

1976 No. 1073 (S.91)**POLICE****The Police (Scotland) Regulations 1976**

<i>Made- - - -</i>	<i>5th July 1976</i>
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<i>Coming into Operation</i>	<i>13th August 1976</i>

ARRANGEMENT OF REGULATIONS

PART I

1. Citation, commencement and interpretation

PART II

ORGANISATION

2. Ranks
3. Beats, sections, sub-divisions and divisions
4. Restrictions on the private life of constables
5. Business interests

APPOINTMENT AND PROBATION

6. Qualifications for appointment of constables
7. Qualifications for appointment of assistant chief constable, superintendent or chief inspector
8. Qualifications for appointment of chief constable
9. Notice to be given to candidates for appointment
10. Form of declaration to be made on appointment
11. Probationary service in the rank of constable
12. Discharge of probationer

RESIGNATION

13. Period of notice required before resignation

PERSONAL RECORDS

14. Contents of personal records
15. Transfer of personal records
16. Personal record of constable leaving force
17. Fingerprints of constables

PART III

DUTY, OVERTIME AND LEAVE

18. Duties of constables
19. Limitation on duties to be assigned to constables statutorily transferred

20. Meetings of the Scottish Police Federation treated as police duty
21. Normal daily period of duty
22. Overtime
23. Public holidays and rest days for lower ranks
24. Travelling time treated as duty
25. Public holidays and monthly leave days for higher ranks
26. Annual leave
27. Sick leave
28. Maternity leave
29. University scholars

PART IV

PAY

30. Rate of pay
31. Supplementary pay
32. Reckoning of service in the Royal Ulster Constabulary
33. Reckoning by constables of auxiliary service
34. Reckoning by constables of service in certain constabularies
35. Reckoning of service in an airport constabulary
36. Reckoning by constables of overseas police service
37. Deductions from pay of social security benefits
38. Calculation of monthly, weekly and daily pay
39. Pay day

PART V

ALLOWANCES AND OTHER EMOLUMENTS

40. Restriction on payment of allowances
41. Restriction on payments for private employment of police
42. Rent allowance
43. Supplementary rent allowance
44. Constable assigned to duty with the Scottish Crime Squad
45. Compensatory grant
46. Discharge of tax liability in respect of police house or quarters
47. Removal allowance
48. Uniform allowance
49. Women's stockings allowance
50. Plain clothes allowance
51. Detective duty and detective expenses allowances
52. Refreshment, subsistence and lodging allowances
53. Advances to cover expenses when away on duty
54. Motor vehicle allowances
55. Bicycle allowance
56. Typewriter allowance
57. Dog handler's allowance
58. Allowance in respect of medical charges
59. Special area undermanning allowance
60. Extra duty allowance
61. Temporary duty allowance
62. Promotion examination allowance
63. Allowance for recurring escort duty, etc.
64. Continuance of allowances when a constable is ill
65. University scholars

PART VI

HOUSING, UNIFORM AND EQUIPMENT

- 66. Provision of house or quarters
- 67. Issue of uniform and equipment
- 68. Ownership of uniform and equipment
- 69. Replacement of uniform and equipment
- 70. Re-issue of uniform and equipment
- 71. Footwear

PART VII

SUPPLEMENTAL

- 72. Revocations, amendments and transitional provisions

SCHEDULES

- Schedule 1—Restrictions on the private life of constables
- Schedule 2—Annual leave
- Schedule 3—Scales of pay and supplementary pay
- Schedule 4—Refreshment, subsistence and lodging allowances
- Schedule 5—Motor vehicle allowances in respect of motor cars
- Schedule 6—Bicycle allowance
- Schedule 7—Typewriter allowance
- Schedule 8—Issue of uniform and equipment
- Schedule 9—University scholars
- Schedule 10—Dog handler's allowance
- Schedule 11—Regulations revoked

In exercise of the powers conferred on me by sections 7, 16 and 26 of the Police (Scotland) Act 1967(a), and of all other powers enabling me in that behalf, and after consulting (i) the Police Council for the United Kingdom in accordance with section 4(4) of the Police Act 1969(b) and (ii) the Police Advisory Board for Scotland in accordance with section 26(9) of the said Act of 1967 as amended by section 4(6) of the said Act of 1969, I hereby make the following regulations:—

PART I

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Police (Scotland) Regulations 1976 and shall come into operation on 13th August 1976.

(2) In these regulations, unless the context otherwise requires—

- (a) 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 or, as the case may be, the same part of the same Schedule and a reference to a sub-paragraph shall be construed as a reference to a sub-paragraph contained in the same paragraph;
- (b) a reference to any enactment or instrument shall be construed as including a reference to that enactment or instrument as amended, extended or applied by any other enactment or instrument;

(a) 1967 c. 77.

(b) 1969 c. 63.

- (c) a reference to a constable voluntarily transferring from one force to another shall be construed as a reference to such a constable leaving a force for the purpose of joining another force and joining that other force, where—
- (i) he left the force first mentioned in this regulation on or after 1st January 1963 for the purposes aforesaid with, in the case of the chief constable, the consent of the police authority;
 - (ii) he left the force first mentioned in this regulation before 1st January 1963 for the purposes aforesaid with the consent, in the case of the chief constable, of the police authority, or, in any other case, with written consent of the chief constable.
- (d) a reference to a constable being statutorily transferred from one force to another shall be construed as a reference to such a constable being transferred by or under the Police (Scotland) Act 1946(a), the Police (Scotland) Act 1956(b), the Police (Scotland) Act 1967 as amended by the Local Government (Scotland) Act 1973(c) or the Local Government (Scotland) Act 1973;
- (e) a reference to a constable transferring from one force to another shall be construed as a reference to his either voluntarily so transferring or being statutorily so transferred;
- (f) service in a police force from which a constable is or has been statutorily transferred and service in a police force to which he is or has been so transferred shall be treated as if it were service in the same police force;
- (g) the following expressions have the meanings hereby respectively assigned to them, that is to say—
- “appropriate disciplinary authority” has the like meaning as in section 26(7) of the Police (Scotland) Act 1967;
 - “central police officer” has the like meaning as in the Police Pensions Regulations;
 - “Discipline Regulations” means the regulations relating to discipline from time to time in force under section 26 of the Police (Scotland) Act 1967 or any corresponding earlier enactment;
 - “enactment” means any Act or any instrument made under an Act;
 - “inspector” includes chief inspector;
 - “overseas policeman” has the same meaning as in the Police Pensions Regulations;
 - “penny” means a new penny;
 - “pensionable service” has the like meaning as in the Police Pensions Regulations;
 - “Police Pensions Regulations” means the regulations from time to time in force under the Police Pensions Act 1948(d);
 - “Promotion Regulations” means the regulations relating to qualification and selection for promotion from time to time in force under section 26 of the Police (Scotland) Act 1967;

(a) 1946 c. 71.
(c) 1973 c. 65.

(b) 1956 c. 26.
(d) 1948 c. 24.

“public holiday” means Christmas Day, New Year’s Day and each of 5 other days, being so far as is practicable local public holidays;

“reversionary member of a home police force” has the like meaning as in the Police Pensions Regulations;

“serviceman (1939–1945)” has the like meaning as in the Police Pensions Regulations;

“superintendent” includes chief superintendent;

“transferred force” has the like meaning as in Schedule 2 to the Police (Scotland) Act 1967;

“university scholar” and, in relation to such a scholar, “course” and “study” have the meanings respectively assigned to them in paragraph 1 of Schedule 9;

(h) a reference to a police force, which shall have the like meaning as in the Police (Scotland) Act 1967, shall include a reference to a police force maintained under the Police Act 1964(a) as amended by the Local Government Act 1972(b), so however that nothing in these regulations shall be construed as relating to the government, administration or conditions of service of such a force as is last mentioned.

(3) In these regulations any reference to a constable, which shall include a chief constable, is a reference to any regular constable as defined in the Police (Scotland) Act 1967, except where the context requires that the reference is confined to a constable holding the rank of constable, and references to a chief constable, an assistant chief constable, a superintendent, an inspector or a sergeant are references to constables holding those ranks respectively.

(4) In these regulations a reference to an aerodrome constabulary is a reference to such a constabulary within the meaning of the Policing of Airports Act 1974(c); and a reference to a rank in such a constabulary corresponding to a rank in a police 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.

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

PART II

ORGANISATION

Ranks

2. The ranks of a police force which may be held by constables shall be known by the following designations:—

Chief Constable,
Assistant Chief Constable,
Chief Superintendent,
Superintendent,
Chief Inspector,
Inspector,
Sergeant,
Constable.

(a) 1964 c. 48.

(c) 1974 c. 41.

(b) 1972 c. 70.

(d) 1889 c. 63.

Beats, sections, sub-divisions and divisions

3. The area to which a constable is assigned for duty either generally or for a particular period of hours shall be known as a beat; a number of beats grouped for supervision by a sergeant or an inspector shall be known as a section; a number of sections grouped for supervision by an inspector shall be known as a sub-division; a number of sections or sub-divisions grouped for supervision by a superintendent or by a constable directly responsible to the chief constable shall be known as a division.

Restrictions on the private life of constables

4. The restrictions on private life contained in Schedule 1 shall apply to all constables; and no restrictions other than those designed to secure the proper exercise of the functions of a constable shall be imposed by the appropriate disciplinary authority.

Business interests

5.—(1) A constable shall not have a business interest without the consent of the appropriate disciplinary authority.

(2) If a constable acquires or is likely to acquire, or in the case of a constable appointed to the office of chief constable or of deputy chief constable or promoted to the rank of assistant chief constable has, a business interest he shall forthwith give written notice of that interest to the appropriate disciplinary authority unless he has previously disclosed that interest to that authority.

(3) A person applying for appointment to a police force, other than a person referred to in paragraph (4), shall give written notice to the chief constable of any business interest.

(4) A person applying for appointment to the office of chief constable or of deputy chief constable or in the rank of assistant chief constable in a police force shall give written notice to the police authority responsible for the appointment of any business interest which he has or is likely to acquire after appointment.

(5) A person shall be regarded as having a business interest if—

- (a) he carries on any business or holds any office or employment for hire or gain (otherwise than as a constable), or
- (b) he resides at any premises where any member of his family keeps a shop or carries on any like business, or
- (c) he holds, or any member of his family living with him holds, any licence, certificate or permit granted in pursuance of the laws relating to liquor licensing or betting and gaming or regulating places of public entertainment in the police area of the force of which he is a constable or to which he is applying for appointment or has any pecuniary interest in such licence, certificate or permit, or
- (d) his spouse (not being separated from him) keeps a shop or carries on any like business in the police area of the force of which he is a constable or to which he is applying for appointment.

(6) For the purposes of this regulation, the expression “member of his family” shall include parent, son, daughter, brother, sister or spouse (not being separated from him).

APPOINTMENT AND PROBATION

Qualifications for appointment of constables

6. No person shall be qualified for appointment as a constable unless he or she—

(a) has attained 18 years 6 months of age and is under 30 years of age:
Provided that a man or a woman over the specified age limit may be appointed if—

- (i) he or she is immediately transferred from another police force, or
- (ii) he or she has had previous service as a constable, or is otherwise entitled to reckon previous service as pensionable service, or
- (iii) there are other special circumstances approved by the chief constable;

(b) save where for special reasons the chief constable otherwise decides, is not less in height than, in the case of a man, 172 cms. or, in the case of a woman, 162 cms;

(c) satisfies the chief constable that he or she is sufficiently educated by passing an examination of a standard approved by the chief constable and the Secretary of State after consultation with the Police Advisory Board for Scotland;

(d) has produced satisfactory references as to character, and, if he or she has served in any branch of Her Majesty's naval, military or air forces, or in the civil service of the State, or in any police force, has produced satisfactory proof of good conduct while in such service or force;

(e) has been 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 of the office of constable; and

(f) has given such information as may be required by the chief constable as to his or her previous history or employment.

Qualifications for appointment of assistant chief constable, superintendent or chief inspector

7. No person shall be qualified for appointment as assistant chief constable, superintendent or chief inspector in a police force unless he has had previous police experience in the rank of inspector.

Qualifications for appointment of chief constable

8.—(1) No person shall be qualified for appointment as chief constable unless he—

(a) is serving in a police force and has had a least 2 years' experience in the substantive rank of inspector, or a higher rank, in a police force other than the force for which the appointment is required, as a central police officer, or as a constable assigned to duty with the Scottish Crime Squad;

(b) has produced satisfactory references as to character and satisfactory proof of good conduct while a constable;

(c) has given such information as may be required by the police authority as to his previous history and employment;

(d) is not more than 55 years of age;

Provided that a man over that age limit may be appointed if he has served in another police force as chief constable of that force;

- (e) has been 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 of the office of chief constable.

(2) In the case of a constable of a combined force, previous service in the rank of assistant chief constable or above in any of its component parts shall count for the purposes of this regulation as service in a force other than the force for which the appointment is required.

Notice to be given to candidates for appointment

9. A candidate for appointment as a constable shall be given a notice in terms approved by the Secretary of State drawing attention to the conditions of service obtaining.

Form of declaration to be made on appointment

10. The terms of the declaration to be made under section 16 of the Police (Scotland) Act 1967 by a person appointed as a constable shall be as follows:—

“I hereby do solemnly and sincerely and truly declare and affirm that I will faithfully discharge the duties of the office of constable.”

Probationary service in the rank of constable

11.—(1) This regulation shall apply to a constable of a police force appointed in the rank of constable other than such a constable—

- (a) who transferred to the force from another police force, having satisfied therein the probation requirement in paragraph (2) or (3), or
- (b) who has at least 2 years' qualifying overseas or other police service such as is mentioned in paragraph (4) and, since ceasing to be in such service, has not undertaken any other service or employment.

(2) A constable of a police force to whom this regulation applies shall, unless paragraph (3) applies in his case, be on probation for the first 2 years of his service as a constable in that police force following his last appointment thereto.

(3) A constable of a police force to whom this regulation applies who has served on probation for a period of not less than a year following a previous appointment to that or any other police force, or who has at least a year's qualifying overseas or other police service, shall be on probation for the first year of his service as a constable in the police force in which he is currently serving following his last appointment thereto:

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 or, as the case may be, of qualifying overseas or other police service, shall not be less than 2 years, or
- (b) dispense with the period of probation, if the constable, following his previous appointment, completed the required period of probation in the force in question or, as the case may be, if the constable completed at least 2 years' qualifying overseas or other police service.

(4) For the purposes of this regulation—

- (a) any reference to qualifying overseas or other police service is a reference

to certified overseas police service within the meaning of regulation 36 or to service as a member of the Royal Ulster Constabulary; and

- (b) any period of unpaid maternity leave shall be disregarded in reckoning a constable's service;
- (c) in the case of a constable who has been transferred to a police force from an aerodrome constabulary by an order under section 6 of the Policing of Airports Act 1974^(a) his service in that constabulary shall be treated as if it were service in that police force.

Discharge of probationer

12.—(1) Subject to the provisions of this regulation, the chief constable of a police force may at any time by written notice given to the constable to whom it relates in accordance with the provisions of this regulation discharge from his appointment a constable of the force of the rank of constable who is on probation, if the chief constable considers that the constable 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 who is discharged under this regulation—

- (a) shall be informed in writing of the provisions of paragraph (3);
- (b) shall be entitled to receive a month's notice or a month's pay in lieu thereof.

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

RESIGNATION

Period of notice required before resignation

13. A constable may voluntarily resign his appointment if he has given to the appropriate disciplinary authority one month's written notice, or such shorter notice as that authority may accept, of his intention to do so, and not otherwise: Provided that nothing in this regulation shall affect the operation of any resignation tendered in the circumstances specified in regulation 12(3).

PERSONAL RECORDS

Contents of personal records

14.—(1) The chief constable of every police force shall cause to be kept, in accordance with this regulation, a personal record of each constable of the force.

(2) The personal record shall contain—

- (a) a photograph not more than 10 years old of the constable taken in accordance with the directions of the chief constable and at the expense of the police authority;
- (b) a personal description of the constable;
- (c) particulars of the constable's place and date of birth;
- (d) particulars of his marriage (if any) and of his children (if any);

- (e) a record of his service (if any) in any branch of Her Majesty's naval, military or air forces or in the civil service of the State;
- (f) a record of his service (if any) in any other police force or as an auxiliary;
- (g) a record of whether he has passed or failed to pass any qualifying examination held under the Promotion Regulations at which he was a candidate;
- (h) a record of his service in the police force, including particulars of all promotions, changes of pay, postings, transfers, removals, injuries received, periods of illness, attendances at training courses, commendations, rewards, punishments other than cautions, and the date of his ceasing to be a constable of the police force with the reason, cause or manner thereof:

Provided that punishments shall be expunged after three years free from punishment, other than a caution.

(3) Where a punishment is expunged from a constable's personal record, so much of that personal record as relates to punishments shall be destroyed and a new part made out so as not to disclose that the expunged punishment has been imposed.

(4) A constable shall, if he so requests, be permitted to inspect his personal record.

Transfer of personal records

15. Where a constable transfers to another police force his personal record shall be transferred to the chief constable of that other police force.

Personal record of constable leaving force

16.—(1) Where a constable of a police force ceases to be a constable of that police force the constable shall, unless he transfers to another police force, be given a certificate signed by or on behalf of the chief constable stating—

- (a) the rank last held by him in the first mentioned force;
- (b) the period of his service in that force and in any other police force;
- (c) which, if any, of the circumstances specified in the next following paragraph was the reason for his ceasing to be employed in the first mentioned force;
- (d) particulars of his personal description.

(2) The circumstances referred to in paragraph (1) are the following:—

- Pensioned on completion of service.
- Pensioned in consequence of injury received on duty.
- Pensioned on account of ill health.
- Discharged on gratuity on account of ill health.
- Discharged before completion of period of probation.
- Resigned.
- Required to resign.
- Dismissed.

(3) The chief constable may append to the certificate any recommendation which he feels justified in giving.

(4) Where a constable of a police force ceases to be a constable of that police force, 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 of constables

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

(2) Fingerprints of constables taken in pursuance of paragraph (1) shall be kept in a register separate from any register containing fingerprints taken otherwise than in pursuance of that paragraph.

(3) The fingerprints of a constable of a police force taken in pursuance of paragraph (1) and all copies and records thereof shall be destroyed on his ceasing to be a constable of that force, except that, where he transfers to another police force, they shall be transferred to the chief constable of that other force.

PART III

DUTY, OVERTIME AND LEAVE

Duties of constables

18.—(1) Every constable 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.

(2) Without prejudice to any enactment laying specific duties on constables, the following are duties which constables shall not be required to perform:—

- (a) collection and recovery of monies due under decrees of affiliation and aliment and decrees for aliment;
- (b) acting as theatre or public hall attendant;
- (c) collection of market tolls;
- (d) inspection of markets;
- (e) inspection of cleansing;
- (f) inspection of lighting;
- (g) inspection of beach trading;
- (h) inspection of licensed boats;
- (i) inspection of common lodging houses;
- (j) inspection of domestic servants' registries;
- (k) inspection of theatrical agencies and employers;
- (l) inspection of pet shops;
- (m) inspection and registration of places of public refreshment;
- (n) inspection and procuring samples under the Food and Drugs (Scotland) Act 1956(a) and Part IV of the Agriculture Act 1970(b);
- (o) duties of inspector under the Shops Act 1950(c);
- (p) inspection of weights and measures;
- (q) inspection of premises under the Celluloid and Cinematograph Film Act 1922(d);
- (r) inspection of premises for the purposes of the Petroleum (Consolidation) Act 1928(e);
- (s) issue of licences relating to employment and premises;
- (t) inspection of fire appliances.

(a) 1956 c. 30.
(d) 1922 c. 35.

(b) 1970 c. 40.
(e) 1928 c. 32.

(c) 1950 c. 28.

Limitation on duties to be assigned to constables statutorily transferred

19.—(1) Where a constable has been statutorily transferred from one force to another then, subject to the provisions of paragraphs (2) and (4), he shall not, while a constable of the latter force, be assigned without his consent to duties which, in the opinion of the Secretary of State, make it necessary for him to establish his home outside the area for which the former force was maintained.

(2) This regulation shall not apply to a constable who has been statutorily transferred—

- (a) if, while a constable of the former force, he became a chief constable, or
- (b) if he is a constable who was first appointed to any police force in the rank of constable after 23rd February 1973, or
- (c) if he is a constable who has been a constable of a county comprised in a combined area, and was, before 1st May 1968, assigned to such duties as are mentioned in paragraph (1), or
- (d) if he has given written notice to the chief constable of the police force in which he was at the time of the giving of the said notice a constable of his desire that paragraph (1) should cease to apply to him.

(3) This regulation shall apply in the case of a constable of a police force who served as a central police officer or who ceased to be a constable of a police force and became a serviceman (1939–1945) or a reversionary member of a home police force—

- (a) where on ceasing to be such, he resumed service in, or as the case may be, exercised his right of reversion to, his former force, as if he had not ceased to be a constable of that force, or
- (b) where on ceasing to be such, he resumed service in, or as the case may be, exercised his right of reversion to, some other force to which constables of his former force had been statutorily transferred, as if he had been statutorily transferred from his former force to that other force.

(4) Where a constable has been statutorily transferred on more than one occasion the first such transfer shall be the statutory transfer for the purposes of this regulation, provided that, for the purpose of determining the first such transfer,—

- (a) in the case of a constable who has been re-appointed as a constable since ceasing to be a constable of any police force any appointment or statutory transfer before he ceased to be a constable shall be disregarded and
- (b) in the case of a constable who has voluntarily transferred from one force to another all statutory transfers (previous to the voluntary transfer) shall be disregarded.

(5) For the purposes of this regulation—

- (a) a reference to a constable being statutorily transferred shall have the same meaning as a reference to a constable being statutorily transferred from one force to another in regulation 1(2)(d) and the expression “statutory transfer” shall be construed accordingly;
- (b) with reference to a statutory transfer the expressions “former force” and “latter force” mean, respectively, for any one such transfer, the police force from which and to which the constable was statutorily transferred;

- (c) subject to the provisions of regulation 1(2)(h), the expression “police force” means any police force established by or under the Police (Scotland) Act 1946, or the Police (Scotland) Act 1956, or the Police (Scotland) Act 1967 as amended by the Local Government (Scotland) Act 1973(a) or the Police Act 1964(b) as amended by the Local Government Act 1972(c).

Meetings of the Scottish Police Federation treated as police duty

20.—(1) The attendance of a constable at one of the following meetings of the Scottish Police Federation, that is to say a duly authorised meeting of a branch board, a central committee, the annual meeting of the joint central committee with the joint central committee of the Police Federation for England and Wales and the central committee of the Police Federation for Northern Ireland, or a central conference, shall be treated as an occasion of police duty.

(2) For the purposes of this regulation, a “duly authorised meeting” shall be any such meeting as may be provided for in regulations 8, 10 and 12 of the Police Federation (Scotland) Regulations 1975(d).

Normal daily period of duty

21.—(1) This regulation shall apply to every constable who—

(a) is below the rank of superintendent; and

(b) is not assigned to duties which the Secretary of State has specifically 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 constable to whom this regulation applies shall be 8 hours and, in addition, any time occupied in reporting at the appointed place for duty before a tour of duty begins.

(3) The normal daily period of duty shall, so far as the exigencies of duty permit, be performed in one tour of duty and, in such case, an interval of 45 minutes shall normally be allowed for refreshment.

(4) Where a constable performs 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.

Overtime

22.—(1) Subject to, and in accordance with, the provisions of this regulation and in the cases and circumstances hereinafter mentioned, a constable who remains on duty after his tour of duty ends or is recalled to duty between two tours of duty shall be compensated in respect of each unit of time during which he remains on duty after his tour of duty ends or after being so recalled (hereafter in these regulations referred to as “overtime”):

Provided that such a constable shall not be compensated under this regulation for overtime for which he receives an allowance or time off under regulation 23, 60 or 63.

(2) A constable of the rank of constable, sergeant or inspector to whom regulation 21 applies shall, subject to paragraph (4), be granted an allowance in respect of each week at the rate of a twenty-fourth of a day’s pay for each unit of overtime worked by him during that week so, however, that in making

(a) 1973 c. 65.

(b) 1964 c. 48.

(c) 1972 c. 70.

(d) S.I. 1975/630 (1975 I, p. 2246).

any payment by way of such allowance a fraction of a penny shall be treated as a whole penny except that a fraction less than a half-penny shall be ignored:

Provided that such a constable may, before the expiry of any pay period, elect, in respect of any unit of 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, where in accordance therewith he receives time off in respect of any overtime no allowance in respect thereof shall be payable under this paragraph.

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

(4) Paragraphs (2) and (3) shall have effect in relation to casual overtime subject to the following provisions of this paragraph, that is to say—

- (a) for the purposes of the said paragraphs, no account shall be taken of any casual overtime for which, but for this paragraph, a constable would be compensated unless the aggregate number of units of such casual overtime worked by him during a fortnight is, subject to sub-paragraph (b), 12 or more;
- (b) for the purposes of the said paragraphs and of sub-paragraph (a), no account shall be taken of any period of less than 2 units of casual overtime worked on any occasion;
- (c) any reference in the said paragraphs to a week shall be construed as a reference to a fortnight.

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

- (a) where the constable 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 constable 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:

Provided that, if the constable 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 constable is not in charge of the person under escort as he considers appropriate in the circumstances.

- (b) Where the tour or tours of duty 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 daily period of duty, and
- (c) where a constable—
 - (i) has completed a full tour of night duty which ends at any time after 2 a.m. and before 10 a.m.,
 - (ii) is recalled to duty before 9½ hours have elapsed from the time when such tour of duty ended, and
 - (iii) is entitled to reckon less than 16 units of overtime, disregarding any overtime reckonable by virtue of regulation 24,

he shall be deemed on that occasion to have worked for such period that he is entitled to reckon 16 units of overtime together with any units of overtime reckonable by virtue of regulation 24. For the purposes of this sub-paragraph, where a constable does not complete a full tour of duty by reason only of having been granted time off in respect of overtime already worked, he shall nevertheless be treated as if he had at the time at which he went off duty, completed a full tour of duty.

(6) For the purposes of this regulation—

(a) the following expressions have the meanings hereby respectively assigned to them, that is to say—

“casual overtime” means a period of overtime of less than 4 units during which a constable remains on duty after his tour of duty ends, other than a period in respect of which the constable was informed at the commencement of his tour that he would be required to remain on duty after his tour ended;

“a day’s pay” means a week’s pay divided by 5;

“fortnight” means that period of 14 days beginning with such day as is fixed by the chief constable;

“pay period” means the period for which, in pursuance of regulation 39, a constable is paid;

“unit” means a complete quarter of an hour;

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

(b) references to a constable recalled to duty shall not include a reference to a constable who is only warned to be in readiness for duty if required.

Public holidays and rest days for lower ranks

23.—(1) This regulation shall apply to every constable below the rank of superintendent.

(2) Such a constable 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, such rest days being distributed throughout the year with the object of securing so far as practicable to every such constable, one day’s rest in every seven:

Provided that on any occasion or occasions of emergency the Secretary of State may direct that this paragraph shall apply only to such extent and under such conditions as he may determine.

(3) Such a constable who is required to do duty on a public holiday or a day which would otherwise have been a rest day shall, subject to paragraph (4) be granted an allowance in the former case of one sixteenth of a day’s pay and in the latter case of three sixty-fourths of a day’s pay for each quarter of an hour of duty on each such day so, however, that in making any payment by way of such allowance a fraction of a penny shall be treated as a whole penny except that a fraction less than a half-penny shall be ignored.

(4) Such a constable who is required to do duty on a public holiday or a day which would otherwise have been a rest day and is given less than 29 days’ notice of the requirement may, within 28 days of the day in question, elect to receive time off equal in the case of a public holiday to twice and in the case of a day which would have been a rest day to one and a half times the period of completed quarters of an hour of duty on the day in question and, in such case—

(a) subject to the exigencies of duty, the chief constable shall grant such time off within such time (not exceeding 3 months) as he may fix, and

(b) subject to such time off being granted, no allowance in respect of the day in question shall be payable under paragraph (3).

(5) Such a constable who is required to do duty on a public holiday or a day which would otherwise have been a rest day and is given at least 29 days' notice of the requirement may, within 28 days of the day in question, elect to receive time off equal in the case of a public holiday to twice, and in the case of a day which would have been a rest day to one and a half times the period of completed quarters of an hour of duty by which his period of duty on the day in question exceeds 8 hours and, in such case—

(a) subject to the exigencies of duty, the chief constable shall grant such time off within such time (not exceeding 3 months) as he may fix, and

(b) subject to such time off being granted, the allowance in respect of the day in question payable under paragraph (3) shall be calculated as if his period of duty on that day had not exceeded 8 hours.

(6) For the purposes of this regulation—

(a) a constable of a police force 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 divided by 5;

(c) a period of less than 16 completed quarters of an hour of duty on a public holiday or on a day which would otherwise have been a rest day shall be treated as though it were a period of 16 completed quarters of an hour of duty;

(d) a reference to a day which would otherwise have been a rest day is to be construed as a reference to a day which according to the roster of rest days was to have been a rest day for the constable concerned, and for the purpose of determining what would have been such a day any alteration in the roster made less than 8 days before that day shall be ignored except where the alteration is made at the request of the constable concerned;

(e) the expression "rest day" means a day on which a constable is not required to perform police duty;

(f) in paragraph (2) the expression "week" means a period of 7 days beginning with such day as is fixed by the chief constable;

(g) where a constable is required to do duty on a public holiday or on a day which would otherwise have been a rest day, his period of duty shall include (save for the purposes of sub-paragraph (e)) 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 constable's period of duty exceeds 6 hours, or

(ii) which is treated as a period of duty under regulation 24; and

(h) the expression "year" means that period of 12 months beginning on such date as may from time to time be determined by the chief constable.

Travelling time treated as duty

24.—(1) This regulation shall apply where a constable, having been—

(a) required to perform his normal daily period of duty in more than one tour of duty, or

(b) recalled to duty between two normal daily periods of duty, travels to and from his home between each said tour of duty or, as the case may be, in consequence of his recall (in this regulation referred to as “relevant travelling”).

(2) In computing any period of overtime for the purposes of regulation 22 or any period of duty for the purposes of regulation 23 the time occupied by such a constable in relevant travelling, not exceeding such reasonable limit as may be fixed by the chief constable, shall be treated as a period of duty.

(3) 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 constable concerned.

(4) 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 constable concerned shall be reimbursed those expenses to the extent that they do not exceed such reasonable limit as the police authority may fix.

Public holidays and monthly leave days for higher ranks

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

(2) Such a constable shall, so far as the exigencies of duty permit, be granted 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) Such a constable who is required to do duty on a public holiday shall be granted a day’s leave in lieu of each such day unless the exigencies of duty do not permit such grant within 3 months.

(4) Where the exigencies of duty have precluded the grant to a superintendent, in any month, of 8 monthly leave days, then, during the next following month he shall, so far as the exigencies of duty permit, be granted the number of days not granted as additional monthly leave days.

(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.

Annual leave

26.—(1) Every constable shall, so far as the exigencies of duty permit, be granted annual leave in accordance with Schedule 2.

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

(a) regulation 23, in the case of a constable below the rank of superintendent,
or

(b) regulation 25, in the case of a constable of, or above, the rank of superintendent;

and a constable 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

27.—(1) A constable 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 constable may be so absent, without being so certified, for a period not exceeding 3 days on any occasion, excluding any day on which he would not have been required to perform police duty were he not absent;
- (b) if, notwithstanding such certification of unfitness for duty, a registered medical practitioner appointed or approved by the police authority has examined the constable and certified him to be fit for duty he shall no longer be entitled to be absent from duty.

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

Maternity leave

28.—(1) During the maternity period a married woman constable shall not be entitled to any sick leave in respect of any injury, illness or incapacity for duty which is solely or mainly due to pregnancy or childbirth or their after effects but shall be entitled to take maternity leave for the whole or any part or parts of the period.

(2) The maternity leave granted in respect of any particular maternity period shall be paid maternity leave, as respects 3 months thereof, and unpaid maternity leave, as respects the remainder:

Provided that a constable shall not be entitled to more than 3 months' paid maternity leave during any period of 12 months or, in the case of a constable of the rank of constable, to any paid maternity leave before the end of her period of probation in the force.

(3) In this regulation the maternity period means, in relation to a married woman constable who is certified by a registered medical practitioner approved by the police authority to be pregnant, the period beginning 6 months before the date which is estimated by the said medical practitioner as being the probable date of birth and ending 9 months after the birth of the child.

University scholars

29. This part of these regulations shall have effect in relation to a university scholar subject to the provisions of paragraph 2 of Schedule 9.

PART IV**PAY***Rate of pay*

30.—(1) Subject to regulation 31 the rate of pay of a constable holding—

- (a) the rank of chief inspector, inspector, sergeant or constable shall be in accordance with the appropriate scale of pay mentioned in Part 1 of Schedule 3;
- (b) any other rank shall be in accordance with such scale of pay as shall be determined by the Secretary of State.

(2) Subject to regulations 32, 33, 34, 35 and 36, section 2(1) of the Police (Overseas Service) Act 1945(a) and section 38(1) of the Police (Scotland) Act 1967, in reckoning the service of a constable of a police force in any rank for the purposes of any of the aforesaid scales of pay, account shall be taken of all his service in that rank, whether in that or another police force and service in higher rank, on temporary promotion thereto or otherwise, shall be treated as if it had been service in that rank.

Provided that in reckoning a constable'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 determine 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 constable was reduced;

(c) any period of unpaid maternity leave shall be disregarded, and, in the case of a constable of a police force of a rank higher than that of inspector, this paragraph shall have effect subject to any contrary agreement so far as it relates to the reckoning of previous service in that or another force, not being a force from which he was statutorily transferred to his present force.

(3) Notwithstanding anything in paragraph (1), the pay of a constable holding the office of deputy chief constable shall be increased by such amount as may be approved by the Secretary of State and, in the case of a constable who, having held the office of deputy chief constable in the transferred force, has been statutorily transferred, may be increased with the approval of the Secretary of State by such amount as may be approved by the Secretary of State.

(4) Nothing in this regulation shall affect the operation of any provision of the Discipline Regulations.

(5) Paragraph (1) and Schedule 3 shall have effect in relation to a university scholar subject to the provisions of paragraph 3 of Schedule 9.

(6) For the purposes of paragraph (2) service in the rank of superintendent, Grade I or Grade II, shall be treated as if it had been service in the rank of superintendent.

Supplementary pay

31.—(1) This regulation shall have effect for the purpose of supplementing the pay of a constable holding a rank lower than that of superintendent; but any allowance under these regulations calculated by reference to such a constable's pay other than an allowance under Regulation 61 shall be calculated as if this regulation had not been made.

(2) The annual pay of such a constable shall be increased in accordance with Part II of Schedule 3.

Reckoning of service in the Royal Ulster Constabulary

32.—(1) Where a constable joined or re-joined a force having left the Royal Ulster Constabulary, on or after 17th December 1969, for that purpose or on exercising the right of reversion conferred by section 2(1) of the Police Act 1969

then, for the purposes of regulation 30, his service in any rank in the Royal Ulster Constabulary shall be treated as if it were service in the corresponding rank in the police force he joined or re-joined as aforesaid; provided that in the case of a constable of a rank higher than that of inspector this paragraph shall have effect subject to any contrary agreement.

(2) A constable of the rank of constable shall be entitled to reckon, for the purposes of the scale of pay for that rank, any period of service in the Royal Ulster Constabulary.

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

Reckoning by constables of auxiliary service

33.—(1) A constable of the rank of constable shall be entitled to reckon for the purposes of the scale of pay for that rank any period of whole-time paid service after 3rd September 1939—

- (a) as a police war reservist;
- (b) as a special constable in receipt of pay under the Special Constables (Scotland) Order, (No. 2), 1940(a);
- (c) as a member of the first class of the police reserve not in receipt of a pension in respect of service as a constable;
- (d) as a member of Class A of the Women's Auxiliary Police Corps;
- (e) as a member of the Women's Auxiliary Police Corps, otherwise than of Class A thereof, assigned wholly or mainly to street patrol duties, motor patrol duties or outside detective duties, being a period of such service of not less than a complete month and ending before 1st April 1945.

(2) For the purposes of this regulation, whole-time paid service includes all leave with full pay, any period of leave without full pay not exceeding 7 days in duration and any period of absence or suspension with full pay or the equivalent of full pay, and leave shall not be taken to be leave without full pay by reason only that there was deducted from pay the amount of benefits under the Social Security Act 1975(b), of payments under any scheme made by the Secretary of State for Social Services under the Personal Injuries (Emergency Provisions) Act 1939(c), or of weekly payments under the Industrial Injuries and Diseases (Old Cases) Act 1967(d); but save as aforesaid whole-time paid service does not include any period of leave or suspension.

Reckoning by constables of service in certain constabularies

34.—(1) A constable of the rank of constable shall be entitled to reckon for the purposes of the scale 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 of constables appointed under section 3 of the Special Constables Act 1923(e);
- (b) the Port of London Authority's police force, that is to say the force of constables appointed under section 154 of the Port of London Act 1968(f).

(a) S.R. & O. 1940/1275 (1940 I, p. 200).
(d) 1967 c. 34.

(b) 1975 c. 14.
(e) 1923 c. 11.

(c) 1939 c. 82.
(f) 1968 c. xxxii.

Reckoning of service in an airport constabulary

35. Where a member of an aerodrome constabulary has been transferred to a police force by an order under section 6 of the Policing of Airports Act 1974(a) then, for the purposes of regulation 30, his service in any rank in that constabulary shall be treated as if it were service in the corresponding rank in a police force.

Reckoning by constables of overseas police service

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

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

notwithstanding that such service is not service in the rank of constable in a police force in Great Britain.

(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(b), or, where appropriate, the territory or country wherein the colony, protectorate or protected state was incorporated after the inception of the service, subject to it being 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 being 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 1 of the Overseas Development and Service Act 1965(c), 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.

(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

(a) 1974 c. 41.

(b) 1948 c. 56.

(c) 1965 c. 38.

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; and a certificate given (or having effect as if it had been given) for the purposes of this paragraph as originally made shall be deemed to be such a certificate.

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

- (a) the Island police force maintained under the Guernsey law of 1919 entitled *Loi Ayant Rapport à la Police Salariée pour L'Île Entière*,
- (b) the States of Jersey police force maintained under the Jersey law entitled *The Police Force (Jersey) Law 1951*, or
- (c) the Isle of Man Constabulary maintained under the *Police (Isle of Man) Act 1962* (an Act of Tynwald).

Deductions from pay of social security benefits

37.—(1) There shall be deducted from the pay of a constable the amount of any such social security benefit as is mentioned in paragraph (3) to which he is entitled.

(2) For the purposes of paragraph (1) a policewoman who, as a married woman or a widow, is liable to pay contributions at a reduced rate under section 5 of the Social Security Act 1975(a) shall be deemed to be entitled to any social security benefit mentioned in paragraph (3) to which she would have been entitled had she not so elected.

(3) The social security benefits referred to in this regulation are—

- (a) any sickness benefit under the Social Security Act 1975 together with any supplement thereto payable under section 14 of the said Act of 1975;
- (b) any invalidity pension or allowance payable under the said Act of 1975; and
- (c) any injury benefit under the Social Security Act 1975 together with any supplement thereto payable under schedule 6 to the said Act of 1975.

(4) For the purposes of this regulation, a constable shall be deemed to be entitled to such social security benefit as is mentioned in paragraph (3) notwithstanding that he had not claimed any such benefit in the prescribed manner if, he would otherwise be entitled thereto.

Calculation of monthly, weekly and daily pay

38.—(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 $52 \frac{1}{4}$ the annual rate.

(3) A day's pay shall be calculated, except for the purposes of regulations 22 and 23, at a daily rate determined by dividing by 7 the weekly rate, determined as aforesaid.

(4) In making any payment by way of pay a fraction of a penny shall be treated as a whole penny except that a fraction less than a half-penny shall be ignored.

Pay day

39.—(1) Constables shall be paid at such intervals as the police authority may fix and the police authority may fix different intervals for different classes.

(2) In fixing the interval for any class the police authority shall have regard to the wishes of the constables of that class.

PART V

ALLOWANCES AND OTHER EMOLUMENTS

Restriction on payment of allowances

40.—(1) No allowances shall be paid to a constable except as provided by these regulations or by the Discipline 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 constable in the execution of his duty, being expenses authorised either generally or specifically by the police authority in respect of which no allowance is payable under these regulations.

Restriction on payments for private employment of police

41. Without prejudice to the generality of regulation 40, a constable who is engaged on duty at the request of any person who has agreed to pay the police authority for the constable's services shall not be entitled to any payment for those services except as provided by these regulations; and any payments made in pursuance of that agreement shall be made by that person to the police authority.

Rent allowance

42.—(1) A constable who is not provided with a house or quarters free of rent and rates shall be paid a rent allowance which shall be either a maximum limit allowance or a flat-rate allowance:

Provided that—

- (a) a constable to whom regulation 43 applies who is provided with a house or quarters shall be paid a rent allowance in addition;
- (b) a woman constable shall not be paid a rent allowance if she is on unpaid maternity leave.

(2) Subject to paragraph (3), a maximum limit allowance—

- (a) shall be paid to a constable married to (but not separated from) a person who either—
 - (i) is not a constable,
 - (ii) is such a constable but is on unpaid maternity leave;
- (b) shall be paid to an unmarried constable or a constable separated from his spouse, who—
 - (i) has attained the age of 30 years,
 - (ii) has served for 5 years as a constable of that or any other police force, and
 - (iii) occupies as owner or tenant the accommodation in which he is living;
- (c) may, if the police authority think fit, be paid to a constable, not being a constable to whom sub-paragraph (a) or (b) applies who—
 - (i) has a dependent relative living with him,

- (ii) is separated from, or has divorced or been divorced by, his spouse,
or
 - (iii) is a widower or widow;
- and in all other cases a flat-rate allowance shall be paid.

(3) A maximum limit allowance shall not be payable—

- (a) to a constable who lives in accommodation in respect of which he makes no payment (by way of rent, rates or otherwise), or
- (b) to a constable who shares with another constable accommodation of which they are joint owners or tenants so, however, that this sub-paragraph shall not preclude the payment of a maximum limit allowance by virtue of sub-paragraph (ii) of paragraph (2)(a).

(4)(a) A maximum limit allowance payable to a constable shall not be less than a half of, nor more than, the maximum limit for his rank but, subject as aforesaid shall be the aggregate of the amount paid in rates and the amount of any rate rebate granted to him together with—

- (i) where the constable owns the house he occupies, the amount which in the opinion of the District Valuer would be paid in rent therefor if the house were let unfurnished,
- (ii) where the constable is living in unfurnished accommodation, the amount paid in rent therefor, or
- (iii) subject to sub-paragraph (a)(i), where the constable is living in furnished accommodation, an amount which in the opinion of the police authority would have been paid in rent therefor had the accommodation been unfurnished;

Provided that where part of the said house or part of the said accommodation is let to or occupied by a tenant or lodger, as the case may be, who is not a constable, the police authority may make a deduction from the said aggregate in respect of such part.

(b) The maximum limit shall be fixed by the police authority with the approval of the Secretary of State for each rank.

(5) A flat-rate allowance shall be an allowance equal to half the amount fixed as the maximum limit for constables of the same rank.

(6) Except where the constable's spouse or former spouse is a constable, a married constable who is separated from his spouse or a constable who has divorced, or been divorced by, his spouse, may if he regularly makes periodic payments to or for the benefit of his spouse or former spouse, be granted—

- (a) where he is in receipt of a rent allowance under paragraph (1), an addition to that rent allowance, or
- (b) where he is provided with a house or quarters free of rent and rates, a rent allowance,

equal to whichever is the lesser of the two following amounts, namely the amount by which his former allowance exceeds his present allowance or the amount paid by him to or for the benefit of his spouse or former spouse.

(7) In this regulation—

(a) the expression "his former allowance" means—

- (i) in relation to a constable who, immediately before his spouse commenced to live apart from him, was being provided with a

- house or quarters free of rent and rates, a sum fixed as the value for the time being of that house or those quarters;
- (ii) in relation to any other constable, the maximum limit allowance which would for the time being be payable to him if he were still entitled to such an allowance and the aggregate referred to in paragraph (4)(a) were unchanged since immediately before his spouse commenced to live apart from him;
- (b) the expression "his present allowance" means the rent allowance which is being paid to the constable under paragraph (1) or, as the case may be, a sum fixed as the value for the time being of the house or quarters with which he is provided;
 - (c) the expression "rates" means any rate, charge, or assessment, the proceeds of which are applicable to public local purposes and which are leviable on land and heritages and includes any rate in respect of water supply payable according to the net annual value of the house or quarters;
 - (d) the expression "rate rebate" means a rate rebate granted under a standard rate rebate scheme operated under regulations made by virtue of section 112 of the Local Government (Scotland) Act 1973 or a variation of such a scheme operating under section 114 of that Act;
 - (e) a reference to the provision of a house or quarters free of rent and rates is a reference to such provision by a police authority.

Supplementary rent allowance

43.—(1) This regulation shall apply to—

- (a) a constable, who—
 - (i) is a widower or widow with a child or children or is married,
 - (ii) is not living with his family, and
 - (iii) satisfies the police authority that the only reason why he is not so living is that he is unable to find suitable accommodation for his family at a reasonable cost within a reasonable distance of his place of duty;
- (b) a constable, other than such a constable as is mentioned in sub-paragraph (a), who is temporarily assigned to duties which, in the opinion of the chief constable, require him to live otherwise than in his former accommodation,

except that this regulation shall not apply to such a constable as is mentioned in sub-paragraph (b) for a continuous period exceeding 30 months unless the police authority, in the circumstances of the case, so determine, or in respect of any period for which he has not retained, or has let or sub-let, his former accommodation.

(2) Notwithstanding the provisions of regulation 42, the rent allowance to be paid to a constable to whom this regulation applies shall be that which would be payable under the said regulation 42—

- (a) in the case of such a constable as is mentioned in paragraph (1)(a), if he were a constable of the force of the police area in which his family are for the time being living and he were living with his family;
- (b) in the case of such a constable as is mentioned in paragraph (1)(b), if he had not been assigned to such duties as are there mentioned and had continued to occupy his former accommodation.

(3) A constable to whom this regulation applies shall be paid a supplementary rent allowance—

- (a) if he is living in quarters provided free of rent and rates, at the weekly rate of £3.870;
- (b) if he is not so living, at the weekly rate £3.870 higher than that of a flat-rate rent allowance payable under regulation 42 to a constable in the force of the police area in which he is for the time being serving.

(4) A supplementary rent allowance payable under paragraph (3) may be reduced or withdrawn by the police authority in respect of any period consisting of one or more complete weeks throughout which the constable in question is absent from his usual or temporary normal place of duty and is either—

- (a) on leave of absence; or
- (b) provided with board and lodging free of charge or an allowance in lieu.

Constable assigned to duty with the Scottish Crime Squad

44.—(1) This regulation shall apply to a constable who is assigned to duty with the Scottish Crime Squad established in pursuance of a collaboration agreement made under section 12 of the Police (Scotland) Act 1967.

(2) Where a constable to whom this regulation applies moves his home and the removal is in the opinion of the Scottish Crime Squad Committee of Chief Constables due to the exigencies of police duty or is made at the request of that Committee and is, in their opinion, in the interest of the efficiency of the Scottish Crime Squad, then notwithstanding the provisions of regulation 42, the rent allowance to be paid to him shall be that which would be payable to him under that regulation if he was a constable of the force of the police area in which his home is for the time being situate.

(3) Where a constable to whom this regulation applies does not move his home, then, regulation 43 shall have effect in relation to him—

- (a) as if for paragraph (1)(a)(iii) there were substituted the following provision:—
 - “(iii) in the opinion of the Scottish Crime Squad Committee of Chief Constables, is not so living for the sole reason that he could not conveniently return daily to the family home;”;
- (b) as if in paragraph (1)(b) for the words “chief constable” there were substituted the words “Scottish Crime Squad Committee of Chief Constables”;
- (c) as if in paragraph (1) for the words “30 months” there were substituted the words “24 months”;
- (d) as if for paragraph (2)(a) and (b) there were substituted the following provision:—
 - “if he were living with his family or, as the case may be, in his former accommodation.”;
- (e) as if in paragraph (3)(b) for the word “serving” there were substituted the word “living”.

(4) In this regulation any reference to the Scottish Crime Squad Committee of Chief Constables is a reference to the Scottish Crime Squad Committee of Chief Constables established under the collaboration agreement referred to in paragraph (1) or such one or more of the members of that Committee as the Committee may have designated to act on their behalf for the purposes of this regulation.

Compensatory grant

45.—(1) In each fiscal year, a constable of a police force, who, during the preceding fiscal year, has paid income tax for any year attributable to the inclusion of a rent allowance or compensatory grant in his emoluments in respect of service as a constable of that force shall be paid a compensatory grant.

(2) The amount of the compensatory grant made to a constable of a police force in any year shall be the amount by which the income tax in fact deducted from his emoluments in respect of service as a constable of that force during the preceding year, according to the tax tables prepared or prescribed by the Commissioners of Inland Revenue, is increased by the inclusion in such emoluments of a rent allowance or any compensatory grant.

(3) The compensatory grant may, except in the circumstances described in paragraph (4), be paid by such instalments throughout the year in which it is payable as the police authority may determine.

(4) Where, in the course of a fiscal year, a constable of a police force leaves the force or dies whilst serving therein, he or his personal representative, as the case may be, shall be paid the whole of the compensatory grant due to the constable during that year and, in addition, shall be paid a further compensatory grant equal to that which, had he not left the force or died, would have been due to him in a subsequent year by reason of income tax deducted from his emoluments while in fact a constable of the police force.

(5) For the purposes of the preceding provisions of this regulation—

- (a) the expression “year” or “fiscal year” means a year commencing on 6th April and ending on the following 5th April; and
- (b) where a constable of a police force has served more than once in the same force, references in this regulation to service in the force shall be construed as references to his service therein since his last appointment thereto.

Discharge of tax liability in respect of police house or quarters

46.—(1) Where a constable of a police force is provided with a house or quarters free of rent and rates and his liability to pay income tax for any year is increased—

- (a) in consequence thereof, by virtue of section 185 of the Income and Corporation Taxes Act 1970(a) or otherwise, or
- (b) in consequence of any payment required to be made by this regulation, that liability shall be discharged by the police authority in accordance with, and to the extent hereinafter provided in, this regulation.

(2) A constable of a police force shall be reimbursed the amount by which the income tax in fact deducted from his emoluments in respect of service as a constable of that force, according to the tax tables prepared or prescribed by the Commissioners of Inland Revenue, is increased—

- (a) in consequence of his being provided with a house or quarters free of rent and rates, or
- (b) in consequence of any payment under this regulation.

Removal allowance

47.—(1) Where a constable moves his home except as a consequence of joining the force otherwise than on being statutorily transferred thereto, 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, the police authority—

- (a) shall either reimburse the reasonably incurred cost of removal or carry out the removal;
- (b) shall, where the constable was the owner of his former home, reimburse expenses reasonably incurred by him in connection with the disposal thereof;
- (c) shall, where the constable 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, are 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 are of opinion that the constable could have acquired a suitable home for a consideration less than that actually paid, they 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) shall reimburse the constable his payments in connection with his former home by way of rates (within the meaning of regulation 42(7)) and mortgage interest or rent payable in respect of the first 13 weeks following the move up to an amount equal to that which would have been payable to him by way of rent allowance in respect of that period had he not moved but had continued to be entitled to a rent allowance payable at the rate at which such an allowance was payable immediately before the move so, however, that where the police authority are of opinion that the constable has not taken all reasonable steps to reduce or terminate his liability to make such payments as aforesaid they may restrict the reimbursement to payments which the constable would have been liable to make had he taken all such steps.

(2) Where a constable moves his home in consequence of his voluntarily transferring from one force to another, the police authority of the force to which he transfers—

- (a) may either reimburse the reasonable cost of removal or carry out the removal;
- (b) may, in the circumstances mentioned in paragraph (1)(b), reimburse the expenses there mentioned;
- (c) may, in the circumstances and subject to the conditions mentioned in paragraph (1)(c), reimburse the expenses there mentioned;
- (d) may, subject to the conditions mentioned in paragraph (1)(d), reimburse the expenses there mentioned.

(3) Where the cost of removal is reimbursed or the removal is carried out by the police authority under paragraph (1) or (2), then, subject to paragraph (4),

in respect of expenditure incidental to the move the police authority shall pay the constable an allowance of the amount hereinafter provided.

(4) An allowance under paragraph (3)—

- (a) shall not be payable, where a constable who has never been married moves from furnished accommodation;
- (b) shall only be payable if the chief constable so decides, where a constable moves from unfurnished into furnished accommodation.

(5) In the case of a constable who—

- (a) moves into furnished accommodation; or
- (b) moves into unfurnished accommodation but has not previously, while a constable, lived in such accommodation,

the amount of the allowance under paragraph (3) shall be £20.

(6) In the case of any other constable the amount of the allowance under paragraph (3) shall not exceed £250 nor be less than the minimum amount mentioned in paragraph (7) 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.

(7) The minimum amount referred to in paragraph (6) shall be—

- (a) where the constable holds, or is transferring to be appointed in, a rank higher than that of chief superintendent, such amount as may be determined by the police authority;
- (b) where he holds, or is transferring to be appointed in, the rank of superintendent, £95;
- (c) where he holds, or is transferring to be appointed in, the rank of inspector, £75;
- (d) where he holds, or is transferring to be appointed in, any rank lower than inspector, £60.

(8) In this regulation—

- (a) any reference to an owner, being an owner of property mentioned in this regulation, is a reference to an occupier thereof whose interest therein is either (i) that of proprietor of the dominium utile or, in the case of property not held on feudal tenure, that of proprietor thereof, or (ii) a leasehold interest which is neither an interest under a lease (which term includes sublease) from year to year or for a lesser period, or any other lease the unexpired period of which does not exceed a year, nor a furnished tenancy:

Provided that, in the case of property subject to a standard security as provided for by the Conveyancing and Feudal Reform (Scotland) Act 1970(a) or a heritable security constituted by *ex facie* absolute disposition or assignation, the person who, if the debt were discharged, would be

entitled to be vested in that property shall, for the purposes of this regulation, be treated as the proprietor or, as the case may be, as the tenant;

- (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 and expenses in connection with the discharge, redemption, transfer or taking out of a heritable security.

Uniform allowance

48. A chief constable or assistant chief constable who does duty in uniform but is not supplied with uniform by the police authority shall be paid in lieu a uniform allowance of an amount to be approved by the Secretary of State.

Women's stockings allowance

49. A woman constable who is not supplied with stockings or tights by the police authority shall be paid in lieu an allowance at such annual rate as shall be determined by the Secretary of State unless she is being paid either a uniform allowance under regulation 48 or a plain clothes allowance under regulation 50.

Plain clothes allowance

50.—(1) A 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 appropriate to his rank as shall be determined by the Secretary of State; and different rates shall be determined for the ranks of superintendent, inspector, sergeant and constable.

(2) An inspector, sergeant or constable of the rank of constable 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 appropriate to his rank as shall be determined by the Secretary of State; and different rates shall be determined for the ranks of inspector, sergeant and constable.

(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 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 complete 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 constable 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 duty and detective expenses allowances

51.—(1) This regulation shall apply to a constable of or below the rank of superintendent 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 constable of the rank of superintendent shall be paid a detective duty allowance at the rate of £471 a year.

(3) Such a constable below the rank of superintendent shall be paid a detective expenses allowance at the rate of £1 a week.

Refreshment, subsistence and lodging allowances

52.—(1) A constable of or below the rank of superintendent who, being retained on duty beyond his normal daily period of duty or being engaged on duty away from his usual place of duty, necessarily incurs additional expense to obtain food or lodging, shall—

- (a) if the period for which he is so retained or engaged exceeds one hour but does not exceed 5 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;
- (c) if the said expense includes the expense of obtaining lodging, be paid a lodging allowance.

(2) A constable of or below the rank of superintendent who satisfies the chief constable that during his normal daily period of duty he was, although not away from his usual place of duty, unable by reason of the exigencies of duty to obtain his meals in his usual way and that he necessarily incurred additional expense for the purpose may be paid a refreshment allowance.

(3) Where the place of duty of a constable has been temporarily changed, the expression in this regulation “usual place of duty” shall, after such period from the date of change as the chief constable may determine, mean the temporary place of duty.

(4) A refreshment, subsistence or lodging allowance shall be of an amount determined in accordance with Schedule 4.

Advances to cover expenses when away on duty

53. Where a constable of or below the rank of inspector is required to do duty away from his usual place of duty he shall be given 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 opinion that the duties normally performed by a constable of a police force are of such a nature that it is—

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

that the constable in question should, at all material times, have a motor vehicle at his disposal, he may authorise that constable to use (subject to his directions) a motor vehicle owned by the constable for the purposes of duties performed by him and, subject as hereinafter provided, in respect of such use the constable 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 constable concerned was willing to carry passengers for the purposes of the duties performed by him or, in the case of passengers being constables, by those constables.

(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 referred to in paragraph (1)(a), at the essential user's rate;

(b) where the chief constable is of the opinion referred to in paragraph (1)(b), at the casual user's rate,

as provided in Schedule 5:

Provided that where the constable concerned holds the office of deputy chief constable or the rank of assistant chief constable or above he may instead be paid a flat rate motor vehicle allowance at such annual rate as is determined by the police authority with the approval of 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 are approved by the Secretary of State.

(6) In relation to a chief constable this regulation shall have effect as if any reference therein to the chief constable were a reference to the police authority.

(7) Paragraph 6 of Schedule 5 shall have effect for the purposes of the interpretation of this regulation.

Bicycle allowance

55.—(1) Where a constable is authorised by the chief constable to use a bicycle owned by him for the purposes of duties normally and from time to time performed by him, he shall in respect of such use be paid a bicycle allowance in accordance with Schedule 6.

(2) In this regulation the expression "bicycle" does not include a motor bicycle, that is to say a mechanically propelled bicycle (including a motor scooter and a bicycle with an attachment for propelling it by mechanical power) and a reference to a bicycle owned by a constable is a reference to a bicycle kept and used by him.

Typewriter allowance

56.—(1) Where a constable is authorised by the chief constable to use a typewriter owned by him for the purposes of duties normally and from time to time performed by him, he shall, in respect of such use, be paid a typewriter allowance in accordance with Schedule 7, and the police authority shall supply him with typewriter ribbons free of charge.

(2) In this regulation a reference to a typewriter owned by a constable is a reference to a typewriter kept and used by him.

Dog handler's allowance

57.—(1) Where a dog owned by the police authority is kept and cared for by a constable of a police force at his home, the constable shall be paid a dog handler's allowance in respect of the care accorded to the dog on the constable'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 constable of a police force 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

58. The police authority shall reimburse a constable any charges incurred in his case under section 40 of the National Health Service (Scotland) Act 1947^(a), under section 1 of the National Health Service Act 1951^(b), or under section 1 or 2 of the National Health Service Act 1952^(c) (which sections relate to charges for certain drugs, medicines and appliances and for dental treatment).

Special area undermanning allowance

59.—(1) A constable of a police force for a special area within the meaning of paragraph (3), being a constable below the rank of superintendent, shall be paid an undermanning allowance—

- (a) in the case of an inspector, at the rate of £45 a year;
- (b) in the case of a sergeant, at the rate of £65 a year;
- (c) in the case of a constable of the rank of constable, at the rate of £30 a year or, if he has completed 3 years of service, at the rate of £65 a year.

(2) A constable shall be entitled to reckon for the purposes of this regulation the service which he is entitled to reckon for the purposes of his scale of pay.

(3) The reference in paragraph (1) to a special area is a reference to any police area which is for the time being designated by the Secretary of State a special area for the purposes of this regulation.

Extra duty allowance

60.—(1) A constable required to undertake any of the following extra duties may receive an extra duty allowance, to be payable by the authority for which the duties are undertaken, if the police authority are satisfied that the performance of such extra duties causes, either regularly or on recurring occasions, a material addition to his normal hours of duty—

- (a) duties of inspector under the Diseases of Animals Act 1950^(d), and making of returns in relation thereto;
- (b) inspection of premises for the purposes of the Explosives Acts 1875 and 1923^(e).

(2) In respect of all other extra duties, no allowance shall be payable other than the allowance or payment (if any) to which a constable would normally be entitled as provided in these regulations.

Temporary duty allowance

61.—(1) A constable of the rank of superintendent, other than a constable holding the office of deputy chief constable whose pay is for the time being increased under regulation 30(3), who is required for a continuous period exceeding 7 days to perform duties normally performed by a constable of a higher rank than his own, except when that other constable is unable to perform those duties by reason of the absence on a public holiday or monthly rest day of himself

(a) 1947 c. 27.
(d) 1950 c. 36.

(b) 1951 c. 31.
(e) 1875 c. 17; 1923 c. 17.

(c) 1952 c. 25.

or any other constable, shall be granted in respect of that period, other than the first 7 days thereof, a temporary duty allowance at a rate equal to the difference between his rate of pay and the lowest rate of pay for that higher rank.

(2) A constable below the rank of superintendent who, in any year, has been required to perform duties normally performed by a constable of a higher rank than his own for 14 days shall be granted, in respect of each further day in that year on which he is required to perform such duties, a temporary duty allowance at a rate equal to the difference between his rate of pay and the lowest rate of pay for that higher rank.

(3) For the purposes of this regulation—

(a) the expression “year” means a period of 12 months beginning on 1st April; and

(b) the expression “day” means, in relation to a constable below the rank of superintendent, his normal daily period of duty.

Promotion examination allowance

62.—(1) A constable who on or after 1st January 1961 has taken an examination or paper in consequence of which he obtains a pass in the qualifying examination held under the Police (Promotion) (Scotland) Regulations 1968(a) as amended(b), for promotion from the rank of constable to the rank of sergeant shall be paid a constable’s promotion examination allowance of £45 unless he has previously obtained, or been deemed to have obtained, a pass in the qualifying examination held under the Promotion Regulations for promotion from the rank of constable to the rank of sergeant, or has, while serving in a police force, service in which may be reckonable as pensionable service for the purposes of the Police Pensions Regulations, received a payment for passing the examination which qualifies him for promotion to the rank of sergeant in that police force.

(2) A constable who on or after 1st January 1961 has taken an examination or paper in consequence of which he obtains a pass in the qualifying examination held under the Police (Promotion) (Scotland) Regulations 1968 as amended for promotion from the rank of sergeant to the rank of inspector shall be paid a sergeant’s promotion examination allowance of £45 unless he has previously obtained a pass in the qualifying examination held under the Promotion Regulations for promotion from the rank of sergeant to the rank of inspector, or has, while serving in a police force, service in which may be reckonable as pensionable service for the purposes of the Police Pensions Regulations, received a payment for passing the examination which qualifies him for promotion to the next rank above sergeant in that police force.

(3) Where an overseas policeman, a central police officer or a member of the Royal Ulster Constabulary enjoying a right of reversion to a home police force has, while serving as such, qualified for a promotion examination allowance under paragraph (1) or (2), he shall be paid such an allowance on exercising his right of reversion to his police force under section 2(1) of the Police (Overseas Service) Act 1945, section 38(1) of the Police (Scotland) Act 1967, or, as the case may be, section 2(1) of the Police Act 1969.

(4) An allowance payable under paragraph (1) or (2) shall be payable by the police authority of the police force of which the constable concerned was a constable when he took the examination or paper referred to in the paragraph in question, and an allowance payable under paragraph (3) shall be payable by the police authority of the police force to which the constable concerned reverts.

(a) S.I. 1968/717 (1968 II, p. 2070).

(b) S.I. 1971/344 (1971 I, p. 1087).

Allowance for recurring escort duty, etc.

63. An allowance may be paid, of such amount and under such conditions as may be approved 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 a constable is ill

64. If a constable who is regularly in receipt of a plain clothes allowance, detective duty 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 one month, but thereafter, during the remainder of his or her absence from duty, payment may be suspended at the discretion of the chief constable.

University scholars

65. This part of these regulations shall have effect in relation to a university scholar subject to the provisions of paragraph 4 of Schedule 9.

PART VI

HOUSING, UNIFORM AND EQUIPMENT

Provision of house or quarters

66. A constable who is not paid a rent allowance under regulation 42(1) shall be provided with a house or quarters free of rent and rates:

Provided that—

- (a) a constable to whom regulation 43 applies may be provided with quarters as aforesaid notwithstanding that he is paid a rent allowance under regulation 42(1) as modified by regulation 43(2);
- (b) a woman constable shall not be provided with a house or quarters if she is on unpaid maternity leave;
- (c) a constable married to (but not separated from) a constable who is provided with a house or quarters shall not be so provided.

Issue of uniform and equipment

67.—(1) Uniform and equipment shall be issued by the police authority free of charge to constables of the rank of superintendent and below in accordance with the provisions of Schedule 8.

(2) Uniform and equipment may, if the police authority so determine, be issued as required to a constable above the rank of superintendent.

Ownership of uniform and equipment

68. Subject to regulation 69, the uniform and equipment issued by a police authority shall not become the property of the constable 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

69. On any article of uniform or equipment (except trousers) being replaced by the police authority the article shall be handed back to the police authority unless the constable, with the consent of the police authority, buys such article at a price to be fixed by the police authority.

Re-issue of uniform and equipment

70. Uniform and equipment handed back to the police authority shall not be re-issued to another constable until it has received any necessary cleaning or renovation and is in serviceable condition.

Footwear

71. Every constable shall be in possession of 2 pairs of boots or shoes suitable for duty.

PART VII
SUPPLEMENTAL

Revocations, amendments and transitional provisions

72.—(1) The regulations set out in Schedule 11 are, insofar as not already revoked, hereby revoked.

(2) Section 38 of the Interpretation Act 1889 shall apply as if these regulations were an Act of Parliament and as if any regulations revoked by these regulations were Acts of Parliament repealed by an Act of Parliament.

(3)—(a) Paragraph (3) of regulation 1 of the Police (Discipline) (Scotland) Regulations 1967^(a) shall be amended to read as follows:—

“(3) Any reference to the Police (Scotland) Regulations 1976 shall be construed as a reference to those Regulations as amended by any other Regulations.”;

(b) Paragraph (4) of regulation 14 of the Police (Discipline) (Scotland) Regulations 1967 shall be amended to read as follows:—

“(4) Subject to the provisions of paragraph (6), a constable suspended from duty who—

(a) has been found guilty of a criminal offence, or

(b) has absented himself from duty and whose whereabouts are unknown to the deputy chief constable,

shall not in respect of any period of imprisonment or, as the case may be, in respect of the period during which his whereabouts are unknown to the deputy chief constable, be entitled to pay under the Police (Scotland) Regulations 1976.”;

(c) Paragraph (5) of regulation 14 of the Police (Discipline) (Scotland) Regulations 1967 shall be amended to read as follows:—

“(5) Subject to the provisions of paragraph (6), a constable suspended from duty shall not in respect of the period of suspension be entitled to any allowances under the Police (Scotland) Regulations 1976 except a rent allowance, a supplementary rent allowance, compensatory grant or special area undermanning allowance.”;

(d) Paragraph (6) of regulation 14 of the Police (Discipline) (Scotland) Regulations 1967 shall be amended to read as follows:—

“(6) Where a constable who, having been suspended from duty, returns to duty and—

(a) it has been decided that he shall not be charged with a disciplinary offence, or

(a) S.I. 1967/1021 (1967 II, p. 3091).

- (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 for a period of less than 12 months, fine, reprimand or caution,

he shall receive, for the period of his suspension, the pay to which, but for the provisions of paragraph (4), and the allowances to which, but for the provisions of paragraph (5), he would have been entitled by virtue of the Police (Scotland) Regulations 1976.”;

(e) Paragraph (7) of regulation 14 of the Police (Discipline) (Scotland) Regulations 1967 shall be amended to read as follows:—

“(7) The Police (Scotland) Regulations 1976 and these Regulations shall apply to a constable suspended from duty.”;

(f) Paragraph (4) of regulation 38 of the Police (Discipline) (Scotland) Regulations 1967 shall be amended to read as follows:—

“(4) Subject to the provisions of paragraph (6), a chief constable suspended from duty who—

- (a) has been found guilty of a criminal offence, or
- (b) has absented himself from duty and whose whereabouts are unknown to the police authority,

shall not in respect of any period of imprisonment or, as the case may be, in respect of the period during which his whereabouts are unknown to the police authority, be entitled to pay under the Police (Scotland) Regulations 1976.”;

(g) Paragraph (5) of regulation 38 of the Police (Discipline) (Scotland) Regulations 1967 shall be amended to read as follows:—

“(5) Subject to the provisions of paragraph (6), a chief constable suspended from duty shall not in respect of the period of suspension be entitled to any allowances under the Police (Scotland) Regulations 1976 except a rent allowance, a supplementary rent allowance or compensatory grant.”;

(h) Paragraph (6) of regulation 38 of the Police (Discipline) (Scotland) Regulations 1967 shall be amended to read as follows:—

“(6) Where a chief constable who, having been suspended from duty, returns to duty 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 reprimand or caution,

he shall receive, for the period of his suspension, the pay to which, but for the provisions of paragraph (4), and the allowances to which, but for the provisions of paragraph (5), he would have been entitled by virtue of the Police (Scotland) Regulations 1976.”;

(i) Paragraph (7) of regulation 38 of the Police (Discipline) (Scotland) Regulations 1967 shall be amended to read as follows:—

“(7) The Police (Scotland) Regulations 1976 and these Regulations shall apply to a chief constable suspended from duty.”;

(j) Sub-paragraph (b) of paragraph 2 of the Discipline Code as set out in

Schedule 1 to the Police (Discipline) (Scotland) Regulations 1967 shall be amended to read as follows:—

“(b) contravention of regulation 5 of, or Schedule 1 to, the Police (Scotland) Regulations 1976.”;

(4) Paragraph (4)(c) of rule 3 of the Police (Appeals) (Scotland) Rules 1969(a) shall be amended to read as follows:—

“(c) a certified copy of the personal record of the appellant as provided for in the Police (Scotland) Regulations 1976, and”.

(5) In paragraph (2) of regulation 1 of the Police (Promotion) (Scotland) Regulations 1968(b) for the words “‘service’ includes service as a reversionary member of a home police force or as a central police officer but does not include any period of unpaid maternity leave within the meaning of the Police (Scotland) Regulations 1972;” there shall be substituted the words “‘service’ includes service as a reversionary member of a home police force or as a central police officer but does not include any period of unpaid maternity leave within the meaning of the Police (Scotland) Regulations 1976;”.

(6) Any appointment, deduction, payment, application, grant, election or publication made, or approval, authorisation, direction, consent, certificate or notice given, or any record or list kept, or any examination passed, or any rank adopted, or any uniform or equipment issued, 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 regulation revoked by these regulations shall not be invalidated by the revocation effected by paragraph (1), but shall insofar as it could have been made, given, kept, passed, adopted, issued, worked, fixed or done under a provision of these regulations have effect as if it had been made, given, kept, passed, adopted, issued, worked, fixed or done under that provision.

Bruce Millan,
One of Her Majesty's Principal Secretaries
of State.

New St. Andrew's House,
Edinburgh.
5th July 1976.

Regulation 4

SCHEDULE 1

RESTRICTIONS ON THE PRIVATE LIFE OF CONSTABLES

1. A constable 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 constable shall not take any active part in politics.
2. The place at which a constable resides shall be subject to the approval of the appropriate disciplinary authority.
- 3.—(1) A constable shall not, without the previous consent of the appropriate disciplinary authority, receive a lodger in any house or quarters with which he is provided by the police authority or sub-let any part of any such house or quarters.
(2) A constable shall not, unless he has previously given written notice to the appropriate disciplinary authority, receive a lodger in a house in which he resides and in respect of which he receives a rent allowance or sub-let any part of such a house.
4. A constable shall not wilfully refuse or neglect to discharge any lawful debt.

Regulation 26

SCHEDULE 2

ANNUAL LEAVE

1.—(1) Subject to regulation 26 and the provisions of this Schedule, every constable shall be granted in each leave year the period of annual leave set out opposite the rank he holds in the following Table—

- (a) where he has completed less than 10 years' relevant service, in the second column thereof;
- (b) where he has completed 10 but has not completed 17 years' relevant service, in the third column thereof;
- (c) where he has completed 17 or more years' relevant service, in the fourth column thereof.

TABLE

Rank	Annual Leave		
	Under 10 years' relevant service	10 or more years' relevant service	17 or more years' relevant service
Constable	Days 18	Days 21	Days 23
Sergeant	20	23	23
Inspector	23	26	26
Chief Inspector	26	29	29
Superintendent	30	30	30
Any rank higher than that of Superintendent	Not less than 42	Not less than 48	Not less than 48

(2) This paragraph shall have effect in relation to a constable holding the rank of superintendent who, on 1st April 1973—

- (a) held that rank, and
- (b) had completed 10 or more years' relevant service,

as if each of the periods of leave set out in the above Table were increased by 6 days.

2. In the leave year in which a constable of a police force is appointed to, is promoted in, or retires from the force or completes 10 years' or, being of the rank of constable, completes 17 years' relevant service, his annual leave shall be calculated at the rate of one-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 constable is promoted or completes 10 years' or 17 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, completed 10 years' or 17 years' relevant service at the beginning of that month's service.

3. Notwithstanding anything in paragraphs 1 and 2, where the chief constable is satisfied that, in any leave year, the grant to, or taking by, a constable of or below the rank of superintendent of the full period of annual leave specified in those paragraphs has been prevented by the exigencies of duty or otherwise, then the chief

constable may, in his discretion and subject to the exigencies of duty, grant to the constable, during the first 2 months of the following leave year, additional days of annual leave not exceeding the number of days not granted or taken so, however, that a chief constable shall not exercise his discretion so as to grant more than 6 additional days of annual leave to a constable unless he is satisfied that there are exceptional circumstances and it is in the interests of efficiency so to do.

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

“leave year” means that period of 12 months beginning on such date as may from time to time be determined by the chief constable;

“relevant service” means any service which the constable concerned is entitled to reckon for the purposes of his scale of pay together with any service which he was previously so entitled to reckon—

(a) in the case of a constable below the rank of superintendent, in any lower rank;

(b) in any other case, in the rank of superintendent or any higher rank; except that relevant service shall not include any such service as is mentioned in regulations 33 or 36.

(2) Where a member of an aerodrome constabulary has been transferred to a police force by an order under section 6 of the Policing of Airports Act 1974(a) 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 a police force.

Regulation 30

SCHEDULE 3

SCALES OF PAY

PART I

1.—(1) The annual pay of a constable holding a rank referred to in the following Table shall, subject to regulation 31 (supplementary pay), be determined in accordance with the scale set out in Table A:—

TABLE A

Rank	Before completing 1 year of service in the rank	After 1 year of service in the rank	After 2 years of service in the rank	After 5 years of service in the rank	After 6 years of service in the rank
Chief Inspector	a year £ 4,341	a year £ 4,551	a year £ 4,761	a year £ 4,974	a year £ 4,974
Inspector ..	3,678	3,879	4,083	4,287	4,287
Sergeant ..	3,138	3,309	3,480	3,480	3,651

(2) Where a member holding the rank of chief inspector, inspector or sergeant was promoted to, or appointed in, that rank on a date ("the relevant date") falling on or after 2nd September 1974 and—

- (a) in the case of a chief inspector he last served before the relevant date in the rank of inspector and had 5 or more years' reckonable service therein;
- (b) in the case of an inspector, he last served before the relevant date in the rank of sergeant and had 6 or more years' reckonable service therein;
- (c) in the case of a sergeant, he last served before the relevant date in the rank of constable and had 15 or more years' reckonable service therein, then his annual pay for the rank he holds shall be determined as if he had an additional year's service therein.

In this sub-paragraph any reference to a member's reckonable service in any rank is a reference to the service reckonable for the purposes of his scale of pay in the rank, including any additional service reckonable by virtue of this sub-paragraph, paragraph 2(5) or otherwise.

2.—(1) The annual pay of a man or woman holding the rank of constable shall, subject to regulation 31 and as hereinafter provided, be determined in accordance with the scales set out in the following Table B.

(2) The annual pay of a constable shall be determined by reference to his reckonable service in accordance with the standard scale set out in the second column of the Table except that this sub-paragraph shall not apply where he was serving as a constable immediately before 1st May 1971 and has so served continuously on or after that date; and in such case his annual pay shall be determined in accordance with sub-paragraph (3).

(3) Where sub-paragraph (2) does not apply, the annual pay of a constable shall be determined by reference to his reckonable service in accordance with the transitional scale, appropriate to his age on the date on which he became a constable, set out in the third, fourth, fifth or sixth column of the Table:

Provided that in a case in which the provisions of sub-paragraph (4) or of sub-paragraph (5) apply, this sub-paragraph shall have effect subject to the provisions in question.

(4) The provisions of this sub-paragraph shall apply in the case of a person who has not served continuously as a constable since he first became a constable and in such case the person shall be treated for the purposes of sub-paragraph (3) and the transitional scales set out in the Table as if he had become a constable on such date that, if he had served continuously as a constable, he would have the same reckonable service as he in fact has.

(5) The provisions of this sub-paragraph shall apply in the case of a person who has served continuously as a constable since he first became a constable unless his period of reckonable service began—

- (a) on a birthday;
- (b) after 1st March 1967, if he had attained the age of 22 years before his period of reckonable service began, or
- (c) on or before 1st March 1967, if he had attained the age of 22 years on or before that date and—
 - (i) had not completed a year's, or 2 or 3 years', reckonable service on a day in the year ending immediately before that date, being a day falling after his birthday in that year, or
 - (ii) had not completed a year's reckonable service or had completed 4 or more years' reckonable service on or before 1st March 1967;

and a person to whom this sub-paragraph applies who has had one or more birthdays falling within his period of reckonable service shall be treated for the purposes of sub-paragraph (3) and the transitional scales set out in the Table as if he had completed a year of such service on the date of his first birthday falling within that period.

(6) For the purposes of this paragraph—

- (a) any reference to a person's reckonable service is a reference to his service reckonable for the purposes of his scale of pay;
- (b) any reference to a person's birthday is a reference to an anniversary of the day of his birth, and
- (c) in determining whether or not a person has served continuously as a constable there shall be disregarded any break in service occurring on transfer from one police force to another or which ends with the person exercising a statutory right of reversion to his police force.

TABLE B

Reckonable or adjusted service	Standard scale of annual pay	Transitional scales of annual pay			
		Aged 18½ on entry	Aged 20 on entry	Aged 21 on entry	Aged 22 or over on entry
Before completing 1 year of service . .	£ 2,202	£ 2,202	£ 2,256	£ 2,343	£ 2,442
After 1 year of service	2,316	2,316	2,355	2,451	2,535
After 2 years of service	2,544	2,544	2,544	2,661	2,727
After 3 years of service	2,661	2,661	2,661	2,772	2,772
After 4 years of service	2,772	2,772	2,772	2,772	2,772
After 6 years of service	2,772	2,772	2,772	2,772	2,889
After 7 years of service	2,772	2,772	2,772	2,889	2,889
After 8 years of service	2,889	2,889	2,889	2,889	2,889
After 12 years of service	3,003	3,003	3,003	3,003	3,003
After 15 years of service	3,120	3,120	3,120	3,120	3,120

Regulation 31

PART II

SUPPLEMENTARY PAY

1. The annual pay of a constable holding a rank referred to in the first column of the following Table C, determined in accordance with Part I of this Schedule shall be increased as hereinafter provided.

2. The increase shall be determined by reference to the person's basic annual pay, this is to say by reference to his annual pay determined in accordance with Part I of this Schedule, and the amount of the increase shall be that specified in the third column of the following Table C opposite the amount of his basic annual pay.

TABLE C

Rank	Basic annual pay	Supplementary annual pay
Chief Inspector	£ 4,341	£ 273
	4,551	285
	4,761	300
	4,974	312
Inspector	3,678	282
	3,879	297
	4,083	312
	4,287	327
Sergeant	3,138	264
	3,309	279
	3,480	294
	3,651	309
Constable	2,202	198
	2,256	204
	2,316	210
	2,343	213
	2,355	213
	2,442	222
	2,451	222
	2,535	231
	2,544	231
	2,661	240
	2,727	246
	2,772	252
	2,889	261
3,003	273	
3,120	282	

Regulation 52

SCHEDULE 4

Refreshment, subsistence and lodging allowances

1.—(1) Subject as hereafter in this Schedule provided, the amount of subsistence, refreshment or lodging allowance payable under Regulation 52 shall be in accordance with such scale appropriate to the rank of the constable concerned as shall be determined by the Secretary of State; and separate scales shall be determined for constables of the rank of superintendent and for constables 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 total 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 the chief constable is satisfied in any particular case that the amount of the allowances calculated in accordance with paragraphs 1 and 2 would be excessive having regard to the additional expenses necessarily incurred, he may direct that the amount of the allowances shall be reduced to such an amount as he determines, not being less than the amount of such expenses.

5. If in any particular case or class of cases the period of retention or engagement on duty exceeds one week and the chief constable is satisfied that the amount of the allowances calculated in accordance with paragraph 1 would be excessive, he may direct that there shall be granted in lieu thereof a weekly allowance at such lower rate as may be necessary to cover the reasonable expenses of the constable concerned.

6. If a constable below the rank of superintendent is required during any period to accompany a constable 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 5

MOTOR VEHICLE ALLOWANCES IN RESPECT OF MOTOR CARS

1. Subject as hereinafter provided, the amount of a motor vehicle allowance shall be the standard amount calculated by reference to Table A or C except that it shall be the abated amount calculated by reference to Table B where it falls to be calculated by reference to completed months of authorised use beginning, or mileage of authorised use performed, at a time that the constable concerned was—

- (a) provided with a garage free of rent and rates, or
- (b) in receipt of a maximum limit rent allowance which was less than the maximum limit applicable in his case and the house or accommodation occupied by him included a garage;

and references in paragraph 2 or 3 of the appropriate Table shall be construed accordingly.

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) a fixed element calculated, by reference to the number of completed months comprised in the period of authorised use in that year, at the annual rate set opposite the cylinder capacity of the motor car in question in the second column of Table A or B, as may be appropriate or, in the case of a motor car of a cylinder capacity of 1,750 cc or more, at such annual rate as is approved by the Secretary of State, and
- (b) a mileage element calculated, in relation to the first 7,200 miles of authorised use in that year, at the basic rate so set out in the third column of the said Table and, in relation to any further authorised use in that year, at the reduced rate so set out in the fourth column of the said Table or, in the case of a motor car of a cylinder capacity of 1,750 cc or more, at such basic and reduced rates, respectively, as are approved by the Secretary of State.

(2) 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 arrears, as the police authority may determine; but when the amount of the allowance for that year is finally calculated, any overpayment shall be recoverable.

(3) Where in any year a motor vehicle allowance is payable at the essential user's rate to a constable and he is on sick leave, or the motor car in question is out of order, for a continuous period of 4 or more weeks in that year the allowance shall be reduced by such amount as the police authority, with the approval of the Secretary of State, determines to be appropriate in all the circumstances.

(4) 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 (1)(b) shall have effect as if for the reference to 7,200 miles 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 the rate set out opposite the cylinder capacity of the motor car in question in the second column of Table C or, in the case of a motor car of a cylinder capacity of 1,750 cc or more, at such rate as is approved by the Secretary of State; except that, where the amount of the allowance would be less if it were payable 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 constable 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 cc as the chief constable, with approval of the police authority, has determined to be appropriate for use for the purposes of the duties normally performed by the constable concerned.

SCHEDULE 5—*continued*

5. The amount of a motor vehicle allowance payable to a constable may be increased by such amount as is approved by the Secretary of State in circumstances to be determined by the Secretary of State where exceptional expense is incurred by the constable in the authorised use of a motor vehicle owned by him.

6.—(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 constable of a police force concerned for the purposes of his duties as a constable of that force or, where he has been statutorily transferred from one force to another force, as a constable of either of those forces, and “period of authorised use” means the period during which such use is so authorised;

“cylinder capacity” means the cylinder capacity of the engine of a vehicle calculated in accordance with the regulations from time to time in force under the Vehicles (Excise) Act 1971(a);

*“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 12 months beginning on 1st May and a reference to a motor vehicle owned by a constable is a reference to such a vehicle kept and used by him.

(2) For the purposes of this Schedule any reference to Tables A, B or C, is a reference to the Table so designated for these purposes as shall be determined hereafter by the Secretary of State or, as respects a period before 13th August 1976 as shall have been prescribed by him under Section 26 of the Police (Scotland) Act 1967.

7.—(1) Where in any year a change is made in Tables A, B or C, with effect from a date specified by the Secretary of State (hereinafter referred to as the “specified date”) then, unless the specified date is 1st May, as respects that year a motor vehicle allowance shall be calculated subject to the provisions of this paragraph.

(2) So far as the allowance falls to be calculated by reference to completed months of authorised use ending, or mileage of authorised use performed, on or after the specified date, it shall be calculated by reference to the changed Tables but, save as aforesaid, the allowance shall be calculated as if the Tables had not been changed.

SCHEDULE 6

BICYCLE ALLOWANCE

1. Subject as hereafter in this Schedule provided, the amount of a bicycle allowance shall be calculated by reference to the duration of the authority given for the purposes of regulation 55 at the rate of £17 a year:

Provided that the amount of the allowance payable to a constable in any year shall not be less than £4.250.

2. The allowance shall be payable quarterly or at such shorter intervals as the police authority may determine in advance or in arrears, as they may determine; but where payment is made in advance any overpayment shall be recoverable.

Regulation 56

SCHEDULE 7

TYPEWRITER ALLOWANCE

1. The amount of a typewriter allowance shall be calculated by reference to the duration of the authority given for the purposes of regulation 56 at a rate determined by the police authority not exceeding £4 a year.
2. The allowance shall be payable quarterly or at such shorter intervals as the police authority may determine in advance or in arrears, as they may determine; but where payment is made in advance, any overpayment shall be recoverable.

Regulation 67

SCHEDULE 8

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 modification approved by the Secretary of State:

Provided that—

(1) where particular duties or the duties of a particular constable entail greater or less wear than normal the issue of any article of uniform may be made as required;

(2) the chief constable's uniform shall be supplied on appointment and renewed on requisition:—

TABLES

MEN

Article	Issue	Period of wear	Number in possession
Jacket	1 annually	4 years	4
Trousers	2 pairs annually	2 years	4 pairs
Greatcoat	As required	—	1 or 2 as may be determined by the police authority
Raincoat	As required	—	2
Cap	As required	—	2
Collar-attached white shirts	4 annually	—	—
Ties	2 annually	—	—
Long-sleeved pullover or jersey	As required	—	2

WOMEN

Article	Issue	Period of Wear	Number in Possession
Jacket	1 annually	4 years	4
Skirt	2 annually	2 years	4
Greatcoat	As required	—	1 or 2 as may be determined by the police authority
Raincoat	As required	—	2
Head-dress	As required	—	2
Collar-attached white shirts	4 annually	—	—
Ties	2 annually	—	—
Shoulder bag	As required	—	—
Long-sleeved pullover or jersey	As required	—	2

SCHEDULE 8—*continued*

2. Men on appointment shall be supplied with 2 jackets, 2 pairs of trousers, 2 raincoats, 6 shirts, 2 ties and 1 of each of the other articles mentioned in the Table relating to men and shall not, in the case of any article except raincoats, be required to have the number specified in the last column of that Table in their possession until after the second (or in the case of jackets the third) issue of such articles.

3. Women on appointment shall be supplied with 2 jackets, 2 skirts, 2 raincoats, 6 shirts, 2 ties and 1 of each of the other articles mentioned in the Table relating to women and shall not, in the case of any article except raincoats, be required to have the number specified in the last column of that Table in their possession until after the second (or in the case of jackets the third) issue of such articles.

4. Uniform or equipment issued by the police authority which is lost or damaged otherwise than owing to the constable'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 constable.

5. Clothing for particular duties such as mounted duty, cycling, driving of vehicles, or stable duty shall be issued as required.

6. Where, in the case of women constables, stockings or tights are provided by the police authority for the purposes of duty the issue shall be at the rate of 24 pairs annually.

7. Issues of equipment shall be made as circumstances require and may include the issue of the following articles:—

- Baton
- Button brushes and button stick
- Cape
- Cape strap and sling
- Detachable fleece or woollen raincoat lining
- Gloves
- Handcuffs
- Haversack or kitbag
- Lamp
- Waterproof leggings
- Overalls
- Pocket Notebook
- Waist-belt
- Warrant card
- Waterproof cape
- Whistle and chain.

SCHEDULE 9

UNIVERSITY SCHOLARS

1. In this Schedule a reference to a university scholar is a reference to a constable of a police force nominated for a course of university study by the police authority maintaining the force of which he is a constable in pursuance of arrangements in that behalf approved by the Secretary of State and, in relation to such a constable, 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. Regulations 21, 22 and 23 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 £275 a year and his rate of pay, determined in accordance with regulations 30 and 31 and Schedule 3, shall be increased accordingly.

4.—(1) Where a university scholar moves his home and the removal is in the opinion of the police authority due to his having undertaken his course, then, notwithstanding the provisions of regulation 42, the rent allowance to be paid to him shall be that which would be payable to him under that regulation if he was a constable of the force of the police area in which his home is for the time being situate.

(2) Where a university scholar does not move his home, then, regulation 43 shall have effect in relation to him for the duration of his course—

(a) as if for paragraph (1)(a)(iii) there were substituted the following provision:—

“(iii) satisfies the police authority that the only reason why he is not so living is that he could not, without detriment to his studies, return daily to the family home.”;

(b) as if for paragraph (1)(b) there were substituted the following provision:—

“(b) a constable, other than such a constable as is mentioned in subparagraph (a), who satisfies the police authority that the only reason why he is not living in his former accommodation is that he could not, without detriment to his studies, return daily thereto.”;

(c) as if for paragraph (2)(a) and (b) there were substituted the following provision:—

“if he were living with his family or, as the case may be, in his former accommodation.”;

(d) where the scholar is a widower or widow with a child or children or is married and, if he were a constable of the force of the police area in which he is for the time being living and entitled to a flat-rate allowance under regulation 42, that allowance should be payable at a higher rate than £3.870 a week, as if for the reference in paragraph (3)(b) to the rate of £3.870 a week there were substituted a reference to that higher rate.

(3) 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 47 shall have effect in his case as if the removal were such as is mentioned in paragraph (1) thereof.

Regulation 57

SCHEDULE 10

DOG HANDLER'S ALLOWANCE

- 1.—(1) Subject as hereinafter provided, a dog handler's allowance shall be payable—
- (a) in the case of a constable of the rank of constable, at the annual rate of £231; and
 - (b) in the case of a constable of any other rank, at the annual rate of £309.
- (2) Where the constable 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.
- 2.—(1) This paragraph shall apply to the calculation of a dog handler's allowance in respect of any period beginning on or after 1st September 1972 and ending before 4th September 1974.
- (2) The payments by way of dog handler's allowance made to a constable of a police force in respect of any such period as aforesaid shall be reduced by the aggregate amount of any payments made to him—
- (a) by way of an allowance under regulation 23 in respect of his being required to do duty during that period in connection with caring for a dog owned by the police authority at his home, or
 - (b) by way of a dog handler's allowance in respect of that period, being an allowance approved by the Secretary of State for the purposes of regulation 41.
- 3.—(1) This paragraph shall apply to the calculation of a dog handler's allowance in respect of any period beginning on or after 4th September 1974 where—
- (a) throughout the month immediately preceding that date the constable concerned has kept and cared for at his home at least one dog owned by the police authority, and
 - (b) he has, in respect of that month, received such payments as are referred to in paragraph 2(2)(a) or (b),
- except that this paragraph shall cease to apply when the constable first ceases so to keep and care for any such dogs on or after 4th September 1974.
- (2) If and so long as this paragraph applies in the case of a constable of a police force, the dog handler's allowance payable to him shall not be payable at a rate lower than that at which it would be payable if, for the annual rate specified in paragraph 1(1) and applicable in his case, there were substituted, subject to sub-paragraph (3), the rate at which, in respect of the month immediately preceding 4th September 1974, he received such payments as are referred to in paragraph 2(2)(a) or (b), in either case expressed as an annual rate.
- (3) For the purposes of sub-paragraph (2), a constable shall be treated as having received the payments there mentioned only to the extent which he would have received them—
- (a) if throughout the month there mentioned he had kept and cared for one dog only, and
 - (b) in the case of such payments as are mentioned in paragraph 2(2)(a) in respect of duty performed on or after 23rd February 1973, if for both the references in regulation 23(6)(d) to 16 completed quarters of an hour there had been substituted references to 8 completed quarters of an hour.

SCHEDULE 11

Regulation 72

REGULATIONS REVOKED

Regulations revoked	References
The Police (Scotland) Regulations 1972	S.I. 1972/777 (1972 II, p. 2490).
The Police (Scotland) Amendment (No. 2) Regulations 1972	S.I. 1972/1206 (1972 II, p. 3573).
The Police (Scotland) Amendment Regulations 1973	S.I. 1973/119 (1973 I, p. 516).
The Police (Scotland) Amendment (No. 2) Regulations 1973	S.I. 1973/391 (1973 I, p. 1338).
The Police (Scotland) Amendment (No. 3) Regulations 1973	S.I. 1973/1458 (1973 II, p. 4425).
The Police (Scotland) Amendment (No. 4) Regulations 1973	S.I. 1973/1609 (1973 III, p. 5042).
The Police (Scotland) Amendment Regulations 1974	S.I. 1974/489 (1974 I, p. 1750).
The Police (Scotland) Amendment (No. 2) Regulations 1974	S.I. 1974/1348 (1974 II, p. 5142).
The Police (Scotland) Amendment (No. 3) Regulations 1974	S.I. 1974/1515 (1974 III, p. 5786).
The Police (Scotland) Amendment Regulations 1975	S.I. 1975/269 (1975 I, p. 672).
The Police (Scotland) Amendment (No. 2) Regulations 1975	S.I. 1975/983 (1975 II, p. 3404).
The Police (Scotland) Amendment (No. 3) Regulations 1975	S.I. 1975/1286 (1975 II, p. 4323).
The Police (Scotland) Amendment (No. 4) Regulations 1975	S.I. 1975/2070 (1975 III, p. 7596).
The Police (Scotland) Amendment Regulations 1976	S.I. 1976/620 (1976 I, p. 1757).
The Police (Scotland) Amendment (No. 2) Regulations 1976	S.I. 1976/1018. (1976 II, p.2660).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations consolidate, with minor amendments, the Regulations set out in Schedule 11, namely the Police (Scotland) Regulations 1972 and the Regulations amending those Regulations.

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