

STATUTORY INSTRUMENTS

1975 No. 1544 (S.219)

POLICE

**The Police (Discipline) (Scotland) Amendment Regulations
1975**

<i>Made</i>	- - -	<i>16th September 1975</i>
<i>Laid before Parliament</i>		<i>30th September 1975</i>
<i>Coming into Operation</i>		<i>1st November 1975</i>

In exercise of the powers conferred on me by section 26 of the Police (Scotland) Act 1967^(a), and after consulting the Police Advisory Board for Scotland in accordance with section 26(9) of the Police (Scotland) Act 1967, I hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Police (Discipline) (Scotland) Amendment Regulations 1975 and shall come into operation on 1st November 1975.

(2) In these regulations any reference to the principal regulations is a reference to the Police (Discipline) (Scotland) Regulations 1967^(b).

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

2. For paragraphs 12 and 13 of Schedule 1 to the principal regulations there shall be substituted the paragraphs set out in the Schedule to these regulations.

William Ross

One of Her Majesty's Principal
Secretaries of State.

New St. Andrew's House,
Edinburgh.

16th September 1975.

SCHEDULE

PARAGRAPHS SUBSTITUTED FOR PARAGRAPHS IN SCHEDULE 1 TO THE PRINCIPAL REGULATIONS.

12. *Wilful or careless damage to official property, including—*

- (a) loss of or damage to police authority property;
- (b) loss of or damage to any property within police care; and
- (c) failure to report such loss or damage.

13. *Having been convicted by a Court of Law of a criminal offence; or having been made the subject of an order under section 182 or section 383 of the Criminal Procedure (Scotland) Act 1975(a) or of a probation order under section 183 or 384 of that Act.*

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Police (Discipline) (Scotland) Regulations 1967.

Schedule 1 to the 1967 Regulations prescribes a code of offences against discipline. These Regulations amend that code in respect of two offences—damage to official property, and conviction of a criminal offence.

In the Schedule to the Regulations paragraph 12 modifies the offence relating to damage to official property by incorporating the words 'wilful or careless'.

The disciplinary offence prescribed in paragraph 13 of Schedule 1 to the 1967 Regulations relates solely to 'conviction' of a criminal offence. The effect of the new paragraph 13 is to provide that a disciplinary offence is also committed where a constable who has been discharged absolutely or has been put on probation whether (a) he has been convicted of an offence or (b) the court has so ordered without proceeding to conviction.

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