
 STATUTORY INSTRUMENTS

1968 No. 208 (S. 15)

**POLICE
SCOTLAND**
The Police Cadets (Scotland) Regulations 1968

<i>Made</i> - - - - -	16th February 1968
<i>Laid before Parliament</i>	27th February 1968
<i>Coming into Operation</i>	28th February 1968

In exercise of the powers conferred on me by section 27 of the Police (Scotland) Act 1967^(a), and of all other powers enabling me in that behalf, and after consulting (i) the Police Advisory Board for Scotland in accordance with section 26(9) of the said Act and (ii) the Police Council for Great Britain in accordance with section 26(8) of the said Act, I hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Police Cadets (Scotland) Regulations 1968.

(2) These regulations shall come into operation on 28th February 1968 and, subject to paragraph (3), shall have effect as from that date.

(3) So far as these regulations regulate pay and allowances, other than travel allowances, they shall have effect as from 1st July 1967.

(4) In these regulations, except where the context otherwise requires:—

- (a) any reference to the police force to which a police cadet is attached is a reference to the force with a view to becoming a constable of which the cadet is undergoing training; and in relation to a police cadet any reference to the chief constable or the police authority is a reference to the chief constable of that force or the authority maintaining that force, as the case may be;
- (b) a reference to a regulation shall be construed as a reference to a regulation contained in these regulations, a reference to a Schedule shall be construed as a reference to a Schedule to these regulations, a reference to a paragraph shall be construed as a reference to a paragraph in the same regulation, and a reference to a sub-paragraph shall be construed as a reference to a sub-paragraph contained in the same paragraph;
- (c) a reference to any enactment is a reference to that enactment as amended, extended or applied by any other enactment;
- (d) the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“British Isles” means the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland;

“constable” has the like meaning as “regular constable” in the Police (Scotland) Act 1967 and includes a chief constable;

“guardian” includes, in relation to a police cadet, any person who is *in loco parentis* to the cadet;

“week” means a continuous period of 7 days.

(5) The Interpretation Act 1889(a) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Qualifications for appointment

2. No person shall be appointed as a police cadet unless he:—

- (a) has attained the age of 15 years;
- (b) is a British subject or a citizen of the Republic of Ireland;
- (c) has produced to the chief constable satisfactory references as to character;
- (d) has been certified by a registered medical practitioner approved by the police authority to be in good health and of sound constitution; and
- (e) has satisfied the chief constable that he is likely, on attaining the age of 19 years, to be able to satisfy the qualifications for appointment to a police force in the rank of constable.

Termination of service

3.—(1) A police cadet may voluntarily resign his appointment if he has given to the police authority 2 weeks’ written notice, or such shorter notice as the police authority may accept, of his intention to do so, and not otherwise.

(2) A police cadet’s service as such shall terminate on his appointment as a constable.

(3) Subject to the provisions of this regulation, the chief constable may at any time require a police cadet to resign his appointment.

(4) A police cadet who is required to resign under paragraph (3), otherwise than for misconduct, shall be entitled to receive 2 weeks’ notice or 2 weeks’ pay in lieu thereof.

(5) Before the chief constable requires a police cadet to resign under paragraph (3), otherwise than on the ground that, on attaining the age of 19 years, he is not likely to be fitted physically or mentally to perform the duties of constable, the chief constable shall afford the police cadet an opportunity of being heard by him or the deputy chief constable or an assistant chief constable of the force; and at any such interview the cadet shall be entitled to be accompanied by a parent or guardian or a member of the Police Federation for Scotland and to make such representations as he thinks fit.

Restriction on other employment

4. A police cadet shall not engage in any other employment for gain without the consent of the chief constable.

Hours of duty

5.—(1) Subject to paragraph (2), the normal weekly period of duty of a police cadet shall be such as is determined by or with the authority of the chief constable.

(2) Where a police cadet, for the purposes of training, is assigned to duties with a constable, his normal weekly period of duty shall be 42 hours.

(3) A police cadet whose actual period of duty in any week exceeds his normal period of duty (which excess period of duty is hereinafter referred to as “over-

time") shall, within 4 weeks, be granted in respect of each complete quarter of an hour of overtime an equal period of time off and, in addition, in respect of each complete three-quarters of an hour of overtime an additional quarter of an hour of time off.

(4) To such extent, if any, as the chief constable in a particular case may decide, the period spent by a police cadet on a journey necessary to enable him to report for duty or to return to his normal place of lodging after duty shall be treated for the purposes of these regulations as falling within a period of duty.

Public holidays

6. A police cadet who, for purposes of training, is assigned to duties with a constable shall be granted a day's leave on each public holiday, that is to say New Year's Day and each of 5 other days, being so far as is practicable local public holidays.

Annual leave

7.—(1) Subject to paragraphs (2) and (3), the annual leave of a police cadet shall be granted at such times and be of such duration as may be determined by or with the authority of the chief constable.

(2) Where a police cadet, for the purposes of training, is assigned to duties with a constable, he shall normally be granted 3 weeks' annual leave a year.

(3) Except where paragraph (2) applies, a police cadet shall normally be granted 10 weeks' annual leave a year:

Provided that where a cadet is required to spend a period at a camp or similar institution or to engage in other activity of a partly recreational character, the chief constable may direct that the whole or a specified part of that period shall be treated for the purposes of this paragraph as if it were a period of annual leave.

Sick leave

8.—(1) A police cadet shall be entitled to sick leave for any period for which he is unfit for duty on account of injury or illness, if—

(a) a registered medical practitioner certifies that he is so unfit, or

(b) the period consists of not more than 3 days and during the period of 12 months ending with the last of those days the aggregate uncertificated sick leave taken by him does not exceed 7 days.

(2) This regulation shall apply to a police cadet who is in quarantine as it applies to a cadet who is ill and any reference to unfitness shall be construed accordingly.

Special leave

9. A police cadet may, at the discretion of the chief constable, be granted special leave, with or without pay as the chief constable may determine.

Medical examination

10. Every police cadet shall be medically examined, as near as may be at 6-monthly intervals, in accordance with arrangements made by the police authority.

Pay

11.—(1) Subject to the provisions of this regulation, the rate of pay of a police cadet shall be in accordance with the scale set out in Schedule 1 hereto.

(2) The pay of a police cadet for any period shall be reduced by the amount of any sickness benefit or injury benefit to which he may be entitled in respect of

that period unless his pay falls to be reduced in accordance with paragraph (3); and, for the purposes of this paragraph—

(a) “sickness benefit” means such benefit under the National Insurance Act 1965(a), together with any supplement thereto payable under section 2 of the National Insurance Act 1966(b); and

(b) “injury benefit” means such benefit under the National Insurance (Industrial Injuries) Act 1965(c), together with any supplement payable there-with under the said section 2.

(3) Where on the first or any succeeding day of a continuous period of sick leave the aggregate sick leave taken by a police cadet during the period of 12 months ending with that day—

(a) exceeds 3 months, then, (without prejudice to the next following sub-paragraph) his pay shall be reduced by a half in respect of that continuous period or, as the case may be, in respect of so much thereof as falls on or after that day;

(b) exceeds 4 months, then, he shall not be entitled to pay in respect of that continuous period or, as the case may be, in respect of so much thereof as falls on or after that day:

Provided that this paragraph shall not apply where the cadet is unfit for duty as a result of an injury or disease which, in the opinion of the police authority, was received or contracted without his own default in the execution of his duty, or where the Secretary of State so directs.

(4) If the chief constable so determines, a police cadet shall not be entitled to pay in respect of a period of special leave or of unauthorised absence from duty.

Board and lodging

12.—(1) The police authority shall provide for a police cadet's board and lodging and, subject to paragraph (2), shall charge the cadet therefor in accordance with Schedule 2 hereto; and any such charge may, without prejudice to any other method of payment, be discharged by way of a deduction from his pay.

(2) Where a cadet is—

(a) on annual leave, or

(b) absent from his normal place of lodging for reasons approved by the police authority for the purposes of this paragraph, for a continuous period of at least 4 days, the police authority shall, in respect of that period, waive or reduce the charge under paragraph (1); and for the purposes of this paragraph any such continuous period shall be calculated to the nearest week, a period of less than a week but of more than 3 days being treated as a week.

(3) In this regulation a reference to the provision of board and lodging includes a reference to the making of payments in respect of board and lodging.

Calculation of pay and charges

13.—(1) This regulation shall apply to the calculation of payments by way of pay under regulation 11 and by way of charges for board and lodging under regulation 12.

(2) A month's payment shall be calculated at a monthly rate determined by dividing by 12 the annual rate.

(3) A week's payment shall be calculated at a weekly rate determined by dividing by $52\frac{1}{4}$ the annual rate.

(4) A day's payment shall be calculated at a daily rate determined by dividing by 7 the weekly rate, determined as aforesaid.

(5) In determining a monthly, weekly or daily rate of payment, fractions of a penny shall be ignored.

Allowances

14.—(1) No allowance shall be paid to a police cadet 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) Nothing in this regulation shall apply to the reimbursement of expenses incurred by a police cadet in the execution of his duty, being expenses authorised either generally or specifically by the police authority.

Travel allowances

15.—(1) A police cadet shall, subject to paragraph (2), be entitled in any year to travel allowances in respect of the cost of up to 3 return journeys, actually made, to visit a parent or guardian where the cost of the return journey exceeds 7s. 6d.

(2) An allowance payable under this regulation shall not exceed the lesser of the following amounts—

(a) the reasonable cost of the return journey actually made, or

(b) the reasonable cost of the return journey to the parent's or guardian's usual place of abode;

and, in computing the said amounts, any question as to reasonable cost shall be determined by the police authority and, in the case of a return journey to a place outside the British Isles, account shall be taken only of the reasonable cost of a return journey to the appropriate port or airport within the British Isles.

Uniform and equipment

16.—(1) The police authority shall keep a police cadet supplied with such uniform and equipment as are requisite in his case and shall provide for the dry cleaning of uniform and the repair of footwear.

(2) The police authority may charge a police cadet for uniform or equipment lost or damaged otherwise than as a result of fair wear and tear but, subject as aforesaid, shall make no charge for anything supplied, cleaned or repaired under this regulation.

(3) Any article of uniform or equipment supplied under this regulation shall remain the property of the police authority and shall be handed back by the police cadet to that authority—

(a) on his being required so to do,

(b) on his ceasing to serve as a police cadet, or

(c) on the replacement of the article in question,

unless with the consent of the police authority, the cadet buys the article in question at a price fixed by the police authority.

(4) Uniform and equipment handed back to the police authority shall not be reissued to another police cadet until it has received any necessary cleaning or renovation and is in a serviceable condition.

Preservation of existing conditions of service

17.—(1) This regulation shall apply in the case of a person appointed as a police cadet before 28th February 1968, whether or not the appointment has taken effect by that date.

(2) In the case of a police cadet to whom this regulation applies, the conditions of service set out in these regulations (including those regulating pay and allowances), shall have effect subject to such modifications, if any, as are necessary to secure that they are not less favourable than those to which he would have been entitled, in accordance with the terms of his appointment, had these regulations not been made.

William Ross,
One of Her Majesty's Principal Secretaries
of State.

St. Andrew's House,
Edinburgh, 1.
16th February 1968.

Regulation 11

SCHEDULE 1
PAY

The pay of a police cadet shall be determined by reference to his age in accordance with the scale set out in the following Table:—

TABLE

Age	Annual Pay
Under 17	£375
17	£410
18	£450
19	£485

Regulation 12

SCHEDULE 2
CHARGE FOR BOARD AND LODGING

The charge for board and lodging for any period shall be determined by reference to an annual rate of charge of £90.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations relate to the government, administration and conditions of service of police cadets.

In the case of a police cadet appointed before the coming into operation of the regulations, regulation 17 preserves his existing conditions of service (including those regulating pay and allowances) so far as they are more favourable than the prescribed conditions of service.

Regulation 1(3) provides (in exercise of the power conferred by section 27(2) of the Police (Scotland) Act 1967) that so far as the regulations regulate pay and allowances, other than travel allowances, they shall have effect as from 1st July 1967.