” there shall be inserted “or chief superintendent”;

(b) in paragraph 1(1)(b) where the word “superintendent” appears there shall be substituted “chief superintendent”.

(11) In paragraph 1(1) of Schedule 8 (Subsistence, refreshment and lodging allowances) the words “rank of superintendent” shall be replaced by “ranks of superintendent or chief superintendent”.

Insertion after regulation 8 of the principal regulations - Qualifications for appointment to the force (other than a person who has completed a period as a police trainee)

4. After regulation 8 (Business interests precluding appointment to the force) of the principal regulations there shall be inserted the following:

“**9.**—(1) A candidate for appointment to the force, other than a person who has completed a period as a police trainee, 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 Northern Ireland Policing Board 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 sergeant or inspector, be qualified for promotion to such rank in accordance with the provisions of the Promotion Regulations;

(e) 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;

(f) be given a notice in terms approved by the Secretary of State drawing attention to the conditions of service contained therein;

(g) not be ineligible for appointment by virtue of Schedule 14 (criminal convictions etc.)

(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 1995(a)”.

(a) 1995 c. 21

Insertion of new Schedule 14 to the principal regulations

5. After Schedule 13 to the principal regulations, there shall be inserted the following Schedule:

“SCHEDULE 14

Regulation 9(1)(g)

CRIMINAL CONVICTIONS ETC

A person shall not be eligible for appointment to the police if he –

- (1) has been convicted of a serious arrestable offence within the meaning of Article 87 of and Schedule 5 to the Police and Criminal Evidence (Northern Ireland) Order 1989^(a) or an equivalent offence elsewhere;
- (2) has been convicted in Northern Ireland or elsewhere of any offence and has had passed on him a sentence of imprisonment or detention (whether suspended or not);
- (3) has been disqualified from driving in Northern Ireland or elsewhere on more than one occasion;
- (4) has been convicted of an arrestable offence within the meaning of Article 26 of the Police and Criminal Evidence (Northern Ireland) Order 1989 or an equivalent offence elsewhere within 5 years from the date of application;
- (5) has been convicted of the following offences or any equivalent offence elsewhere –
 - (a) driving, or causing or permitting a person to drive, a motor vehicle while uninsured under Article 90 of the Road Traffic (Northern Ireland) Order 1981^(b);
 - (b) driving a motor vehicle while otherwise disqualified under Article 167(1)(b) of the Road Traffic (Northern Ireland) Order 1981;
 - (c) forgery or fraudulently altering etc., identification marks, badges, licences, certificate or certificates of insurance under Article 174(2) of the Road Traffic (Northern Ireland) Order 1981;
 - (d) failure of driver of mechanically propelled vehicle to comply with duties on occurrence of an accident caused by that vehicle under Article 175(2) of the Road Traffic (Northern Ireland) Order 1981;
 - (e) interference with vehicles under Article 8 of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983^(c);
 - (f) dangerous driving under Article 10 of the Road Traffic (Northern Ireland) Order 1995^(d);
 - (g) any offence under Articles 15(1), 15(2), 16(1)(a) or 16(1)(b) of the Road Traffic (Northern Ireland) Order 1995 relating to driving, attempting to drive or being in charge of a vehicle while unfit through drugs or drink or with excess alcohol in breath, blood or urine;within 5 years from the date of application;
- (6) has been convicted on three or more occasions arising separately of any other offences under the Road Traffic Orders or any equivalent offences elsewhere within 5 years from the date of application; or
- (7) has received on three or more occasions a caution or any equivalent elsewhere within 3 years from the date of application.”

Paul Murphy

Northern Ireland Office
20th March 2003

One of Her Majesty's Principal Secretaries of State

(a) S.I. 1989/1341 (N.I. 12)
(b) S.I. 1981/154 (N.I. 1)
(c) S.I. 1983/1120 (N.I. 13)
(d) S.I. 1995/2994 (N.I. 18)

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations, by amending the Police Act (Northern Ireland) 2000 and the Royal Ulster Constabulary Regulations 1996, reintroduce the rank of Chief Superintendent in the Police Service of Northern Ireland. Regulations 4 and 5 introduce criteria for qualifications for appointment to the Police Service of Northern Ireland other than as a person who has completed a period as a police trainee.

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