



# Police (Northern Ireland) Act 1998

## 1998 CHAPTER 32

### PART III

#### THE POLICE FORCE

#### 26 Regulations for [<sup>F1</sup>Police Service of Northern Ireland] Reserve.

- (1) The [<sup>F2</sup>Department of Justice] may make regulations as to the government, administration and conditions of service of reserve constables.
- (2) Without prejudice to the generality of subsection (1), regulations under this section may make provision with respect to—
  - (a) the ranks to be held by reserve constables;
  - (b) the appointment and promotion of reserve constables;
  - (c) the retirement of reserve constables;
  - (d) the conduct, efficiency and effectiveness of reserve constables and the maintenance of discipline;
  - (e) the suspension or dismissal of reserve constables from their office;
  - (f) the remuneration and allowances of reserve constables; and
  - (g) the application to reserve constables, subject to such modifications as may be prescribed by the regulations, of any provision made under section 25 or any other statutory provision with respect to pensions [<sup>F3</sup>or gratuities] payable to or in respect of members of [<sup>F1</sup>the Police Service of Northern Ireland].

[<sup>F4</sup>(2A) Subsection (2)(g) is subject to sections 18 and 19 of the Public Service Pensions Act (Northern Ireland) 2014 (restrictions on benefits provided under existing schemes).]

- (3) Without prejudice to the powers conferred by this section, regulations under this section shall establish, or make provision for the establishment of, procedures for cases in which a reserve constable may be dealt with by dismissal, requirement to resign, reduction in rank, reduction in rate of pay, fine, reprimand or caution.

**Changes to legislation:** Police (Northern Ireland) Act 1998, Section 26 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) Without prejudice to the powers conferred by this section, regulations under this section shall provide for appeals to an appeals tribunal by reserve constables who are dismissed, required to resign or reduced in rank—
- (a) in a case where there is no right of appeal to any other person, by a decision taken in proceedings under regulations made in accordance with subsection (3); and
  - (b) in a case where there is a right of appeal to another person, by a decision of that person.
- (5) In relation to any matter as to which provision may be made by regulations under this section, the regulations may—
- (a) authorise or require provision to be made by, or confer discretionary powers on, the [<sup>F5</sup>Department of Justice], the [<sup>F6</sup>Board], the Chief Constable or other persons; or
  - (b) authorise or require the delegation by any person of functions conferred on him by or under the regulations.
- (6) The [<sup>F7</sup>Department of Justice] shall consult both the [<sup>F6</sup>Board] and the Police Association before making any regulations under this section.

#### Textual Amendments

- F1** Words in s. 26(2)(g) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 23(2)(b)**; S.R. 2001/396, art. 2, **Sch.**
- F2** Words in s. 26(1) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 10** (with arts. 28-31)
- F3** Words in s. 26(2)(g) inserted (23.11.2000) by 2000 c. 32, **ss. 49(5)(a)**, 79(2)(a) (with Sch. 7 para. 2)
- F4** S. 26(2A) inserted (28.4.2014) by Public Service Pensions Act (Northern Ireland) 2014 (c. 2) (N.I.), s. 37(2), **Sch. 8 para. 24**; S.R. 2014/123, art. 2(1)(r)
- F5** Words in s. 26(5)(a) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 10** (with arts. 28-31)
- F6** Words in s. 26(5)(a)(6) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 23(2)(a)**; S.R. 2001/396, art. 2, **Sch.**
- F7** Words in s. 26(6) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 10** (with arts. 28-31)

#### Modifications etc. (not altering text)

- C1** S. 26 restricted (4.11.2001) by S.I. 1976/1042 (N.I. 15), **art. 84(2)** (as inserted (4.11.2001) by 2000 c. 32, s. 74, **Sch. 5 para. 1(4)**; S.R. 2001/396, art. 2, **Sch.**)
- C2** S. 26(2)(g) amended (23.11.2000) by 2000 c. 32, **ss. 49(5)(b)**, 79(2)(a) (with Sch. 7 para. 2)
- C3** S. 26(6) excluded by 2000 c. 32, s. 49(4) (as substituted (1.9.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 91** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2125, art. 2(f)(iv))

#### Commencement Information

- I1** S. 26 partly in force; s. 26 not in force at Royal Assent see s. 75(1), s. 26(1)-(3)(5)(6) in force at 9.2.1999 by S.R. 1999/48, **art. 3** (with art. 4)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 50A inserted by [2023 c. 41 s. 45\(1\)](#)
- s. 60ZD inserted by [2023 c. 41 Sch. 13 para. 3](#)
- s. 66(3A) modified by 2003 c. 6 s. 30(11) (as added) by [S.I. 2007/912 \(N.I.\) Sch. 4 para. 4](#)