

STATUTORY INSTRUMENTS

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**THE POLICE
REGULATIONS**

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Amended up to and including

The Police (Amendment) Regulations 2000

No. 2013

**PRODUCED BY THE POLICE FEDERATION OF ENGLAND AND WALES
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PART I

COMMENCEMENT AND INTERPRETATION

REGULATION 1

Citation and commencement

1. These Regulations may be cited as the Police Regulations 1995 and shall come into force on 8th March 1995, but

- (a) the increase (from £1,290 to £1,315) in the maximum amount authorised by regulation 52(8) (removal allowance) shall have effect from 1st April 1994. and
- (b) the increase (from £1,344 to £1,365) in the amount authorised by paragraph 3(2) of Schedule 5 (university scholars) shall have effect from 1st July 1993.

References to transfers

2.—(1) Except where the context otherwise requires, a reference in these Regulations to a member of a police force voluntarily transferring from one force to another shall be construed as a reference to such a member leaving a force for the purpose of joining another force and joining that other force, where—

- (a) 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 officer of police, the consent of the police authority;
- (b) he left the force first mentioned in this regulation before 1st January 1963 for the purposes aforesaid with the written consent of the chief officer of police.

(2) Except where the context otherwise requires, a reference in these Regulations to a member of a police force being statutorily transferred from one force to another shall be construed as a reference to such a member being transferred—

- (a) by or under the Local Government Act 1933, the Police Act 1946, the Local Government Act 1958, the London Government Act 1963, the Police Act 1964 (including that Act as amended by the Police and Magistrates' Courts Act 1994), the Local Government Act 1972 or the Local Government Act 1992;
- (b) in the case of a person who was a member of the River Tyne police force, under the Harbours Act 1964.

(3) Except where the context otherwise requires, a reference in these Regulations to a member of a police force transferring from one force to another shall be construed as a reference to his either voluntarily so transferring or being statutorily so transferred.

References to provisions of these Regulations

3. In these Regulations, unless the context otherwise requires, 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.

Meanings assigned to certain expressions, etc.

4.—(1) In these Regulations, unless the context otherwise requires-

“1964 Act” means the Police Act 1964;

“central police officer” has the same meaning as in the Police Pensions Regulations;

“chief officer” means chief officer of police;

“Discipline Regulations” means the regulations relating to discipline from time to time in force under section 33 of the Police Act 1964 and sections 94(5), 101 and 102 of the Police and Criminal Evidence Act 1984;

“joint branch board” means the joint branch board mentioned in regulation 7(3) of the Police Federation Regulations 1969;

“maternity leave” has the meaning assigned thereto by regulation 36A(1);

“member of a police force” includes such a member who is suspended under the Discipline Regulations;

“overseas policeman” has the same meaning as in the Police Pensions Regulations;

“pensionable service” has the same meaning as in the Police Pensions Regulations;

“Police Pensions Regulations” means the regulations from time to time in force under the Police Pensions Act 1976;

“Promotion Regulations” means the regulations relating to qualification and selection for promotion from time to time in force under section 33 of the Police Act 1964;

“public holiday” means Christmas Day, the 26th December (if it falls on a Saturday or a Sunday), the 1st January (if it so falls), Good Friday or a bank holiday;

“the representative bodies” means the Police Federation for England and Wales and all bodies for the time being recognised by the Secretary of State for the purposes of section 47 of the Police Act 1964;

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

“rostered rest day” has the meaning assigned thereto by regulation 27(1);

“university scholar” and, in relation to such a scholar, “course” and “study” have the meanings respectively assigned to them in paragraph 1 of Schedule 5.

(2) In these Regulations, unless the context otherwise requires, a reference to a police force shall include a reference to the Royal Ulster Constabulary and a police force maintained under the Police (Scotland) Act 1967, so however that nothing in these Regulations shall be construed as relating to the government, administration or conditions of service of the Royal Ulster Constabulary or such a force.

(3) In these Regulations a reference to an aerodrome constabulary is a reference to such a constabulary within the meaning of the Aviation Security Act 1982; 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.

(4) Nothing in these Regulations shall be construed as authorising pay or allowances payable to any person to be reduced retrospectively.

Modification of Regulations in relation to metropolitan police force

5.—(1) All payments required to be made under these Regulations by the Secretary of State as police authority for the metropolitan police district shall be paid out of the metropolitan police fund.

(2) Any reference to a police authority in a provision of these Regulations concerned with property shall in relation to the metropolitan police force be construed as including a reference to the Receiver for the metropolitan police district.

PART II
GOVERNMENT

REGULATION 6

Ranks

6.—(1) Subject to paragraphs (2) to (4), the ranks of a police force shall be known by the following designations—

Chief Constable;
Assistant Chief Constable;
Superintendent;
Chief Inspector;
Inspector;
Sergeant;
Constable;

(2) In its application to the metropolitan police force (in respect of which a Commissioner and Assistant Commissioners of Police of the Metropolis are appointed under the Metropolitan Police Acts 1829 to 1963) paragraph (1) shall have effect as if—

- (a) the reference to Chief Constable was omitted; and
- (b) the reference to Assistant Chief Constable was to Commander.

(3) In its application to the City of London police force (in respect of which a Commissioner of the City of London Police is appointed under the Acts relating to that force) paragraph (1) shall have effect as if—

- (a) the references to Chief Constable and Assistant Chief Constable were omitted: and
- (b) there were references to Assistant Commissioner and Commander.

(4) Until 1st April 1995, paragraph (1) shall have effect as if it included a reference to deputy chief constable and chief superintendent.

(5) On 1st April 1995 the rank of chief superintendent shall cease to exist.

(6) Any person who on 1st April 1995 would hold the rank of chief superintendent but for this regulation shall hold the rank of superintendent.

Part-time appointments

7.—(1) A chief officer of police may, after consultation with local representatives of the representative bodies, appoint persons to perform part-time service in any rank.

(2) A person serving as a full-time member of a police force may not be appointed to perform part-time service without his consent.

(3) A person may be appointed under this regulation in the rank of constable only if he has, as a full-time member of a police force, completed the period of probation in that rank that was required by regulation 14.

(4) An appointment under this regulation in any rank above that of sergeant may only be made on terms that provide for the holder to share with one other person appointed under this regulation in the rank in question the performance of duties that would otherwise fall to be performed by a single person appointed in that rank as a full-time member of the force; if either of the persons sharing the duties ceases to hold his appointment and is not replaced, the other continues to hold the rank in which he was appointed under this regulation but is to be treated as having become a full-time member of the force.

(5) In this regulation full-time member' means a member appointed otherwise than under this regulation.

(6) In relation to persons appointed under this regulation to perform part-time service these Regulations have effect with the modifications set out in Schedule 1.

Beats, sections, sub-divisions and divisions

8. 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, chief inspector or superintendent shall be known as a sub-division; a number of sections or sub-divisions grouped for supervision by a superintendent shall be known as a division.

Restrictions on the private life of members

9. The restrictions on private life contained in Schedule 2 shall apply to all members of a police force; and no restrictions other than those designed to secure the proper exercise of the functions of a constable shall be imposed by the police authority or the chief officer of police on the private life of members of a police force except such as may temporarily be necessary or such as may be approved by the Secretary of State after consultation with the Police Advisory Board for England and Wales, and any such restriction temporarily imposed shall be reported forthwith to the Secretary of State.

Business interests incompatible with membership of a police force

10.—(1) If a member of a police force or a relative included in his family proposes to have, or has, a business interest within the meaning of this regulation, the member shall forthwith give written notice of that interest to the chief officer of police unless that business interest was disclosed at the time of his appointment as a member of the force.

(2) On receipt of a notice given under paragraph (1), the chief officer of police shall determine whether or not the interest in question is compatible with the member concerned remaining a member of the force and, within 28 days of the receipt of that notice, shall notify the member in writing of his decision.

(3) Within 10 days of being notified of the chief officer's decision as aforesaid, or within such longer period as the police authority may in all the circumstances allow, the member concerned may appeal to the police authority against that decision by sending written notice of his appeal to the police authority.

(4) Upon receipt of such notice, the police authority shall forthwith require the chief officer of police to submit to them, within the next following 10 days, a notice setting out the reasons for his decision and copies of any documents on which he relies in support of that decision; and the police authority shall send to the member concerned copies of such notice and documents and shall afford him a reasonable opportunity, being in no case less than 14 days, to comment thereon.

(5) Where a member of a police force has appealed to the police authority under paragraph (3) the police authority shall, within 28 days of receiving his comments on the notice and any other documents submitted by the chief officer of police under paragraph (4), or of the expiration of the period afforded for making comments if none have by then been received, give him written notice of their determination of the appeal but, where they have upheld the decision of the chief officer of police and, within 10 days of being so notified or within such longer period as the police authority may in all the circumstances allow, the member makes written request to the police authority for the reference of the matter to the Secretary of State, the matter shall be so referred and, unless and until the determination of the police authority is confirmed by the Secretary of State, it shall be of no effect and in particular, no action in pursuance thereof shall be taken under paragraph (6).

(6) Where a member of a police force, or a relative included in his family, has a business interest within the meaning of this regulation which the chief officer of police has determined, under paragraph (2), to be incompatible

with his remaining a member of the force and either the member has not appealed against that decision under paragraph (3) or, subject to paragraph (5), on such appeal, the police authority has upheld that decision, then, the chief officer of police may, subject to the approval of the police authority, dispense with the services of that member; and before giving such approval, the police authority shall give the member concerned an opportunity to make representations and shall consider any representations so made.

(7) For the purposes of this regulation, a member of a police force or, as the case may be, a relative included in his family, shall have a business interest if-

- (a) the member holds any office or employment for hire or gain (otherwise than as a member of a police force) or carries on any business;
- (b) a shop is kept or a like business carried on by the member's spouse (not being separated from him) at any premises in the area of the police force in question or by any relative included in his family at the premises at which he resides; or
- (c) the member, his spouse (not being separated from him) or any relative included in his family living with him holds, or possesses a pecuniary interest in, any such licence or permit as is mentioned in paragraph (8);

and a reference to a relative included in a member's family shall include a reference to his spouse, parent, son, daughter, brother or sister.

(8) The licence or permit referred to in paragraph (7)(c) is a licence or permit granted in pursuance of the law relating to liquor licensing, refreshment houses or betting and gaming or regulating places of entertainment in the area of the police force in question.

(9) If a member of a police force or a relative included in his family has a business interest within the meaning of this regulation and, on that interest being notified or disclosed as mentioned in paragraph (1), the chief officer of police has, by written notice, required the member to furnish particulars of such changes in that interest, as respects its nature, extent or otherwise, as may be mentioned in the notice then, in the event of any such change in that interest being proposed or occurring, this regulation shall have effect as though the changed interest were a newly proposed, or newly acquired, interest which has not been notified or disclosed as aforesaid.

(10) In its application to a chief constable or assistant chief constable, this regulation shall have effect as if-

- (a) for any reference therein to the chief officer of police there were substituted a reference to the police authority;

- (b) for any reference in paragraph (3), (5) or (6) to an appeal there were substituted a reference to a request for reconsideration; and
- (c) the references in paragraph (6) to the approval of the police authority were omitted;

but a police authority shall not dispense with the services of a chief constable or assistant chief constable under this regulation without giving him an opportunity of making representations and shall consider any representations so made.

(11) In its application to a member of the metropolitan police force, this regulation shall have effect as if-

- (a) for any reference to the chief officer of police there were substituted a reference to an assistant commissioner of police of the metropolis; and
- (b) for any reference to the police authority there were substituted a reference to the commissioner of police of the metropolis;

except that nothing in this paragraph shall affect the power of the commissioner of police, subject to the approval of the police authority, to dispense with the services of a member of the metropolitan police force in pursuance of paragraph (6).

Business interests precluding appointment to a police force

11.—(1) Save in so far as the chief officer of police may allow at the request of the candidate concerned, a person shall not be eligible for appointment to a police force if he or a relative included in his family has a business interest within the meaning of regulation 10, and paragraphs (7) and (8) thereof shall apply for the purposes of the interpretation of this regulation as they apply for the purposes of that regulation.

(2) In its application to a candidate for appointment as chief officer of police or assistant chief constable, paragraph (1) shall have effect as if for any reference to the chief officer of police there were substituted a reference to the police authority.

Qualifications for appointment to a police force

- 12.—(1) A candidate for appointment to a police force-
- (a) must produce satisfactory references as to character, and, if he has served in any police force, in the armed forces, in the civil service or as a seaman, produce satisfactory proof of his good conduct while so serving;
 - (b) must have attained the age of 18 years 6 months;
 - (c) must be 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 on which he will be employed after appointment;
 - (d) must, if a candidate for appointment in the rank of constable, satisfy the chief officer of police that he is sufficiently educated by passing a written or oral examination in reading, writing and simple arithmetic, or an examination of a higher standard, as may be prescribed by the chief officer of police;
 - (e) must, if a candidate for appointment in the rank of sergeant, or inspector, be qualified for promotion to such rank in accordance with the provisions of the Promotion Regulations;
 - (f) must give such information as may be required as to his previous history or employment or any other matter relating to his appointment to the police force;
 - (g) shall be given a notice in terms approved by the Secretary of State drawing attention to the conditions of service contained therein.
- (2) For the purposes of this regulation-
- (a) “armed forces” means the naval, military or air forces of the Crown including any women’s service administered by the Defence Council, and
 - (b) “seaman” has the same meaning as in the Merchant Shipping Act 1894.

Appointment of chief constable

2.—(1) Subject to section 5A(1) of the Police Act 1964 and regulations 11 and 12, no person shall be appointed as chief constable of a police force unless for a period of not less than two years he holds or has held the rank of assistant chief constable or above-

- (a) in some other police force;
- (b) whilst engaged on relevant service within the meaning of section 53C(1) of the Police Act 1964; or
- (c) partly in one of the capacities described in paragraphs (a) and (b) above and partly in another.

(2) In its application to the metropolitan police force and the City of London police force, paragraph (1) shall have effect as if the reference to assistant chief constable was to commander.

Fixed term appointments for certain ranks

13A.—(1) This regulation applies to every appointment on or after 1st April 1995 of a person to the rank of—

- (a) chief constable or assistant chief constable of a police force maintained under section 2 of the Police Act 1964, and
- (b) commander in the metropolitan police force and the City of London police force or Assistant Commissioner in the City of London police force.

(2) Where it is proposed to vary by agreement the conditions of service of a person who on 1st April 1995 holds one of the ranks specified in paragraph (1) above indefinitely so that he holds that rank instead for a fixed term—

- (a) that term shall be for a period authorised by paragraph (3) or, as the case may be, paragraph (4); and
- (b) this regulation shall apply to such a variation as it applies to an appointment and as if the variation was an appointment.

(3) Subject to paragraphs (5) to (9), an appointment to the rank of chief constable shall be for a term of not less than four years and not more than seven years.

(4) Subject to paragraphs (5) to (9), an appointment to the rank of assistant chief constable or commander or Assistant Commissioner shall be for a term of not less than four years and not more than either—

- (a) ten years, or
- (b) a period expiring with the date on which the person appointed reaches minimum retirement age or, if that period is less than four years, four years,

whichever of the periods in sub-paragraphs (a) and (b) is the shorter.

(5) The term of an appointment to which this regulation applies may be for a period of less than four years with the consent of the Secretary of State.

(6) The term of an appointment to which this regulation applies may, with the consent of the Secretary of State, be extended by agreement for a single period not exceeding one year where the extension cannot be made under paragraph (7) and, in the opinion of the Secretary of State, the

particular circumstances in which such an extension is sought are such as to justify it.

(7) The term of an appointment to which this regulation applies may be extended by agreement for a period or periods up to the time when the person appointed—

- (a) has completed 30 years' pensionable service for the purposes of the Police Pensions Regulations 1987, or
- (b) has completed 25 years' pensionable service for those purposes and has attained the age of 50,

whichever is the earlier.

(8) Subject to paragraph (10) where the term of appointment of a person who—

- (a) has been appointed under this regulation, and
- (b) is subsequently engaged on relevant service within the meaning of section 53C(1) of the Police Act 1964,

would otherwise expire whilst he is so engaged, that term shall expire one day after the end of the period of relevant service.

(9) This regulation is without prejudice to any provision whereby a term of appointment comes to an end on promotion, dismissal or transfer to another police force and to regulation 16(1) and (2) (retirement) and the provisions referred to in regulation 16(3).

(10) Paragraph (8) shall not apply where the exception specified in section 53C(3) of the Police Act 1964 applies.

(11) A person does not cease to be eligible for an appointment to which this regulation applies by reason only of the fact that he has completed an appointment for a term determined in accordance with this regulation.

(12) In this regulation “minimum retirement age” means—

- (a) in the case of a person who, on attaining the age of 55, will be entitled to reckon not less than 25 years' pensionable service for the purposes of the Police Pensions Regulations 1987, that age; or
- (b) in the case of a person who, on attaining that age, will not be entitled to reckon 25 years' pensionable service for the purposes of those Regulations, the age at which he will be so entitled or the age at which he will be required to retire under regulation A18(1) of those Regulations, whichever is the earlier.

(13) For the purposes of determining an entitlement under paragraph (12), an election under regulation G4 of the Police Pensions Regulations 1987 (election not to pay pension contributions) shall be disregarded.

(14) Paragraph (12) shall have effect as if regulation A18(1) of the Police Pensions Regulations 1987 provided that the compulsory retirement age of a commander in the City of London police force was 65 years.

Requirement to advertise vacancies in certain ranks

13B.—(1) Subject to paragraph (4), where on or after 1st April 1995, a vacancy exists in one of the ranks specified in regulation 13A(1)(a) and (b), a notice of the vacancy which complies with paragraph (2) shall be published by the relevant authority.

- (2) The notice referred to in paragraph (1) must—
- (a) invite applications to fill the vacancy;
 - (b) be published in—
 - (i) not less than one newspaper, or
 - (ii) not less than one journal which deals with police matters, circulating throughout England and Wales; and
 - (c) specify the date, which shall not be less than three weeks after the date of the publication of the notice, by which applications must be made.

(3) Subject to paragraph (4), no appointment shall be made to fill a vacancy in one of the ranks specified in regulation 13A(1)(a) and (b) until after the date specified in accordance with paragraph (2)(c) in a notice in respect of that vacancy.

- (4) Paragraphs (1) and (3) shall not apply where—
- (a) the term of appointment of the person who currently holds the rank in which the vacancy would otherwise occur is extended under regulation 13A(6) or (7), or
 - (b) that person is appointed for a further term and the conditions set out in paragraph (5) below are satisfied.

- (5) The conditions referred to in paragraph (4) are that—
- (a) the person who currently holds the rank in which the vacancy would otherwise occur does so by virtue of an appointment under regulation 13A;
 - (b) the relevant appointment of that person was for a term which was less than the maximum term authorised in respect of that person by paragraph (3) or, as the case may be, (4) of regulation 13A; and
 - (c) the term for which it is proposed to appoint that person (and for which that person is subsequently appointed) is such that, when taken together with—

- (i) the term for which he was appointed by the relevant appointment and
- (ii) the term for which he was appointed by any subsequent appointment,

the terms in total do not exceed the maximum term of appointment to which he could have been appointed at the time of the relevant appointment under paragraph (3) or, as the case may be, (4) of regulation 13A.

(6) In paragraph (5) “relevant appointment” means—

- (a) an appointment made under regulation 13A after the procedures required by paragraphs (1) and (3) of this regulation have been complied with; or
- (b) a variation in the conditions of service in accordance with regulation 13A(2).

(7) I in the case of the ranks specified in regulation 13A(1)(a), the police authority for the force in question;

- (b) in the case of the ranks specified in regulation 13A(1)(b), the Commissioner of Police of the Metropolis or, as the case may be, the Commissioner of the City of London police.

Probationary service in the rank of constable

14.—(1) This regulation applies to a member of a police force appointed in the rank of constable other than such a member who transferred to the force from another police force, having completed the required period of probation therein.

(2) A member of a police force to whom this regulation applies shall, unless paragraph (3) applies to 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 or for such longer period as the chief officer of police, determines in the circumstances of a particular case.

(3) A member 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 shall be on probation for the first year of his service as a constable in the police force first mentioned in this paragraph following his last appointment thereto or for such longer period as the chief officer of police, determines in the circumstances of a particular case:

Provided that the chief officer of police may at his discretion—

- (a) reduce the period of probation, so however that the reduced period, when aggregated with the previous period of probation, shall not be less than 2 years, or
 - (b) dispense with the period of probation, if the member, following his previous appointment, completed the required period of probation in the force in question.
- (4) For the purposes of this regulation—
- (a) in reckoning service, any period of unpaid leave shall be disregarded;
 - (b) in the case of a university scholar, in reckoning service his period of study shall be disregarded;
 - (c) in the case of a member who has been statutorily transferred from one force to some other force, his service in those two forces shall be treated as if it were service in the same police force;
 - (d) in the case of a member of a police force who has been transferred thereto from an aerodrome constabulary by an order under section 30 of the Aviation Security Act 1982, his service in that constabulary shall be treated as if it were service in that police force.

- (e) in reckoning service in the case of a female member of a police force who has taken one or more periods of maternity leave—
 - (i) where that leave has been for more than fourteen weeks, the first fourteen weeks whilst on maternity leave shall be treated as if it were service in the police force;
 - (ii) where that leave has been for less than fourteen weeks, any period spent on maternity leave shall be treated as if it were service in the police force.
- (5) In its application to the metropolitan police force this regulation shall have effect as if “chief officer” included an assistant commissioner of police.

Discharge of probationer

15.—(1) Subject to the provisions of this regulation, during his period of probation in the force the services of a constable may be dispensed with at any time if the chief officer of police considers that he 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 whose services are dispensed with under this regulation shall be entitled to receive a month's notice or a month's pay in lieu thereof.

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

(4) Where a constable has received a notice under this regulation that his services are to be dispensed with and he gives written notice of his intention to retire and retires under paragraph (3), he shall nevertheless be entitled to receive pay up to and until the date on which the month's notice he has received would have expired or where he has received or is due to receive a month's pay in lieu of notice he shall remain entitled to that pay notwithstanding the notice he has given under paragraph (3).

(5) In its application to the metropolitan police force this regulation shall have effect as if "chief officer" included an assistant commissioner of police.

Retirement

16.—(1) Without prejudice to the provisions mentioned in paragraph (3) and subject to paragraph (2), a member of a police force may retire only if he has given to the police authority one month's written notice of his intention to retire or such shorter notice as may have been accepted by that authority:

Provided that, while suspended under the Discipline Regulations, a member may not, without the consent of the chief officer of police, give notice for the purposes of this regulation or retire in pursuance of a notice previously given.

(2) Paragraph (1) shall apply to the Commissioner and an Assistant Commissioner of Police of the Metropolis as it applies to a member of a police force and in the case of a chief officer of police, Assistant commissioner of Police of the Metropolis, commander in the City of London or metropolitan police force or assistant chief constable, paragraph (1) shall have effect as if—

- (a) for “one month’s” there is substituted “three months’ “; and
- (b) for “chief officer of police” there is substituted “police authority”.

(3) The provisions referred to in paragraph (1) are—

- (a) prior to 1st April 1995, the provisions of sections 5 and 6 of the 1964 Act relating to retirement in the interests of efficiency;
- (b) on or after 1st April 1995, the provisions of sections 5A(2) to (4) and 6(3) of the 1964 Act relating to retirement in the interests of efficiency and effectiveness;
- (c) the provisions of section 58(3) of the 1964 Act relating to the retirement of chief constables affected by amalgamations or local government reorganisation;
- (d) the provisions of the Police Pensions Regulations relating to compulsory retirement, and
- (e) the provisions of the Discipline Regulations relating to resignation as an alternative to dismissal.

Contents of personal records

17.—(1) The chief officer of police shall cause a personal record of each member of the police force to be kept.

(2) The personal record shall contain—

- (a) a personal description of the member;
- (b) particulars of the member's place and date of birth;
- (c) particulars of his marriage (if any) and of his children (if any);
- (d) a record of his service (if any) in any branch of Her Majesty's naval, military or air forces or in the civil service;
- (e) a record of his service (if any) in any other police force and of his transfers (if any) from one police force to another;
- (f) a record of whether he passed or failed to pass any qualifying examination at which he was a candidate;
- (g) a record of his service in the police force including particulars of all promotions, postings, removals, injuries received, periods of illness, commendations, rewards, punishments other than cautions, and the date of his ceasing to be a member of the police force with the reason, cause or manner thereof:

Provided that—

- (i) a punishment of a fine or of a reprimand shall be expunged after 3 years free from punishment other than a caution;
- (ii) any other punishment shall be expunged after 5 years free from punishment other than a caution,

but in the case of a period free from punishment other than a caution which expired before 1st January 1989 only if the member so requests.

(3) A member of a police force shall, if he so requests, be entitled to inspect his personal record.

Transfer of personal records

18. Where a member of a police force transfers to another police force his personal record shall be transferred to the chief officer of police of that other police force.

Personal record of member leaving force

19.—(1) Where a member of a police force ceases to be a member of that police force the member shall, unless he transfers to another police force, be given a certificate showing his rank and setting out the period of his service in that police force and in any other police force.

(2) The chief officer of police may append to the certificate any recommendation which he feels justified in giving, such as that—

his conduct was exemplary;

his conduct was very good;

his conduct was good.

(3) Where a member of a police force ceases to be a member of that police force, otherwise than by transferring to another police force, his personal record shall be kept for such time as the chief officer of police may think fit and shall then be destroyed.

Fingerprints

20.—(1) Every member of a police force shall in accordance with the directions of the chief officer of police have his fingerprints taken.

(2) Fingerprints of members of a police force taken in accordance with paragraph (1) shall be kept separate from the fingerprints of persons whose fingerprints have been taken otherwise than in accordance with that paragraph.

(3) The fingerprints of a member of a police force taken in accordance with paragraph (1) and all copies and records thereof shall be destroyed on his ceasing to be a member of that force, except that, where by reason of a statutory transfer he becomes a member of another force, his fingerprints and all copies and records thereof shall be transferred to the chief officer of police of that other police force.

PART III

DUTY, OVERTIME AND LEAVE

REGULATION 21

Duty to carry out lawful orders

21. Every member of a police force 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.

Limitations on duties to be assigned to members statutorily transferred

22.—(1) Where a member of a police force has previously served in a police force for an area comprised in whole or in part in the area for which his present force is maintained and he ceased to be a member of his former force and became a member of his present force by reason only of one or more such statutory transfers as are mentioned in paragraph (2), then, subject to paragraph (3), he shall not be assigned to duties which, in the opinion of the Secretary of State, make it necessary for him to move his home to a place which is outside the area for which his former force was maintained.

(2) In paragraph (1) the reference to a statutory transfer is a reference to a statutory transfer being—

- (a) prior to 1st April 1995, a transfer in accordance with the provisions of an amalgamation scheme under the 1964 Act,
- (b) on or after 1st April 1995, a transfer in accordance with an order made under section 21 or 21A of the 1964 Act, or
- (c) a transfer taking effect on 1st April 1974,

except that where the former force was the police force for a borough, the said reference is to any statutory transfer.

(3) Paragraph (1) shall not apply to a person by reason of his previous service in a particular police force if—

- (a) since he became a member of that police force he has been a chief officer of police, or
- (b) after he was statutorily transferred from that police force he has given written notice to the chief officer of the police force of which he was at the time a member that the protection accorded by paragraph (1) should cease to apply to him, or
- (c) that force was a county or combined police force and after he was statutorily transferred therefrom but before 1st February 1968 he was assigned to such duties as are mentioned in paragraph (1),

without prejudice, however, to the application of paragraph (1) to him by reason of service in another police force after his statutory transfer from the force first mentioned in this paragraph and before his statutory transfer to his present force.

(4) Paragraph (1) shall apply in the case of a member of a police force who ceased to be such and became a serviceman, a reversionary member of a home police force or a central police officer—

- (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 member 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 members of his former force had been transferred as mentioned in paragraph (2), as if he had been so transferred from his former force to that other force.

(5) In this regulation present force and former force mean, respectively, the force first mentioned and that secondly mentioned in paragraph (1).

Work not required to be performed

23. A member of a police force shall not be required to perform—
- (a) the regular duty of cleaning or any part of the cleaning of a particular police station which the Secretary of State has directed is not a duty which the police may be required to perform;
 - (b) any other work not connected with police duty which, in the opinion of the Secretary of State, the police may not properly be required to perform.

Normal daily period of duty

24.—(1) This regulation applies to every member of a police force below the rank of inspector who is not assigned to duties which the Secretary of State has specially 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 member of a police force to whom this regulation applies shall be 8 hours.

(3) As far as the exigencies of duty permit—

- (a) the normal daily period of duty shall be performed in one tour of duty; and
- (b) subject to paragraph 4 of Schedule 4, an interval of 45 minutes shall be allowed for refreshment.

(4) Where a member is required to perform 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.

Meaning of day in Part III

25.—(1) In this Part of these Regulations, “day”, in relation to members of a police force, means a period of 24 hours commencing at such time or times as the chief officer shall fix and the chief officer may fix different times in relation to different groups of members.

(2) In discharging his functions under paragraph (1), the chief officer shall have regard to the wishes of the joint branch board.

Variable shift arrangements

26.—(1) This regulation applies to members of a police force below the rank of inspector appointed otherwise than under regulation 7 (part-time appointments).

(2) A chief officer of police may, bring into operation variable shift arrangements agreed by him with the joint branch board for all members to whom this regulation applies or for any particular class of such members.

(3) Variable shift arrangements must provide, as respects members for whom they are in operation—

- (a) for hours of duty equivalent to those resulting from the application of regulations 24(2) and 29(2), and
- (b) for annual leave equivalent to that resulting from the application of regulation 34(1) and Schedule 4, to other members of police forces.

(4) In relation to members of a police force for whom variable shift arrangements are in operation these Regulations have effect with the modifications set out in Schedule 3.

Rostering of duties

27.—(1) A chief officer shall cause to be published, in accordance with this regulation, annual duty rosters for members of his force below the rank of inspector and in these Regulations—

- (a) a reference to a rostered rest day is to be construed, in relation to a member of a police force who is required to do duty on that day, as a reference to a day which according to the duty roster was, immediately before he was so required to do duty, to have been a rest day for the member; and
- (b) a day off granted in lieu of a rostered rest day shall be treated as a rostered rest day.

(2) Each such roster shall be published at intervals not exceeding 12 months and not later than one month before the date on which it is to come into force.

(3) Each such roster shall set out, for the 12 months following the date on which it comes into force, in relation to each member of the force to which it relates—

- (a) his rest days;
- (b) those days, being public holidays, on which he may be required to do duty; and
- (c) the times at which his scheduled daily periods of duty are to begin and end.

(4) Subject to paragraph (5), a duty roster shall make provision for—

- (a) an interval of not less than 8 hours between the ending of each of a member's daily periods of duty and the beginning of the next; and
- (b) an interval between each of his rostered rest days not exceeding 7 days;

unless the joint branch board agrees otherwise.

(5) Where, owing to the exigencies of duty, it is necessary to alter a duty roster, the officer responsible for making the alteration shall endeavour, so far as practicable, to avoid thereby requiring a member to do an additional daily period of duty such that the condition in paragraph (4)(a) would not be satisfied in relation thereto.

Overtime

28.—(1) Subject to, and in accordance with, the provisions of this regulation a member of a police force below the rank of inspector shall be compensated in respect of time—

- (a) for which he remains on duty after his tour of duty ends, or
- (b) for which he is recalled between two tours of duty, or
- (c) which forms part of a tour of duty which he is required to begin earlier than the rostered time without due notice and on a day when he has already completed his normal daily period of duty;

and such time is referred to hereafter in these Regulations as overtime.

(2) Such a member shall not be compensated under this regulation for overtime for which he receives an allowance or time off under regulation 29 (public holidays and rest days for ranks below inspector) or regulation 61 (allowance for recurring escort duty etc.).

(3) Subject to paragraphs (4) and (6), a member of a police force below the rank of inspector shall be granted an allowance in respect of each week at the rate of a twenty-fourth of a day's pay for each completed period of 15 minutes of overtime worked by him on any occasion during that week, except that on each of the first 4 occasions on which overtime in respect of which the member was not informed as mentioned in paragraph (6) is worked during a week 30 minutes of the overtime worked is to be disregarded.

(4) Where such a member, before the expiry of any pay period, elects in respect of specified 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 in accordance therewith receives time off in respect of any overtime, no allowance in respect thereof shall be payable under paragraph (3).

(5) Subject to the exigencies of duty, where by virtue of an election under paragraph (4) time off falls to be granted to a member in respect of any overtime worked by him in any week then, within such time (not exceeding 3 months) after that week as the chief officer of police may fix, he shall grant to the member time off equal, subject to paragraph (6), to the period of that overtime worked by him during that week and, in addition, for each completed 45 minutes of such overtime, an additional 15 minutes off.

(6) For the purposes of paragraphs (3) and (5), no account shall be taken of any period of less than 30 minutes of overtime worked on any occasion

other than a period of 15 minutes of overtime in respect of which the member was informed at the commencement of his tour of duty that he would be required to remain on duty after his tour of duty ended.

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

- (a) where the member 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 member 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 officer of police, so however, that, if the member is so engaged overnight and has proper sleeping accommodation, whether in a train or otherwise, the chief officer of police may exclude such period not exceeding eight hours, during which the member is not in charge of the person under escort as he considers appropriate in the circumstances;
- (b) subject to sub-paragraph (d), 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;
- (c) where a member is recalled to duty between two rostered tours of duty and is entitled to reckon less than 4 hours of overtime in respect of any period for which he is recalled, disregarding any overtime reckonable by virtue of regulation 32 (travelling time treated as duty), he shall be deemed to have worked for such period 4 hours of overtime in addition to any overtime reckonable by virtue of regulation 32; and
- (d) where the time at which a member is required to begin a rostered tour of duty is brought forward without due notice so that he is required to begin that tour of duty on a day on which he has already completed his normal daily period of duty, the time for which he is on duty before the rostered commencement time—
 - (i) shall be reckonable as overtime, and
 - (ii) shall be taken into account as part of that tour of duty.

(8) For the purposes of this regulation—

“a day’s pay” means the member’s pay for the week in question divided by 5;

“due notice” means notice given at least 8 hours before the revised starting time of the rostered tour of duty in question;

“member recalled to duty” does not include a member who is only warned to be in readiness for duty if required;

“normal daily period of duty” shall be construed in accordance with regulation 24.

“pay period” means the period for which, in pursuance of regulation 49, a member is paid;

“week” means the period of 7 days beginning with such day as is fixed by the chief officer of police.

Public holidays and rest days for ranks below inspector

29.—(1) This regulation applies to every member of a police force below the rank of inspector.

(2) Subject to the following provisions of this regulation, a member 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.

(3) A member shall, if required to do duty on a day which is a rostered rest day, be granted—

- (a) where he receives less than 15 days' notice of the requirement, an allowance at the appropriate rest-day rate; or
- (b) in any other case, another rest day, which shall be notified to him within 4 days of notification of the requirement.

(4) The appropriate rest-day rate is, for each completed 15 minutes of duty on a rostered rest day, the fraction of a day's pay specified in paragraph (5).

(5) The fraction is—

- (a) where the member received less than 8 days' notice of the requirement, one sixteenth; and
- (b) in any other case, three sixty-fourths.

(6) A member shall, if required to do duty on a day which is a public holiday, be granted—

- (a) where he receives less than 8 days' notice of the requirement—
 - (i) an allowance at the appropriate rate and, in addition,
 - (ii) another day off in lieu thereof, which shall be notified to him within 4 days of notification of the requirement, and which shall be treated for the purposes of this regulation as a public holiday;
- (b) in any other case, an allowance at the appropriate rate.

(7) A member who is required to do duty on a day which is a public holiday or a rostered rest day may, within 28 days of the day in question, elect to receive, in lieu of an allowance as mentioned in paragraph (3)(a) or paragraph (6)(a) or (b), time off equal—

- (a) in the case of a day which is a public holiday, to double, and

- (b) in the case of a rostered rest day
 - (i) where the member received less than 8 days' notice of the requirement, to double, and
 - (ii) in any other case, to one and a half times,

the period of completed quarters of an hour of duty on the day in question.

(8) Where such a member who is required to do duty on a day which is a public holiday or a rostered rest day has elected to receive time off as mentioned in paragraph (7), the chief officer of police shall, subject to the exigencies of duty, grant such time off within such time (not exceeding 3 months) as he may fix, and subject to such time off being taken, no allowance in respect of the day in question shall be payable under paragraph (3)(a) or, as the case may be, paragraph (6)(a) or (b).

(9) Subject to paragraph (10), for the purposes of this regulation

- (a) a member 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 at the rate at which the member was paid on the day in question divided by five;
- (c) "the appropriate rate" means a sixteenth of a day's pay for each completed 15 minutes of duty done on a public holiday;
- (d) a reference to a day which is a public holiday is to be construed, in relation to the member concerned, as a reference to a day within the meaning of regulation 25(1) commencing at any time on the calendar date of the public holiday in question;
- (e) "week" means a period of 7 days beginning with such day as is fixed by the chief officer of police;
- (f) where a member is required to do duty, or is recalled to duty, for a period of less than 4 completed hours on a day which is a public holiday or a rostered rest day, such period or, as the case may be, each such period, shall be treated as though it were a period of 4 completed hours, except that a period of not more than one hour of duty on a rostered rest day shall, if it immediately follows a period for which he was on duty as part of a normal daily period of duty, count as the number of periods of 15 minutes actually completed;
- (g) where a member is required to do duty on a day which is a public holiday or on a rostered rest day, his period of duty shall include (save for the purposes of sub-paragraph (f)) 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 officer of police,

save that, for the purposes of this sub-paragraph, there shall be disregarded any period of time so occupied—

- (i) which together with the member's period of duty exceeds 6 hours, or
- (ii) which is treated as a period of duty under regulation 32 (travelling time treated as duty).

(10) Where it is at his own request that a member works on a day which is a public holiday or a rostered rest day he shall not be treated for the purposes of this regulation as having been required to do duty on that day but shall be granted another day off in lieu thereof, which shall be treated as a public holiday or a rostered rest day as the case may be.

Public holidays and rest days for inspectors and chief inspectors

30.—(1) This regulation applies to every member of a police force of the rank of inspector or chief inspector.

(2) Such a member 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 each week.

(3) Where the exigencies of duty have precluded—

- (a) the allowance of a day's leave on a public holiday, or
- (b) the grant in any week of two rest days,

to such a member, he shall, during the next following twelve months and so far as the exigencies of duty permit, be allowed or (as the case may be) granted a day's leave in lieu of any such day not allowed or granted.

Public holidays and monthly leave days for ranks above chief inspector

31.—(1) This regulation applies to every member of a police force of, or above, the rank of superintendent.

(2) Such a member shall, so far as the exigencies of duty permit, be allowed 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) Where the exigencies of duty have precluded—

- (a) the allowance of a day's leave on a public holiday, or
- (b) the grant in any month of eight monthly leave days,

to a superintendent, he shall, during the next twelve months and so far as the exigencies of duty permit, be allowed or (as the case may be) granted a day's leave in lieu of any such day not allowed or granted.

(4) Where the exigencies of duty have precluded the allowance of a day's leave on a public holiday to any such member other than a superintendent, he shall, during the next three months and so far as the exigencies of duty permit, be allowed a day's leave in lieu of any such day not allowed.

(5) For the purposes of this regulation month means that period of 28 days beginning with such day as is fixed by the chief officer of police.

Travelling time treated as duty

32.—(1) This regulation applies where a member of a police force is-

- (a) required to perform his normal daily period of duty in more than one tour of duty, or
- (b) recalled to duty between two tours of duty,

and travels to and from his home between tours 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 28 or any period of duty for the purposes of regulation 29 (save for the purposes of paragraph (9)(f) thereof) the time occupied by such a member in relevant travelling, not exceeding such reasonable limit as may be fixed by the chief officer of police, shall be treated as a period of duty.

(3) For the purposes of regulation 57, the use of a motor vehicle for relevant travelling shall be treated as such use for the purpose of duties performed by the member 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 member concerned shall be reimbursed those expenses to the extent that they do not exceed such reasonable limit as the police authority may fix.

Meetings of Police Federation treated as police duty

33.—(1) The attendance of a member of a police force at one of the following meetings of the Police Federation, that is to say, a quarterly meeting of a branch board, an ordinary meeting of a central committee, a meeting of the conferences arrangements committee, the annual meeting of the joint central committee with the joint central committee of the Scottish Police Federation and the central committee of the Police Federation for Northern Ireland, the annual meeting of a central conference or a women’s regional conference shall be treated as an occasion of police duty.

(2) Subject to the approval of the chief officer of police, the attendance of a member of a police force at an additional meeting of a branch board of the Police Federation or at a meeting of a committee of a branch board shall be treated as an occasion of police duty.

(3) Subject to the approval of the Secretary of State, the attendance of a member of a police force at a meeting of the Police Federation, other than such a meeting as is mentioned in paragraph (1) or (2), shall be treated as an occasion of police duty.

Annual leave

34.—(1) Every member of a police force shall, so far as the exigencies of duty permit, be granted annual leave in accordance with Schedule 4.

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

- (a) regulation 29, in the case of a member below the rank of inspector,
or
- (b) regulation 30 or 31, in the case of a member of, or above, that rank;

and a member 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

35.—(1) A member of a police force 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 member may be so absent without such certificate of unfitness where the period of unfitness for duty does not exceed 7 days, including any day on which, even if he were fit to do so, he would not have been required to perform police duty;
- (b) if, notwithstanding such certificate of unfitness for duty, a registered medical practitioner appointed or approved by the police authority has examined the member and considers him to be fit for duty, the police authority shall, if the medical practitioner who issued the certificate of unfitness for duty agrees, within 28 days of the difference of opinion coming to their attention arrange for a third registered medical practitioner to examine the member and to report in writing to the other two practitioners concerned; the third registered practitioner shall be acceptable to the practitioner who issued the certificate of unfitness for duty and to the practitioner who has examined the member on behalf of the police authority, except that in the event of a failure to agree, the police authority may appoint such third medical practitioner as it considers appropriate; and if the third registered medical practitioner certifies the member to be fit for duty, or if the medical practitioner who issued the certificate of unfitness for duty does not agree to such further examination, the member shall no longer be entitled to be absent from duty.

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

Leave for ante-natal care

36.—(1) A female member of a police force who is pregnant and who, on the advice of a registered medical practitioner, registered midwife or registered health visitor, has made an appointment to attend at any place for the purpose of receiving ante-natal care shall, subject to the following provisions of this regulation, have the right not to be unreasonably refused special leave from duty to enable her to keep the appointment.

(2) Subject to paragraph (3), a chief officer shall not be required by virtue of this regulation to permit a female member of a police force to take special leave from duty to keep an appointment unless, if he requests her to do so, she produces for his inspection—

- (a) a certificate from a registered medical practitioner, registered midwife or registered health visitor stating that she is pregnant, and
- (b) an appointment card or other document showing that the appointment has been made.

(3) Paragraph (2) shall not apply where the female member of a police force's appointment is the first appointment during her pregnancy for which she seeks permission to take special leave from duty in accordance with paragraph (1).

(4) A period of special leave from duty taken in accordance with paragraph (1) shall be treated as a period of duty.

Maternity leave

36A.—(1) In this regulation—

“expected date of birth” means, subject to paragraph (4), the date given in accordance with paragraph (2)(b);

“maternity leave” means leave taken in accordance with the provisions of this regulation by a qualified member of a police force during the maternity period;

“maternity period”, in relation to such a member, means the period beginning six months before the probable date of birth of the member’s child, as given under paragraph (2)(b) or, as the case may be, paragraph (4), and ending nine months after the date so given; and;

“qualified member” means a member of a police force who qualifies under paragraph (2).

(2) Subject to the following provisions of this regulation, a female member of a police force qualifies for maternity leave when she has given to the chief officer of police notice stating—

- (a) that she is pregnant;
- (b) the probable date of the birth of her child; and
- (c) the date on which she intends to commence maternity leave or, where she proposes to take more than one period of maternity leave before the probable date of the birth of her child, the proposed dates of those periods.

(3) A female member of a police force does not qualify for maternity leave where the chief officer of police has requested a certificate from a registered medical practitioner, registered midwife or registered health visitor setting out the matters referred to in paragraph (2)(a) and (b) and she fails to produce such a certificate.

(4) Where a certificate produced under paragraph (3) sets out a different date as the probable date of the birth of the child of the female member of a police force from the date given in accordance with paragraph (2)(b), the date given in the certificate shall have effect in place of the date given in the notice.

(5) A female member of a police force who is pregnant shall give the notice required by paragraph (2) as soon as reasonably practicable after she becomes aware of the probable date of birth of her child.

(6) The date or dates given in accordance with paragraph (2)(c) may be amended by a subsequent notice to the chief officer of police, provided that not less than 21 days' notice is given of the qualified member's intention to return to duty.

(7) A qualified member shall commence maternity leave no later than the date given in accordance with paragraph (2)(b) and, subject to paragraphs (8) and (9), the leave shall continue until the last date of the maternity leave.

(8) Where a qualified member intends to return to duty before the end of the maternity period after taking maternity leave, she shall give to the chief officer of police not less than 21 days' notice of her intention.

(9) A notice under paragraph (8) may be subsequently revoked; and any such revocation shall be without prejudice to the giving of another notice under that paragraph of an intention to return to duty before the end of the maternity period.

(10) During any period of maternity leave, a qualified member shall not be entitled to any sick leave under Regulation 35.

(11) In paragraph (10) "period of maternity leave" means the period—

(a) beginning on—

- (i) the date given in accordance with paragraph (2)(c) as the date on which the qualified member intends to commence maternity leave or, where she proposes to take more than one period of such leave, the first of those dates, or
- (ii) where that date or, as the case may be, the first of those dates has been amended by a subsequent notice under paragraph (6), that date; and

(b) ending on—

- (i) where a notice has been given under paragraph (8) and has not been subsequently revoked, the date so given; or
- (ii) where no such notice has been given or remains in force, the last day of the maternity period.

Paternity leave

37.—(1) So far as the exigencies of duty permit, a male member of a police force shall be granted 2 days' paternity leave during the relevant part of a woman's maternity period.

- (2) A woman's maternity period is one beginning with the later of—
 - (a) the date on which she is certified by a registered medical practitioner to be pregnant, and
 - (b) the date 6 months before the one estimated by that practitioner as being the probable date of birth,

and ending 9 months after the birth of the child.

- (3) The relevant part of a woman's maternity period is any part during which—
 - (a) the member is married to and not separated from her, or
 - (b) they are not married to each other but are living together as husband and wife.

University scholars

38. This Part of these Regulations shall have effect in relation to a university scholar subject to the provisions of paragraph 2 of Schedule 5.

PART IV

PAY

REGULATION 39

Rate of pay

39.—(1) Subject to the following provisions of this Part, the pay of members of police forces shall be determined by the Secretary of State.

(1A) Before making any determination under paragraph (1), the Secretary of State shall take into consideration any recommendation made by the Police Negotiating Board and shall supply the Board with a draft of the determination; and subsection (2) of section 62 of the Police Act 1996 shall apply in relation to a recommendation to be made for the purposes of this paragraph as it applies in relation to a recommendation to be made for the purposes of subsection (1) of that section.

(1B) A determination under paragraph (1) may be made with retrospective effect to any date specified in the determination, but nothing in this paragraph shall be construed as authorising the pay payable to any person to be reduced retrospectively.

(2) Subject to regulations 43, 44 and 45, section 2(1) of the Police (Overseas Service) Act 1945 and prior to 1st April 1995 section 43(1) of the 1964 Act and on or after that date section 53C(3) of that Act, in reckoning the service of a member of a police force in any rank for the purposes of pay, account shall be taken of all his service in that rank, whether in that or another police force; and service in a higher rank, on temporary promotion thereto or otherwise, shall be treated as if it had been service in that rank:

(2A) For the purposes of this regulation in reckoning a member'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 member was reduced;
- (c) no account shall be taken of any performance of the duties of that

rank in respect of which a temporary salary is payable under regulation 40;

- (d) any period of unpaid leave shall be disregarded;
- (e) any service performed pursuant to an appointment under regulation 7 (part-time appointments) shall be multiplied by the factor which was the appropriate factor within the meaning of regulation 4(5) or (6) as it applied to him by virtue of paragraph 1 of Schedule 1;
- (f) in the case of a female member of a police force who has taken one or more periods of maternity leave—
 - (i) where that leave has been for more than fourteen weeks, account shall be taken of the first fourteen weeks whilst on maternity leave;
 - (ii) where that leave has been for less than fourteen weeks, account shall be taken of any period spent on maternity leave;

and, in the case of a member of a police force of a rank higher than that of chief inspector, paragraph (2) 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) REVOKED

(4) Nothing in this regulation shall affect the operation of any provisions of the Discipline Regulations and, in relation to a member of a police force suspended or fined thereunder the provisions of paragraphs 1 and 3 of Schedule 7 or of paragraph 4 thereof shall have effect.

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

Temporary salary

40.—(1) A member of a police force of the rank of superintendent who is required for a continuous period exceeding 7 days to perform duties normally performed by a member of the force of a higher rank than his own, otherwise (subject to paragraph (2)) than as the direct or indirect result of the absence of any member of the force on a monthly or other leave day granted under regulation 31, shall be paid in respect of that period, other than the first 7 days thereof, at a rate equal to the rate of pay of the member in that higher rank.

(1A) A member of a police force of the rank of superintendent who is required for a continuous period exceeding 7 days to perform the duties normally performed by such a member whose pay category under paragraph 1(3) of Schedule 6 is higher than his own, otherwise (subject to paragraph (2)) than as the direct or indirect result of the absence of any member of the force on a monthly or other leave day granted under regulation 31, shall be paid in respect of that period, other than the first 7 days thereof, at a rate equal to the rate of pay of the member in that higher pay category.

(2) Where any member of the force is absent for a continuous period comprising both—

- (a) monthly or other leave days granted under regulation 31, and
- (b) one or more annual leave days granted under regulation 34,

paragraph (1) or (1A) shall have effect as if the entire continuous period of absence were a period of annual leave.

(3) Subject to paragraph (3B) a member of a police force below the rank of superintendent who, in any year, has been required to perform the duties normally performed by a member of the force of a higher rank than his own for 14 complete days shall be paid in respect of each further complete day in that year on which he is required to perform such duties at a rate equal to the lowest rate of pay to which he would be entitled on promotion to the higher rank;

(3A) Where—

- (a) a member of a police force below the rank of inspector is entitled to be paid under paragraph (3),
- (b) the higher rank is that of inspector or above, and
- (c) the day on which the member is required to perform the duties referred to in paragraph (3) is not a public holiday or rostered rest day,

there shall be no entitlement to an allowance or time off under regulation 28 in respect of such duties.

(3B) Paragraph (3) shall not apply where—

- (a) a member of a police force below the rank of inspector is required to perform the duties normally performed by a member of the force of the rank of inspector or above, and
- (b) the day on which the member is so required to perform such duties is a public holiday or rostered rest day.

(4) Where a member of a police force—

- (a) on his last scheduled working day in any year is required to perform the duties normally performed by a member of the force of a higher rank than his own, and
- (b) is paid in respect of that day a temporary salary under paragraph (3), and
- (c) on his first scheduled working day of the next following year continues for the complete day to perform such duties,

he shall be paid, in respect of the day mentioned in sub-paragraph (c) and any following complete day which together therewith forms a continuous period when he is required to perform such duties, as if that day or days had formed part of the year mentioned in sub-paragraph (a):

Provided that the said day or days shall be disregarded for the purposes of the application of paragraph (3) to that member in the year mentioned in sub-paragraph (c).

(5) For the purposes of this regulation “year” means a period of 12 months beginning on 1st April.

(6) For the purposes of this regulation, “day” means, in relation to a member of a police force below the rank of inspector, his normal daily period of duty.

London weighting

41. The annual pay of a member of the City of London or metropolitan police force shall be increased by £1,398, but any allowance under these Regulations calculated by reference to a member's pay, shall be calculated as if this regulation had not been made.

Reckoning of service in the Royal Ulster Constabulary

42.—(1) Where a member of a police force joined or rejoined that force having left the Royal Ulster Constabulary, on or after 17th December 1969, for that purpose or on exercising the right of reversion conferred prior to 1st April 1995 by section 2(1) of the Police Act 1969 and on or after that date by section 53C of the 1964 Act then, for the purposes of regulation 39, 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 rejoined as aforesaid:

Provided that in the case of a member of a police force of a rank higher than that of chief inspector this paragraph shall have effect subject to any contrary agreement.

(2) A member of a police force of the rank of constable shall be entitled to reckon, for the purposes of pay for that rank, any period of service in the Royal Ulster Constabulary not reckonable under paragraph (1).

(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 service in certain constabularies

43.—(1) A member of a police force of the rank of constable shall be entitled to reckon for the purposes 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 established by section 1 of the Ministry of Defence of Police Act 1987 or, before the coming into force of that Act, comprising constables appointed under section 3 of the Special Constables Act 1923 on the nomination of the Defence Council or, before 1st April 1964, of the Admiralty, Army Council or Air Council;
 - (b) the Port of Tilbury Constabulary or, before the coming into force of the Port of Tilbury Transfer Scheme 1991 Confirmation Order 1992, the Port of London Authority's police force, that is to

Reckoning of service in an airport constabulary

44. Where a member of an aerodrome constabulary has been transferred to a police force by an order under section 30 of the Aviation Security Act 1982 then, for the purposes of regulation 39, 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

45.—(1) A member of a police force of the rank of constable shall be entitled to reckon for the purposes of pay for that rank the following periods of service, that is to say, any period of—

- (a) certified overseas police service such as is mentioned in paragraph (2);
- (b) certified service in the British South Africa Police such as is mentioned in paragraph (3),
- (c) such service in a police force in the Channel Islands or the 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, a dependent territory within the meaning of the British Nationality Act 1981 or, where appropriate, the territory or country wherein the colony, protectorate or protected state or dependent territory was incorporated after the inception of the service, subject to it having been 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 having been 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 12 of the Overseas Development and Co-operation Act 1980, 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 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.

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

- (a) the Island police force maintained under the Police Force (Guernsey) Law 1986;
- (b) the States of Jersey police force maintained under the Jersey Laws entitled the Police Force (Jersey) Law 1974, or
- (c) the Isle of Man Constabulary maintained under the Police Act 1993 (an Act of Tynwald).

(5) A certificate given by or on behalf of—

- (a) the Secretary for Technical Co-operation before 27th November 1964, or
- (b) the Minister of Overseas Development on or after that date but before 12th November 1970,

shall be treated for the purposes of paragraph (2) as if it had been given by or on behalf of the Secretary of State.

Pay during sick leave

46.—(1) Subject to paragraphs (2) and (3), if on any relevant day a member of a police force has during the period of 12 months ending with that day been on sick leave for 183 days, he ceases for the time being to be entitled to full pay, and becomes entitled to half pay, while on sick leave.

(2) Subject to paragraph (3), if on any relevant day a member of a police force has been on sick leave for the whole of the period of 12 months ending with that day, he ceases for the time being to be entitled to any pay while on sick leave.

(3) The chief officer of police may in a particular case determine that for a specified period—

- (a) a member who is entitled to half pay while on sick leave is to receive full pay, or
- (b) a member who is not entitled to any pay while on sick leave is to receive either full pay or half pay, and may from time to time determine to extend the period.

(4) For the purposes of this regulation a relevant day is a day after 30th August 1995 on which a member is on sick leave, and in this regulation—

- (a) references to a member's being on sick leave are references to his being absent from duty while entitled to be so, or with the consent of the police authority, under regulation 35,
- (b) references to full pay are references to pay at the rate ascertained from regulation 39(1) and, where applicable, regulation 41, and
- (c) references to half pay are references to pay at half the rate of the member's full pay.

Pay during maternity leave

46A.—(1) Subject to the following provisions of this regulation, a female member of a police force who satisfies the conditions in paragraph (2) is entitled to be paid as respects the first three months of any period or periods of maternity leave in any one maternity period (as defined by regulation 36A) taken in accordance with regulation 36A, but is not entitled to be paid thereafter.

(2) The conditions referred to in paragraph (1) are that:

- (a) at the beginning of the week in which the expected date of birth (as defined by regulation 36A(1)) occurs, the female member of a police force will have served continuously for a period of not less than sixty-three weeks in that or any other police force; and
- (b) on the date (“the relevant date”) fifteen weeks before the expected date of birth (as so defined) she either—
 - (i) remains pregnant, or
 - (ii) has given birth prematurely to a baby who is alive on the relevant date.

(3) In this regulation “week” means a period of seven days beginning with Sunday.

Deductions from pay of social security benefits and statutory sick pay

47.—(1) There shall be deducted from the pay of a member of a police force who is in receipt of full pay (within the meaning of regulation 46(4)(b))—

- (a) the amount of any short-term or long-term incapacity benefit to which he is entitled under the Social Security (Incapacity for Work) Act 1994, and
- (b) any statutory sick pay to which he is entitled under the Social Security Contributions and Benefits Act 1992,

and for the purposes of sub-paragraph (a) above any increase for adult and child dependants shall be treated as forming part of the benefit or allowance to which it relates.

(2) For the purposes of this regulation, a policewoman who as a married woman or widow has elected to pay contributions under section 19 of the Social Security Contributions and Benefits Act 1992 at the reduced rate, shall be deemed to be entitled to any social security benefits mentioned in paragraph (1) to which she would have been entitled had she not elected to contribute at the reduced rate.

Calculation of monthly, weekly and daily pay

48.—(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 $52 \frac{1}{6}$ the annual rate.

(3) A day's pay shall be calculated, except for the purposes of regulations 28 and 29, at a daily rate determined by dividing by 7 the weekly rate, determined as aforesaid.

Pay day

49.—(1) Members of a police force shall be paid at such intervals as the police authority may fix and the police authority may fix different intervals for different classes of members.

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

(3) The police authority may, if they think fit, pay to a member such part of his pay as they may determine in advance of the day on which it would otherwise be due to be paid in accordance with this regulation.

PART V

ALLOWANCES AND OTHER EMOLUMENTS

REGULATION 50

Restriction on payment of allowances

50.—(1) No allowances shall be paid to a member of a police force except as provided by these Regulations or approved by the Secretary of State, and the amounts and conditions of payment of such allowances shall be as so provided or approved.

(2) Subject to paragraph (3), nothing in this regulation shall apply to the reimbursement of expenses incurred by a member of a police force 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.

(3) A member of a police force of the rank of superintendent or above who is required to travel by train in the execution of his duty shall be entitled to travel in first-class accommodation and to be reimbursed his expenses accordingly.

Restriction on payments for private employment of police

51. Without prejudice to the generality of regulation 50, a member of a police force who is engaged on duty at the request of any person who has agreed to pay the police authority or, in the case of a member of the metropolitan police force, the Receiver for the metropolitan police district for the member'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 or to the Receiver for the metropolitan police district, as the case may be.

Removal allowance

52.—(1) Where a member of the police force moves his home in circumstances to which this paragraph applies, the police authority—

- (a) shall either reimburse the reasonably incurred cost of removal or carry out the removal;
- (b) shall, where the member was the owner of his former home, reimburse expenses reasonably incurred by him in connection with the disposal thereof;
- (c) shall, where the member 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 officer of police, 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 member 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 member payments made by him to meet relevant liabilities in respect of the first 26 weeks following the move and may, if they think fit, reimburse him such payments in respect of such further period as they may determine so, however, that where the police authority are of opinion that the member 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 member would have been liable to make had he taken all such steps.
- (2) Paragraph (1) applies where the member moves his home—
- (a) on joining the force in the rank of assistant chief constable or a higher rank; or
 - (b) 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 officer of police, due to the exigencies of police duty or is made at the request of the chief officer of police and is, in

(3)—For the purposes of paragraph (1)(d) relevant liabilities are—

- (a) liabilities in respect of mortgage interest or rent payable in connection with his former home; and
- (b) in respect of any days in respect of which he is liable to pay council tax in respect of his former home, the amount by which that tax and any council tax he is liable to pay in respect of his new home exceeds the council tax that he would have been liable to pay in respect of his former home if he had not moved from it.

(4) Where a member of a police force moves his home in consequence of his voluntarily transferring from one force to another, otherwise than in circumstances to which paragraph (2) applies, 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.

(5) Where the cost of removal is reimbursed or the removal is carried out by the police authority under paragraph (1) or (4), then, subject to paragraph (6), in respect of expenditure incidental to the move the police authority shall pay the member an allowance of the amount hereinafter provided.

(6) An allowance under paragraph (5)—

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

(7) In the case of a member who-

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

the amount of the allowance under paragraph (5) shall be £20.

(8) In the case of any other member the amount of the allowance under paragraph (5) shall not exceed £1,524 nor be less than the minimum amount

mentioned in paragraph (9) 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.

(9) The minimum amount referred to in paragraph (8) shall be—

- (a) where the member holds, or is transferring to be appointed in, a rank higher than that of 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, £129;
- (c) where he holds, or is transferring to be appointed in, the rank of inspector or chief inspector, £102;
- (d) where he holds, or is transferring to be appointed in, any rank lower than inspector, £82.

(10) Where a member of a police force has been requested by the chief officer of police, in the interests of the efficiency of the force, to move his home, and—

- (a) the member has, in consequence, in connection with the contemplated disposal of his home and acquisition of a new home, incurred any expenses; and
- (b) he would, if he had moved his home, have been reimbursed those expenses by the police authority in pursuance of paragraph (1)(b) or (c); but
- (c) in consequence of a subsequent decision of the chief officer of police, the member does not in fact move his home,

he shall be entitled, notwithstanding that he has not moved his home, to be reimbursed those expenses by the police authority.

(11) In this regulation—

- (a) any reference to an owner of any property is a reference to an occupier thereof whose interest therein is either a freehold interest or a leasehold interest which is neither a yearly or shorter tenancy nor a furnished tenancy, and

- (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, stamp duty and expenses in connection with the redemption, transfer or taking out of a mortgage; and any reference to expenses incurred in connection with the acquisition of any property shall be construed as also including expenses in connection with the contemplated acquisition of a property other than that acquired.

Plain clothes allowances

53.—(1) A member of a police force below the rank of assistant chief 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 as shall be determined by the Secretary of State.

(2) A member of a police force below the rank of superintendent who is 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 as shall be determined by the Secretary of State.

(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 a 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 member of a police force 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 expenses allowance

54.—(1) This regulation applies in the case of a member of a police force 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 officer of police, usually engaged in outside duty.

(2) Such a member of the rank of superintendent shall be paid a detective expenses allowance at the rate of £5 a week; and shall not be eligible for the reimbursement of expenses incurred in the execution of his duty in respect of any individual item of expenditure of £1.25 or less.

(3) Such a member below the rank of superintendent shall be paid a detective expenses allowance at the rate of £3 a week; and shall not be eligible for the reimbursement of expenses incurred in the execution of his duty in respect of any individual item of expenditure of 75 pence or less.

Subsistence, refreshment and lodging allowances

55.—(1) A member of a police force of or below the rank of superintendent who, having been retained on duty beyond his normal daily period of duty or engaged on duty away from his usual place of duty, certifies that, by reason of being so retained or engaged, he has been unable to obtain a meal in his usual way and that, as a consequence thereof, he has incurred additional expenditure to obtain food, shall—

- (a) if the period for which he is so retained or engaged is not less than 2 hours 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.

(2) A member of a police force of or below the rank of superintendent who, having been retained on duty beyond his normal daily period of duty or engaged on duty away from his usual place of duty, certifies that he has incurred additional expense for the purpose of obtaining lodging which he would not have required if he had not been so retained or engaged shall be paid a lodging allowance.

(3) A member of a police force of or below the rank of superintendent who satisfies the chief officer of police that during his normal daily period of duty he has, though not away from his usual place of duty, been prevented by the exigencies of duty from obtaining a meal in his usual way and that he has, as a consequence thereof, incurred additional expenditure to obtain food, may be paid a refreshment allowance.

(4) For the purposes of this regulation usual place of duty means—

- (a) in the case of a member of the rank of superintendent, the divisional or sub-divisional headquarters or other police establishment, or
- (b) in the case of a member below the rank of superintendent, the police station or other police establishment,

in which the member is stationed or, where such place of duty has been temporarily changed, and after such period from the date of change as the chief officer of police may determine, in which he is temporarily stationed, as the case may be.

(5) A subsistence, refreshment or lodging allowance payable under the foregoing provisions of this regulation shall be of an amount determined in accordance with Schedule 8.

(6) A member of a police force above the rank of superintendent may be

paid an allowance, at such annual rate as is determined by the police authority, to cover additional expenditure incurred by him in obtaining food and lodging by reason of the exigencies of duty.

Advances to cover expenses when away on duty

56. Where a member of a police force of or below the rank of chief inspector is required to do duty away from his usual place of duty he shall, if he so requests, be given an advance to cover, as far as practicable, any expenses which he will probably incur.

Motor vehicle allowances

57.—(1) Where the chief officer of police is of opinion that the duties normally performed by a member of a police force are of such a nature that it is—

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

that the member in question should, at all material times, have a motor vehicle at his disposal, he may authorise that member to use (subject to his directions) a motor vehicle owned by the member for the purposes of duties performed by him and, subject as hereinafter provided, in respect of such use the member 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 thereof.

(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 member concerned was willing to carry passengers for the purposes of the duties performed by him or, in the case of passengers being members of a police force, by those members.

(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 officer of police is of the opinion mentioned in paragraph (1)(a), at the essential user's rate;
- (b) where the chief officer of police is of the opinion mentioned in paragraph (1)(b), at the casual user's rate,

as provided in Schedule 9:

Provided that where the member concerned holds a rank above that of superintendent he may instead be paid a flat-rate motor vehicle allowance at such annual rate as is determined by the police authority on such basis as is approved by 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 is approved by the Secretary of State.

(6) In its application to a chief officer of police this regulation shall have effect as if any reference therein to that officer were a reference to the police authority.

(7) Paragraph 1 of Schedule 9 shall have effect for the purposes of the interpretation of this regulation.

Dog handler's allowance

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

59.—(1) A member of a police force, if the charges are incurred by reason of an injury received without his default in the execution of his duty as a constable, shall be reimbursed any charges incurred in his case under section 77, 78 or 79 of the National Health Service Act 1977 (which sections relate to charges for certain drugs, medicines and appliances and for dental treatment).

(2) For the purposes of paragraph (1), injury and injury received in the execution of duty have the same meanings as they have in the Police Pensions Regulations.

London allowance

60. A member of the City of London or metropolitan police force shall be paid a London allowance at the rate of £1,011 a year.

Allowance for recurring escort duty, etc.

61. 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 member ill

62. If a member of a police force who is regularly in receipt of a plain clothes 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 a month, but thereafter, during the remainder of his or her absence from duty, payment may be suspended at the discretion of the chief officer of police.

REGULATION 63

Allowances in respect of periods of suspension

63. This Part of these Regulations shall have effect in relation to a member of a police force suspended under the Discipline Regulations, subject to the provisions of paragraphs 2 and 3 of Schedule 7.

University scholars

64. This Part of these Regulations shall have effect in relation to a university scholar subject to the provisions of paragraph 4 of Schedule 5.

Allowance under regulation 59 of the Police Regulations 1971

65. Where immediately before 1st September 1978 a member of a police force, other than the City of London or metropolitan police force, was entitled to an allowance under regulation 59 of the Police Regulations 1971 he shall be entitled to an allowance as follows-

- (a) in the case of an inspector or chief inspector, at the rate of £50 a year;
- (b) in the case of a sergeant or constable, at the rate of £72 a year;

while he remains a member of that force.

Replacement allowance

65A Schedule 13 shall have effect.

Replacement allowance

65A. Schedule 13 shall have effect.

PART VI

UNIFORM AND EQUIPMENT

REGULATION 66

Issue of uniform and equipment

66.—(1) Uniform and equipment shall be issued by the police authority free of charge to sergeants and constables in accordance with the provisions of Schedule 11.

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

Re-issue of uniform and equipment

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

Ownership of uniform and equipment

68. Subject to regulation 69 the uniform and equipment issued by the police authority shall not become the property of the member of the police force 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 being replaced by the police authority the article shall be handed back to the police authority unless the member, with the consent of the police authority, buys such article at a price to be fixed by the police authority or, with such consent, retains it without payment.

PART VII
REVOCATIONS AND SAVINGS

REGULATION 70

Revocations and savings

70.—(1) The Regulations specified in Part I of Schedule 12 are revoked to the extent specified.

(2) The revocations have effect subject to the savings in Part II of Schedule 12.

Temporary provision about deputy chief constable

71. Until 1st April 1995 the following regulations, namely—

regulation 10(10) (business interests incompatible with membership of a police force);

regulation 11(2) (business interests precluding appointment to a police force); and

regulation 16(2) (retirement),

shall have effect as if any reference to assistant chief constable (or, as the case may be, officer) included a reference to deputy chief constable (or officer).

SCHEDULE 1

MODIFICATION FOR PART-TIME SERVICE

REGULATION 7

1. In regulation 4 (meanings assigned to certain expressions) after paragraph (4) insert—

“(5) In relation to a member of a police force below the rank of inspector—

- (a) the determined hours are the number of hours which the chief officer of police has determined under regulation 24(2) or (4A)(a) as his normal period of duty in a relevant period,
- (b) a relevant period is a period for which a duty roster relating to him has effect for the time being under regulation 27, and
- (c) the appropriate factor is $\frac{A}{B}$

where—

A is the number of the determined hours, and

B is 40 times the number of weeks in the relevant period.

(6)—In relation to a member of a police force above the rank of sergeant the appropriate factor is $\frac{1}{2}$ ”

2. In regulation 14 (probationary service in the rank of constable)—

- (a) in paragraph (1) omit the words after “constable”;
- (b) in paragraph (2) for the words after “this regulation applies” substitute “may be required to serve on probation for such period, not exceeding 2 years and 6 months, as the chief officer of police, determines in the circumstances of a particular case.”; and
- (c) omit paragraph (3) and paragraph (4)(c) and (d).

3. In regulation 15 (discharge of probationer)—

- (a) in paragraph (1) for the words “his period” substitute “any period”; and
- (b) after paragraph (4) insert—

“(4A) For the purposes of this regulation a month’s pay is to be calculated by multiplying one twelfth of the annual rate ascertained from Schedule 6 by the appropriate factor.”.

4. In regulation 24 (normal daily period of duty) for paragraphs (2) to (4) substitute—

“(2) The normal period of duty in every relevant period of a member of a police force to whom this regulation applies, which is to be performed in accordance with general arrangements made by the chief officer of police after consulting the police authority and local representatives of the representative bodies, is, subject to paragraph (4A), the total number of hours determined by the chief officer with the agreement of the member at the time of his appointment.

(3) For the purposes of paragraph (2) a day of annual leave counts as a period of duty of 8 hours multiplied by the appropriate factor.

(4) The chief officer shall review a member’s normal period of duty at intervals of not more than 52 weeks, and in doing so shall have regard to the number of hours actually spent on duty during the interval preceding the review.

(4A) After a review under paragraph (4)—

- (a) any number of hours different from that determined under paragraph (2) which was determined by the chief officer and agreed to by the member becomes the member’s normal period of duty, and
- (b) if no different number was agreed to by the member, his normal period of duty is the number of hours determined under paragraph (2).

(4B) The number of hours determined under paragraph (2) or (4A)(a) must not be less than 16 times the number of weeks in the relevant period.

(4C) As far as the exigencies of duty permit, a shift shall consist of one continuous period.

(4D) Where in one day a member is on duty for a continuous period of 5 hours or more, an interval for refreshment shall, as far as the exigencies of duty permit, be allowed in accordance with the Table below.

Number of hours	Refreshment interval
Less than 6 hours	30 minutes
6 hours or more, but less than 7 hours	35 minutes
7 hours or more, but less than 8 hours	40 minutes
8 hours or more	45 minutes

(4E) Where a shift consists of two periods amounting in total to 5 hours or more and the member does not travel to and from his home between those periods, an interval for refreshment and rest shall normally be included at the beginning or end of one of them.”.

5. In regulation 27 (rostering of duties)—

- (a) in paragraph (1)—
 - (i) omit the word “annual”, and
 - (ii) after sub-paragraph (b) insert—
“and
- (c) a reference to a free day is to be construed as a reference to a day which is not—
 - (i) a day on which a shift is, according to the duty roster, to begin or end, or
 - (ii) a rostered rest day, or
 - (iii) a public holiday.”;
- (b) in paragraph (2) after the word “roster” insert “(except one relating to a member who has agreed with the chief officer on a different period) shall have effect for a period of 12 months, and”;
- (c) in paragraph (3)—
 - (i) for the words “the 12 months following the date on which it comes into force substitute the period for which it has effect”,
 - (ii) after sub-paragraph (a) insert—
“(aa) his free days;”, and
 - (iii) in sub-paragraph (c) for the words “his scheduled daily periods of duty are” substitute “each of his shifts is”;
- (d) in paragraph (4)—
 - (i) in sub-paragraph (a) for the words “daily periods of duty” substitute “shifts”, and
 - (ii) in sub-paragraph (b) before the words “an interval” insert “unless he has agreed with the chief officer on a longer interval.”; and
- (e) in paragraph (5) for the words “daily period of duty” substitute “shift”.

6.—For regulation 28 (overtime) substitute—

28.—(1) This regulation applies to a member of a police force below the rank of inspector.

(2) A member who has been on duty for more than 40 hours in any period of 7 days beginning with such day as is fixed for the purposes of this regulation by the chief officer of police (a “relevant week”) is entitled

in respect of any day during that period in which he has been on duty for more than 8 hours (a “long-duty day”) to an allowance at the rate of one twelfth of an hour’s pay for each completed 15 minutes in excess of 8 hours, except that on each of the first 4 occasions on which overtime which the member was not told at the beginning of the shift would be required is worked during a relevant week 30 minutes of the overtime worked is to be disregarded.

(3) A member may, before the end of a pay period (that is to say, a period comprising one of the intervals between payments under regulation 49), elect to be granted time off, instead of an allowance under paragraph (2), in respect of any long-duty day that occurred during a relevant week ending within the pay period.

(4) Subject to the exigencies of duty, where a member has elected as mentioned in paragraph (3) the chief officer of police shall, within 3 months after the end of the relevant week, grant him time off equal to the total of—

- (a) the time in excess of 8 hours spent on duty in the day, or as the case may be in each of the days, in respect of which the election was made, and
- (b) 15 minutes in respect of each completed 45 minutes of that time.

(5) Any time counting for the purposes of regulation 39(1) (pay) as time spent on duty, except—

- (a) time for which an allowance is received under paragraph (7) or under regulation 29 or 61, and
- (b) any period of less than 30 minutes worked during the first 30 minutes after the end of a rostered shift, except a period of 15 minutes which the member was told at the beginning of the shift would be required,

counts as time spent on duty for the purposes of paragraph (2).

(6) For the purposes of paragraph (2) a period of duty—

- (a) which resulted from a member’s being recalled and returning to duty between two rostered shifts, and
- (b) the length of which, after deducting any travelling time counting as a period of duty by virtue of regulation 32, was less than 4 hours,

counts as a period of duty lasting for the aggregate of 4 hours and any period counting by virtue of regulation 32.

(7) Where the time at which a member is required to commence a rostered shift is brought forward—

- (a) without giving him notice 8 hours or more before the new commencement time, and

- (b) so that he is required to commence that shift on the day on which his previous shift ended,

he is entitled to an allowance at the rate of one twelfth of an hour's pay for each completed 15 minutes of the time for which he is on duty before the rostered commencement time.

(8) A member who has become entitled to an allowance under paragraph (7) may, before the end of the pay period during which the day on which he was required to commence the shift occurred, elect to be granted time off instead of the allowance.

(9) Subject to the exigencies of duty, where a member has elected as mentioned in paragraph (8) the chief officer of police shall, within 3 months after the date of the election, grant him time off equal to one and one third times the number of completed quarters of an hour for which he was on duty before the rostered commencement time.

(10) Where—

- (a) on any day on which he has a rostered shift a member has been on duty for a period exceeding the length of that shift, and
- (b) he is not entitled in respect of that day to any allowance under paragraph (2) or (7),

he may, not later than 4 days after the end of the relevant week in which the day in question occurred, elect to be granted time off in respect of the excess over the length of the shift ("the excess period").

(11) For the purposes of paragraphs (2) and (10) a continuous period of duty which began before and ended after the beginning of a day shall-

- (a) if the day on which it ended was not-
 - (i) a public holiday,
 - (ii) a rostered rest day, or
 - (iii) a free day,in respect of which he became entitled to an allowance under regulation 29, be treated as having fallen wholly within, and
- (b) in any other case, be treated as having consisted only of so much of the period as fell within, the day on which the period began.

(12) Subject to the exigencies of duty, where a member has elected as mentioned in paragraph (10) the chief officer of police shall, within 3 months after the date of the election, grant him time off equal to the excess period.

(13) For the purposes of regulation 39(1) (pay) any extra period of

duty in respect of which time off is granted under paragraph (4) or (9) counts as one and one third times the number of completed quarters of an hour comprised in the extra period of duty, and a period falling within paragraph (6)(a) and (b) counts as one of 4 hours.”.

7. In regulation 29 (public holidays and rest days for ranks below inspector)—

- (a) in paragraph (4) for the words “a day’s pay” substitute “the member’s hourly rate of pay calculated in accordance with regulation 39(1)”;
- (b) in paragraph (5)—
 - (i) for the words “one sixteenth” substitute “one quarter”, and
 - (ii) for the words “three sixty—fourths” substitute “one eighth”;
- (c) after paragraph (5) insert—

“(5A) A member who—

- (a) is required to do duty on a free day, and
- (b) receives not less than 15 days’ notice of the requirement, shall be granted another free day in lieu, which shall be notified to him within 4 days of notification of the requirement.

(5B) This paragraph applies where—

- (a) a member is required to do duty on a free day, and
- (b) he receives less than 15 days’ notice of the requirement, and
- (c) the duty is of such a nature that it would not in the circumstances have been reasonably practicable for it to be done by any other member.

(5C) Where paragraph (5B) applies—

- (a) if the member was on duty for more than 8 hours on the free day and for more than 40 hours (in addition to any hours on a rostered rest day or a public holiday for which an allowance fell to be granted under paragraph (3)(a) or (6)(a) or (b)) during the week in which the free day occurred, he is entitled to an allowance at the rate of one twelfth of an hour’s pay for each completed period of 15 minutes of duty done on the free day, and
- (b) in any other case, he is entitled to time off equal to the total length of those periods.

(5D) Where—

- (a) a member is required to do duty on a free day, and
- (b) he receives less than 15 days’ notice of the requirement,

but paragraph (5C) does not apply, he is entitled to an allowance at the appropriate rest-day rate.”;

- (d) after paragraph (7) insert—

“(7A) A member who is required to do duty on a free day may within 28 days of that day elect to receive—

 - (a) in lieu of an allowance under paragraph (5C)(a), time off equal to one and one third times, and
 - (b) in lieu of an allowance under paragraph (5D), time off equal to one and a half times,

the period of completed quarters of an hour of duty done on the free day.”;
- (e) in paragraph (8)—
 - (i) after the words “rostered rest day” insert “or on a free day”,
 - (ii) after the words “paragraph (7)” insert “or (7A)”,
 - (iii) after the words “as the case may be,” insert “paragraph (5C) or (5D) or”; and
- (f) in paragraph (9)—
 - (i) for sub-paragraph (b) substitute—

“(b) “the appropriate rate” is, for each completed 15 minutes of duty done on a public holiday, one quarter of the member’s hourly rate of pay calculated in accordance with regulation 39(1);”;
 - (ii) omit sub-paragraph (c), and
 - (iii) in sub-paragraphs (f) and (g) after the words “rostered rest day”, wherever occurring, insert “or a free day” and in sub-paragraph (f) for the words “a normal daily period of duty” substitute “a rostered shift”;
- (g) in paragraph (10) after the words “rostered rest day”, wherever occurring, insert “or a free day”; and
- (h) after paragraph (10) insert—

“(11) For the purposes of regulation 39(1) (pay)—

 - (a) a day’s leave allowed under paragraph (2) and a day off granted under paragraph (4)(a) or under paragraph (10) in respect of a public holiday each count as a period of duty of 8 hours multiplied by the appropriate factor, and
 - (b) so much of any time off granted under paragraph (7A) or (8) as exceeds the time spent on duty on the public holiday, rest day or free day counts as time spent on duty.”.

8. In regulation 31 (public holidays and monthly leave days for ranks above chief inspectors)—

- (a) in paragraph (2) after the words “each month” insert “the amount of leave arrived at by multiplying by the appropriate factor”; and
- (b) in paragraph (3)—
 - (i) for the words “eight monthly leave days” substitute “the amount of leave arrived at by multiplying 8 days by the appropriate factor”, and
 - (ii) for the words after “permit” substitute “be allowed a day’s leave in lieu of any day on a public holiday not allowed (or as the case may be) be granted the balance of monthly leave as additional monthly leave”.

9. In regulation 32 (travelling time treated as duty)—

- (a) for paragraph (1) substitute—

“(1) This regulation applies to a member of a police force where—

 - (a) a shift consists of two separate periods, or
 - (b) he is recalled to duty between two shifts,

and he travels to and from his home between those periods or, as the case may be, in consequence of his recall (in this regulation referred to as “relevant travelling”).”; and
- (b) in paragraph (2) for the words from “overtime” to “thereof” substitute “duty for the purposes of regulation 28, regulation 29 (except paragraph (9)(f)) or regulation 39(1)”.

10. In regulation 34 (annual leave)—

- (a) in paragraph (1) after the words “Schedule 4” insert “, except that in the case of a member above the rank of chief inspector any period of leave calculated in accordance with Schedule 4 is to be multiplied by the appropriate factor”; and
- (b) after paragraph (1) insert—

“(1A)—In the case of a member below the rank of superintendent, each day of annual leave granted counts for the purposes of regulation 39(1) (pay) as a period of duty of 8 hours multiplied by the appropriate factor.”.

11. In regulation 35 (sick leave) after paragraph (2) insert—

“(3)—While a member below the rank of inspector is entitled under this regulation to be absent from duty, any rostered shift counts for the purposes of regulation 39(1) (pay) as a period of duty of the same duration.”

12. REVOKED.

13. In regulation 37 (paternity leave) after paragraph (3) insert—

“(4)—In the case of a member below the rank of superintendent, each day of paternity leave granted counts for the purposes of regulation 39(1) (pay) as a period of duty of 8 hours multiplied by the appropriate factor.”.

14. In regulation 39 (rate of pay)—

(a) for paragraph (1) substitute—

“(1) A member of a police force below the rank of superintendent shall be paid for time spent on duty at an hourly rate calculated by multiplying the annual rate determined by the Secretary of State in accordance with regulation 39 by

$$\frac{6}{12520}$$

and

(b) after paragraph (1) insert—

“(1A)—A member above the rank of chief inspector shall be paid at an annual rate calculated by multiplying that rate as determined by the Secretary of State in accordance with regulation 39 by the appropriate factor.”.

15. In regulation 40 (temporary salary)—

(a) in paragraph (1)—

(i) after the words “performed by a” insert “full-time”, and

(ii) after the words “rate of pay for” insert “a person appointed as a full-time member in”;

(b) in paragraph (3)—

(i) after the words “performed by a” insert “full-time”, and

(ii) after the words “to the higher rank” insert “as a full-time member”; and

(c) in paragraph (6) for the words after “superintendent” substitute “the period that would constitute his normal daily period of duty if he were a full-time member, and “full-time member” means a member of the force appointed otherwise than under regulation 7.”.

16. In regulation 41 (London weighting)—

(a) for the words “annual pay” substitute “hourly rate of pay ; and

- (b) after the words “increased by” insert “the amount obtained by multiplying by

$$\frac{6}{12520} \text{ the sum of”}.$$

16A. In regulation 46A (pay during maternity leave) after paragraph (3) insert —

- (4) A woman member below the rank of superintendent who satisfies the conditions in paragraph (2) is to be treated for the purposes of regulation 39(1) (pay) as having been on duty for the number of hours determined by multiplying the number of her determined hours by the length in days of the paid leave period and dividing the result by the length in days of the relevant period.

17. In regulation 52 (removal allowance) after paragraph (5) insert—

“(5A)—Every sum of money specified in paragraphs (7) to (9) is to be multiplied by the appropriate factor.”.

18. In regulation 53 (plain clothes allowance) in paragraph (1)—

- (a) for the words “for a continuous period of not less than a week” substitute “on 7 or more consecutive days”; and
(b) after the word “determined” insert “(regard being had to the appropriate factor)”.

19. In regulation 54 (detective expenses allowance)—

- (a) in paragraph (1) for the words “for a period of not less than a week” substitute “on 7 or more consecutive days” and;
(b) after paragraph (1) insert—

“(1A) The rates specified in paragraphs (2) and (3) as the rates of allowances under this regulation are to be multiplied by the appropriate factor.”.

20. In regulation 55 (subsistence, refreshment and lodging allowances) at the end of paragraph (3) insert “, and in relation to a member below the rank of superintendent references in this regulation to his normal daily period of duty are to be construed as references to—

- (i) a period of duty lasting 8 hours, or
(ii) periods of duty performed in one day amounting in total to 8 hours”.

21.—In regulation 60 (London allowance) for the words “the rate of” substitute “the rate obtained by multiplying by the appropriate factor”.

22. In regulation 65 (allowance under Police Regulations 1971) for the words after “he shall” substitute “, while he remains a member of that force, be entitled to an allowance at an annual rate calculated by multiplying by the appropriate factor-

- (a) in the case of an inspector or chief inspector, £50, and
- (b) in the case of a sergeant or constable, £72.”.

23. In Schedule 5 (university scholars) in paragraph 3(2) for the words “the rate of” substitute “the rate obtained by multiplying by the appropriate factor”, and omit the words after a “year”.

24. In Schedule 7 (effect of disciplinary action on pay and allowances) in paragraph 4-

- (a) after the words “13 weeks” insert “multiplied by the reciprocal of the appropriate factor”; and
- (b) after the words “weekly pay” insert “multiplied by the appropriate factor”.

25. In Schedule 9 (motor vehicle allowances) after paragraph 2(2) insert-

“(2A) The fixed element calculated in accordance with sub-paragraph (2) shall be multiplied by the appropriate factor.”

SCHEDULE 2

RESTRICTIONS ON THE PRIVATE LIFE OF MEMBERS OF POLICE FORCES

REGULATION 9

1. A member of a police force 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 member of a police force shall not take any active part in politics.

2. A member of a police force shall not reside at premises which are not for the time being approved by the chief officer of police.

3.—(1) A member of a police force shall not, without the previous consent of the chief officer of police, receive a lodger in a house or quarters with which he is provided by the police authority or sub-let any part of the house or quarters.

(2) A member of a police force shall not, unless he has previously given written notice to the chief officer of police, receive a lodger in a house in which he resides and in respect of which he receives an allowance under Part II of Schedule 12 or sub-let any part of such a house.

4. A member of a police force shall not wilfully refuse or neglect to discharge any lawful debt.

SCHEDULE 3

MODIFICATION FOR VARIABLE SHIFT ARRANGEMENTS

REGULATION 26

1. In regulation 24 (normal daily period of duty) for paragraphs (2) to (4) substitute—

“(2) As far as the exigencies of duty permit, a shift shall consist of one continuous period.

(3) Where in one day a member is on duty for a continuous period of 5 hours or more, time for refreshment shall, as far as the exigencies of duty permit, be allowed in accordance with the Table below.

Table

<i>Number of hours</i>	<i>Refreshment time</i>
Less than 6 hours	30 minutes
6 hours or more, but less than 7 hours	35 minutes
7 hours or more, but less than 8 hours	40 minutes
8 hours or more, but less than 9 hours	45 minutes
9 hours or more, but less than 10 hours	50 minutes
10 hours or more	60 minutes

(4) Where a shift consists of two periods amounting in total to 5 hours or more and the member does not travel to and from his home between those periods, an interval for refreshment and rest shall normally be included at the beginning or end of one of them.”.

2. In regulation 27 (rostering of duties)—

- (a) in paragraph (1) omit the word “annual”;
- (b) in paragraph (3)—
 - (i) for the words “the 12 months following the date on which it comes into force” substitute “the period for which it has effect”, and
 - (ii) in sub-paragraph (c) for the words “his scheduled daily periods of duty are” substitute “each of his shifts is”;
- (c) in paragraph (4)(a) for the words “daily periods of duty” substitute “shifts”; and
- (d) in paragraph (5) for the words “daily period of duty” substitute “shift”.

3. In regulation 28 (overtime)—

- (a) in paragraph (1)—
 - (i) for the words “his tour of duty” substitute “a rostered shift”,
 - (ii) for the words “tours of duty” substitute “rostered shifts”, and
 - (iii) for the words “a tour of duty” and for the words “his normal daily period of duty” substitute “a rostered shift”;
- (b) in paragraph (6) for the words “tour of duty”, wherever occurring, substitute “shift”;
- (c) omit paragraph (7)(b);
- (d) in paragraph (7)(c) for the words “tours of duty” substitute “shifts”;
- (e) in paragraph (7)(d)—
 - (i) for the words “a rostered tour of duty” substitute “a rostered shift”,
 - (ii) for the words “begin that tour” substitute “begin that shift”,
 - (iii) for the words “his normal daily period of duty” substitute “a rostered shift”, and
 - (iv) for the words “that tour of duty” substitute “that shift”; and
- (f) in paragraph (8) in the definition of “due notice” for the words “tour of duty” substitute “shift”.

4. In regulation 29 (public holidays and rest days for ranks below inspector) in paragraph (2) after the words “the rate of” insert “not less than” and in paragraph (9)(f) for the words “a normal daily period of duty” substitute “a rostered shift”.

5. In regulation 32 (travelling time treated as duty) for paragraph (1) substitute—

“(1)—This regulation applies to a member of a police force where—

- (a) a shift consists of two separate periods, or
- (b) he is recalled to duty between two shifts,

and he travels to and from his home between those periods or, as the case may be, in consequence of his recall (in this regulation referred to as “relevant travelling”).”.

7. In regulation 40 (temporary salary)—

- (a) REVOKED;

- (b) in paragraph (3)—
 - (i) for the words from “has been required” to “equal to” substitute “has had qualifying shifts amounting in total to 112 hours shall be paid in respect of each further qualifying shift in that year at the hourly rate arrived at by dividing by 8 a day’s pay at”, and
 - (ii) REVOKED;
- (c) in paragraph (4)—
 - (i) for sub-paragraph (a) substitute—
 - “(a) has a qualifying shift as his last rostered shift in any year, and”,
 - (ii) in sub-paragraph (b) for the word “day” substitute “shift”,
 - (iii) for sub-paragraph (c) substitute
 - “(c) has a qualifying shift as his first rostered shift in the next following year”,
 - (iv) for the words from “the day” to “formed part of” substitute “the shift mentioned in sub-paragraph (c) and any qualifying shifts beginning on days that follow consecutively the day on which that shift began as if that shift or shifts had occurred in”, and
 - (v) in the proviso for the words “day or days” substitute “shift” or “shifts”; and
- (d) for paragraph (6) substitute—
 - “(6) For the purposes of this regulation the expression “qualifying shift” means, in relation to a member of a police force, a rostered shift throughout which he is required to perform duties normally performed by a member of the force of a higher rank than his own.”.

8. In regulation 55 (subsistence, refreshment and lodging allowances) at the end of paragraph (3) insert “; and references in this regulation to a member’s normal daily period of duty are to be construed as references to a rostered shift”.

9. In regulation 61 (allowance for recurring escort duty, etc.) for the words “beyond the normal daily period” substitute “after rostered shifts”.

10. Omit Schedule 4.

SCHEDULE 4

ANNUAL LEAVE

REGULATION 34

1.—(1) Subject to regulation 34 and the provisions of this Schedule, every member of a police force of or above the rank of superintendent shall be granted in each leave year the following period of annual leave namely—

- (a) in the case of a member of the rank of superintendent, 31 days;
- (b) in the case of a member of a rank higher than that of superintendent who has not completed 10 years' relevant service, not less than 42 days; and
- (c) in any other case, not less than 48 days.

(2) Subject as aforesaid and to paragraph (3) below every member of a police force holding a rank below that of superintendent shall be granted in each leave year commencing after 31st December 1993 the period of leave set out opposite his relevant service as a member of a police force in the Table below.

Table

<i>Relevant service</i>	<i>Annual leave</i>
Under 5 years' relevant service	21 days
5 or more years' relevant service	23 days
10 or more years' relevant service	26 days
15 or more years' relevant service	27 days
<u>20 or more years' relevant service</u>	<u>29 days</u>

(3) Where the annual leave entitlement of a member of a police force immediately before the coming into effect of this paragraph, in respect of the first leave year commencing after 31st December 1993, exceeded the period prescribed in his case in respect of that year by the foregoing provisions of this paragraph he shall continue to be entitled to be granted such greater period of leave until such time as he shall have completed such number of years' relevant service as, by virtue of the said provisions, entitle him to an increased period of leave.

2. In the leave year in which a member of a police force is appointed to, is promoted in, or retires from the force or completes such number of years' relevant service as will entitle him to an increased period of annual leave, his annual leave shall be calculated at the rate of a 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 member of a police force is promoted or completes the said number of 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 the said number of years' relevant service at the beginning of that month's service.

3. In the case of a member of a police force of a rank not higher than that of superintendent, the chief officer of police may, in his discretion and subject to the exigencies of duty—

- (a) notwithstanding anything in paragraphs 1 and 2, where he is satisfied that, in any leave year, the member has not taken the full period of annual leave specified in those paragraphs, grant the member, during the following leave year, additional days of annual leave not exceeding the number of days not taken, so however that he shall not exercise his discretion so as to grant more than 5 additional days of annual leave to a member unless he is satisfied that there are exceptional circumstances and that it is in the interests of efficiency to do so;
- (b) grant the member not more than 5 additional days of annual leave, to be taken in the last month of the leave year, subject to a corresponding reduction being effected in the member's period of annual leave under paragraph 1 for the following year.

4.—(1) Subject to sub-paragraph (2), days of annual leave granted under this Schedule may be taken, in the discretion of the chief officer of police and subject to the exigencies of duty, as a single period, or as single days, or in periods of more than one day or as half days.

(2) In the case of a member below the rank of superintendent, not more than 3 days of annual leave shall be taken as half days, and where annual leave is so taken, the member—

- (a) shall do duty on that day for 4 hours, and
- (b) shall not be entitled to be allowed an interval for refreshment such as is mentioned in regulation 24(3).

5.—(1) Where a member of a police force has been recalled to duty from a period of absence from duty to which this paragraph applies, he shall be granted, in compensation for being recalled to duty on any day during that period which is a day of annual leave or a day taken off in lieu of overtime—

- (a) if he was so recalled to duty for 1 or 2 days (whether or not in the latter case those days formed a single period), an additional 2 days' annual leave in lieu of each such day for which he was so recalled; or
- (b) if he was so recalled to duty for 3 or more days (whether or not forming a single period), 2 days' annual leave in lieu of each of the

first 2 such days for which he was so recalled, and 1' days' annual leave in lieu of each such day for which he was so recalled thereafter.

(2) This paragraph applies to a period of absence from duty of 3 or more days, where at least one of those days is a day of annual leave and the other days, if not days of annual leave, are rostered rest days, day taken off in lieu of overtime, public holidays (or days taken off in lieu thereof) or monthly leave days, or any combination thereof.

6.—(1) For the purposes of this Schedule-

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

“relevant service” means any service which the member concerned is entitled to reckon for the purposes of pay together with any service which he was previously so entitled to reckon-

(a) in the case of a member 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 regulation 45.

(2) Where a member of an aerodrome constabulary has been transferred to a police force by an order under section 30 of the Aviation Security Act 1982 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.

SCHEDULE 5

UNIVERSITY SCHOLARS

REGULATION 4
REGULATION 38
REGULATION 39
REGULATION 64

1.—(1) In this Schedule a reference to a university scholar is a reference to a member of a police force nominated for a course of university study by the Secretary of State or by the police authority maintaining the force of which he is a member in pursuance of arrangements in that behalf approved by the Secretary of State and, in relation to such a member, “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) For the purposes of this paragraph a full-time course leading to a degree awarded by the Council for National Academic Awards shall be treated as a course of university study notwithstanding that the course is provided otherwise than at a university. 2. Regulations 24, 28 and 29 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, not being a member of the City of London or metropolitan police force, 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 £1,662 a year and his rate of pay, determined in accordance with Part IV of these Regulations, shall be increased accordingly.

4. 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 52 shall have effect in his case as if the removal were such as is mentioned in paragraph (1) thereof.

SCHEDULE 6
DETERMINATION OF PAY

REGULATION 39

1. OMITTED

SCHEDULE 7

EFFECT OF DISCIPLINARY ACTION ON PAY AND ALLOWANCES

REGULATION 39

REGULATION 63

1.—(1) Subject to paragraph 3, a member of a police force suspended under the Discipline Regulations who—

- (a) is detained in pursuance of a sentence of a court in a prison or other institution to which the Prison Act 1952 applies, or is in custody (whether in prison or elsewhere) between conviction by a court and sentence, or
- (b) has absented himself from duty and whose whereabouts are unknown to the chief officer of police (or an assistant chief officer acting as chief officer),

shall not, by virtue of regulation 39, be entitled to pay in respect of his period in detention or custody or, as the case may be, in respect of the period during which his whereabouts are unknown as aforesaid.

(2) Where the member suspended is a chief constable or other senior officer within the meaning of the Police (Discipline) (Senior Officers) Regulations 1985, sub-paragraph (1)(b) shall have effect as if for the words after “unknown” there were substituted “to the police authority”.

2. Subject to paragraph 3, a member of a police force suspended under the Discipline Regulations shall not, by virtue of Part V of these Regulations, be entitled to any allowance, in respect of the period of suspension, other than—

- (a) an allowance under Part II of Schedule 12; or
- (b) in the case of a member to whom paragraph 1(1) does not apply, an allowance under regulation 60 (London allowance) or 65 (allowance under Police Regulations 1971).

3. Where a member of a police force returns to duty when the period of suspension comes to an end 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 reduction in his rate of pay, fine, reprimand or caution,

he shall receive, as from the date of his suspension, the pay to which, but for paragraph 1, and the allowances to which, but for paragraph 2, he would have been entitled by virtue of these Regulations.

4. Where a member of a police force is fined under the Discipline Regulations, the fine shall, without prejudice to any other method of recovery, be recoverable by way of deductions from the member's pay during the period of 13 weeks following the imposition of the fine so, however, that the aggregate sum which may be deducted in pursuance of this paragraph in respect of any one week (whether on account of one or more fines) shall not exceed a seventh of his weekly pay:

Provided that in the event of the member leaving the police force, the whole amount of any fine unpaid may be deducted from any pay then due.

SCHEDULE 8

SUBSISTENCE, REFRESHMENT AND LODGING ALLOWANCES

REGULATION 55

1.—(1) Subject as hereafter in this Schedule provided, the amount of a subsistence, refreshment or lodging allowance payable under regulation 55(5) shall be in accordance with such scale appropriate to the rank of the member of a police force concerned as shall be determined by the Secretary of State; and separate scales shall be determined for members of the rank of superintendent and for members 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 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 officer of police 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 a member of a police force below the rank of superintendent is required during any period to accompany a member 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 9

MOTOR VEHICLE ALLOWANCES

REGULATION 57

1. For the purposes of regulation 57 and of this Schedule-

“authorised use” means the use, authorised under regulation 57, of a motor vehicle owned by the member of a police force concerned for the purposes of his duties as a member of that force or, where he has been statutorily transferred from one force to another force, as a member of either of those forces, and “period of authorised use” means the period during which such use is authorised;

“cylinder capacity” means the cylinder capacity of the engine of a vehicle calculated in accordance with regulations under paragraph 2(4) of Schedule 1 to the Vehicle Excise and Registration Act 1994;

“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 twelve months beginning on such date as may be determined by the police authority;

and a reference to a motor vehicle owned by a member of a police force is a reference to such a vehicle kept and used by him.

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 fixed element and a mileage element calculated as provided in sub-paragraphs (2) and (3).

(2) The fixed element shall be calculated by reference to the number of completed months comprised in the period of authorised use for the year in question at such annual rate as is specified by the Secretary of State by reference to the cylinder capacity of the motor car in question.

(3) The mileage element shall be calculated in relation to authorised use at such rate as is specified by the Secretary of State by reference to the cylinder capacity of the motor car in question, and for that purpose he may so specify-

(a) a basic rate, in relation to authorised use not exceeding such mileage as is specified by him (“the basic mileage”), and

(b) a reduced rate in relation to authorised use in excess of the basic mileage.

(4) 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 over-payment shall be recoverable.

(5) Where in any year a motor vehicle allowance is payable at the essential user's rate to a member of a police force and the member is on sick leave, or maternity leave, or the motor car in question is out of order, for a continuous period of four 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 as being appropriate in all the circumstances.

(6) 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, subparagraph (3) shall have effect as if for the reference to the basic mileage 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 such rate as is specified by the Secretary of State by reference to that mileage and the cylinder capacity of the motor car in question, except that where the amount of the allowance would be less if it were calculated 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 member of a police force 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 c.c., as the chief officer of police, with the approval of the police authority, has determined appropriate for use for the purposes of the duties normally performed by the member concerned.

SCHEDULE 10

DOG HANDLER'S ALLOWANCE

REGULATION 58

1.—(1) Subject as hereinafter provided, a dog handler's allowance shall be payable-

- (a) in the case of a constable, at the annual rate of £1,059;
- (b) in any other case, at the annual rate of £1,443.

(2) Where the member 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.

SCHEDULE 11

ISSUE OF UNIFORM AND EQUIPMENT

REGULATION 66

1. The uniform specified in the following Tables for men and women respectively shall be issued in accordance with those Tables subject to any modifications approved by the Secretary of State:

Provided that where particular duties or the duties of a particular member of a police force entail greater or less wear than normal the issue of any article of uniform may be made as required-

Tables

Men

<i>Article</i>	<i>Issue</i>	<i>Maximum number in issue</i>
Jacket	1 annually (period of wear 4 years)	4
Trousers	2 pairs annually (period of wear 2 years)	4 pairs
Greatcoat	If the police authority approves the issue of greatcoats to the force, as required	1
Cape	As required	2
Raincoat or mackintosh	As required	2
Headdress	As required	2
Shirts (either collar attached or complete with 3 separate collars)	After an initial issue of not less than 4 nor more than 6 (as the police authority may determine) 3 annually or, in the case of shirts with separate collars, 2 annually	—
Ties	2 annually	—
Long sleeved pullover or jersey	As required	2

Women

<i>Article</i>	<i>Issue</i>	<i>Maximum number in issue</i>
Jacket	1 annually (period of wear 4 years)	4
Skirt or pair of trousers	2 annually (period of wear 2 years)	4
Greatcoat	As required	1 or 2 (as the police authority may determine)

Women (continued)

<i>Article</i>	<i>Issue</i>	<i>Maximum number in issue</i>
Other outer garments comprising the following items — (a) a coat being a raincoat or mackintosh, or	As required	2
(b) a cloak, a gaberdine coat and a fully waterproofed coat as the police authority may determine	As required	1 of each item
Headdress	As required	2
Shirts (general issue, either collar attached or complete with 3 separate collars)	After an initial issue of not less than 4 nor more than 6 (as the police authority may determine) 2 annually	—
Shirts (summer issue, for wear with or without ties)	After an initial issue of 3, 2 annually	—
Ties	2 annually	—
Long sleeved pullover or jersey	As required	2

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

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

4. Issues of equipment shall be made as circumstances require.

SCHEDULE 12

REVOCATIONS AND SAVINGS

REGULATION 70

PART I REVOCATIONS

<i>Regulations revoked</i>	<i>References</i>	<i>Extent of revocation</i>
The Police Regulations 1987	SI 1987/851	The whole Regulations
The Police (Amendment) Regulations 1987	SI 1987/1753	The whole Regulations
The Police (Amendment) Regulations 1988	SI 1988/727	The whole Regulations
The Police (Amendment) (No.2) Regulations 1988	SI 1988/1821	The whole Regulations
The Police (Amendment) (No.3) Regulations 1988	SI 1988/2162	The whole Regulations
The Police (Amendment) Regulations 1989	SI 1987/895	The whole Regulations
The Police (Amendment) (No.2) Regulations 1989	SI 1989/1745	The whole Regulations
The Police (Amendment) Regulations 1990	SI 1990/401	The whole Regulations
The Police (Amendment) (No.2) Regulations 1990	SI 1990/1127	The whole Regulations
The Police (Amendment) (No.3) Regulations 1990	SI 1990/1573	The whole Regulations
The Police (Amendment) (No.4) Regulations 1990	SI 1990/2619	The whole Regulations
The Police (Amendment) Regulations 1991	SI 1991/2484	The whole Regulations
The Police (Amendment) (No.2) Regulations 1991	SI 1991/2650	The whole Regulations
The Police (Amendment) (No.3) Regulations 1991	SI 1991/2869	The whole Regulations
The Police (Amendment) Regulations 1992	SI 1992/275	The whole Regulations
The Police (Amendment) (No.2) Regulations 1992	SI 1992/1278	The whole Regulations
The Police (Amendment) Regulations 1993	SI 1993/313	The whole Regulations
The Police (Amendment) (No.2) Regulations 1993	SI 1993/1198	The whole Regulations
The Police (Amendment) (No.3) Regulations 1993	SI 1993/2047	The whole Regulations
The Police (Amendment) (No.4) Regulations 1993	SI 1993/2527	The whole Regulations
The Police (Amendment) Regulations 1994	SI 1994/1308	The whole Regulations
The Police (Amendment) (No.2) Regulations 1994	SI 1994/2195	The whole Regulations
The Police (Amendment) (No.3) Regulations 1994	SI 1994/2331	The whole Regulations
The Police (Amendment) (No.4) Regulations 1994	SI 1994/2993	The whole Regulations

PART II
SAVINGS

General interpretation

1. In this Part “the 1987 Regulations” means the Police Regulations 1987.

Part-time service

2. In relation to a person performing part-time service in the rank of inspector or chief inspector pursuant to an appointment in the rank in question made under regulation 8A of the 1987 Regulations before 1st September 1994, these Regulations shall have effect as if for all purposes except that of determining pay the appointment had been in a rank lower than inspector.

SCHEDULE 13

REPLACEMENT ALLOWANCE

REGULATION 65A

Interpretation

1.—(1) This paragraph has effect for defining expressions used in paragraphs 2 to 7.

- (2) “Qualifying member” means a member of a police force who—
- (a) immediately before 1st September 1994 was a member of that or another police force,
 - (b) was not then on unpaid leave.
 - (c) has at all times after 31st August 1994 been a member of a police force, and
 - (d) has not after that date been on unpaid leave.

(3) Where a member of a police force in Scotland or Northern Ireland in receipt of a replacement allowance under a corresponding regulation which has effect there transfers to a police force in England and Wales he shall be treated from the date of his transfer as if he were a qualifying member.

(4) “Re-joining member” means a member of a police force who by reason only of a relevant absence is not a qualifying member.

- (5) “Relevant absence” means—
- (a) a period of central service or overseas service, or
 - (b) a period of relevant service within the meaning of paragraph (ca), (cb) or (cc) of section 97(1) of the Police Act 1996 or any corresponding provision for the time being in force in Scotland or Northern Ireland, or
 - (c) a period of unpaid leave,

ending after 31st August 1994.

(6) “Housing emoluments” means any one or more of the following kinds of payments under the revoked provisions as they had effect before 1st September 1994—

- (a) a housing allowance under regulation 49.
- (b) a transitional rent allowance and a transitional supplementary rent allowance under regulation 49B,

- (c) a supplementary housing allowance under regulation 50,
- (d) a compensatory grant under regulation 52, and
- (e) a compensatory allowance under regulation 52B,

and in relation to a re-joining member includes a rent allowance under regulation 49 as it had effect before 1st April 1990; and “housing allowance” and “transitional rent allowance” mean respectively the allowances mentioned in (a) and (b) above.

(7) “The revoked provisions” means the provisions of the 1987 Regulations relating to housing and housing payments that were revoked on 1st September 1994, that is to say regulations 49 to 52, 52B and 72, paragraphs 16 to 18 of Schedule 1A and paragraph 4(1) and (2) of Schedule 4.

(8) “The 1987 Regulations” means the Police Regulations 1987.

Qualifying member previously provided with accommodation

2.–(1) A qualifying member who ceases to occupy a house or quarters with which he was provided free of rent becomes entitled to a replacement allowance.

(2) The replacement allowance is, subject to paragraph 7, an allowance at a rate equal to the total of—

- (a) the rate at which housing allowance, or as the case may be transitional rent allowance, was payable, or would have been payable if he had not been occupying the house or quarters, immediately before 1st September 1994, and
- (b) the rate at which any allowance under regulation 49(11) or 50(3) was or would have been then payable.

Qualifying member with housing emoluments

3.–(1) A qualifying member who immediately before 1st September 1994 was in receipt of housing emoluments is entitled to a replacement allowance unless he is provided with a house or quarters free of rent.

(2) The replacement allowance is, subject to paragraph 7, an allowance at the rate at which the housing emoluments were payable immediately before 1st September 1994.

Re-joining member previously provided with accommodation

4.–(1) A re-joining member who immediately before the relevant absence began was occupying a house or quarters with which he was provided free of

rent becomes entitled to a replacement allowance unless he is again provided with a house or quarters free of rent.

(2) The replacement allowance is, subject to paragraph 7, an allowance at the rate at which, if he had not been occupying the house or quarters, housing allowance, or as the case may be transitional rent allowance, would have been payable—

- (a) where the relevant absence began before 1st September 1994, immediately before it began, and
- (b) in any other case, immediately before 1st September 1994.

Re-joining member previously in receipt of housing payments

5.—(1) A re-joining member who immediately before the relevant absence began was in receipt—

- (a) of housing emoluments, or
- (b) of a replacement allowance under paragraph 2 or 3,

becomes entitled to a replacement allowance unless he is provided with a house or quarters free of rent.

(2) The replacement allowance is, subject to paragraph 7, an allowance—

- (a) where sub-paragraph (1)(a) applies, at the rate at which the housing emoluments were payable, and
- (b) where sub-paragraph (1)(b) applies, at the rate at which the previous replacement allowance was payable,

immediately before the relevant absence began.

Members provided with house or quarters

6. A qualifying member or a re-joining member who—

- (a) is provided with a house or quarters free of rent, and
- (b) if the revoked provisions had continued in force would have been entitled to an allowance under regulation 49(11) or 50(3) of the 1987 Regulations,

is, subject to paragraph 7, entitled to an equivalent replacement allowance.

Variation and termination of replacement allowances

7.—(1) Subject to sub-paragraph (2), in circumstances in which—

- (a) a housing allowance or transitional rent allowance payable as mentioned in paragraph 2(2) or 4(2), or
- (b) any of the housing emoluments mentioned in paragraphs 3(1), 5(1)(a) and 6,

would, if the revoked provisions had continued in force, have fallen to be reduced or discontinued, the replacement allowance in question is reduced accordingly or, if the effect of a discontinuance would have been that no housing emoluments remained payable, terminated.

(2) For the purposes of sub-paragraph (1) it is to be assumed that a housing allowance or transitional rent allowance would not have fallen to be reduced by reason of the member's being married to or sharing accommodation with another member of a police force appointed after 31st August 1994 .

(3) In circumstances in which any allowance or housing emoluments mentioned in sub-paragraph (1) would, if the revoked provisions had continued in force, have fallen to be increased otherwise than under regulation 49A of the 1987 Regulations (which provided for biennial adjustment of housing allowances), or in which any new housing emoluments would in that case have become payable, the replacement allowance in question is increased accordingly.

MODIFICATION FOR PART-TIME SERVICE

For ease of reference the following Regulations and Schedules have been reprinted as amended by Schedule 1.

4. Meanings assigned to certain expressions, etc.
14. Probationary service in the rank of constable
15. Discharge of probationer
24. Normal daily period of duty
27. Rostering of duties
28. Overtime
29. Public holidays and rest days for ranks below inspector
31. Public holidays and monthly leave days for ranks above chief inspector
32. Travelling time treated as duty
34. Annual leave
35. Sick leave
36. See regulations 36 and 36A (pages 89A and 89C).
37. Paternity Leave
39. Rate of pay
40. Temporary salary
41. London weighting
- 46A. Pay during maternity leave
52. Removal allowance
53. Plain clothes allowances
54. Detective expenses allowance
55. Subsistence, refreshment and lodging allowances
60. London allowance
65. Allowance under regulation 59 of the Police Regulations 1971

SCHEDULES

- | | |
|------------|---|
| Schedule 5 | University scholars |
| Schedule 7 | Effect of disciplinary action on pay and allowances |
| Schedule 9 | Motor vehicle allowances |

Meanings assigned to certain expressions, etc.

4.—(1) In these Regulations, unless the context otherwise requires—

“1964 Act” means the Police Act, 1964;

“central police officer” has the same meaning as in the Police Pensions Regulations;

“chief officer” means chief officer of police;

“Discipline Regulations” means the regulations relating to discipline from time to time in force under section 33 of the Police Act 1964 and sections 94(5), 101 and 102 of the Police and Criminal Evidence Act 1984;

“Joint Branch Board” means the Joint Branch Board mentioned in regulation 7(3) of the Police Federation Regulations, 1969;

“maternity leave” has the meaning assigned thereto by regulation 36A(1);

“member of a police force” includes such a member who is suspended under the Discipline Regulations;

“overseas policeman” as the same meaning as in the Police Pensions Regulations;

“pensionable service” has the same meaning as in the Police Pensions Regulations;

“Police Pensions Regulations” means the regulations from time to time in force under the Police Pensions Act 1976;

“Promotion Regulations” means the regulations relating to qualification and selection for promotion from time to time in force under section 33 of the Police Act 1964;

“public holiday” means Christmas Day, the 26th December (if it falls on a Saturday or a Sunday), the 1st January (if it so falls), Good Friday or a bank holiday;

“the representative bodies” means the Police Federation for England and Wales and all bodies for the time being recognised by the Secretary of State for the purposes of section 47 of the Police Act 1964

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

“rostered rest day”— has the meaning assigned thereto by regulation 27(1);

“university scholar” and, in relation to such a scholar, “course” and “study” have the meanings respectively assigned to them in paragraph 1 of Schedule 5.

(2) In these regulations, unless the context otherwise requires, a reference to a police force shall include a reference to the Royal Ulster Constabulary and a police force maintained under the Police (Scotland) Act 1967, so however that nothing in these regulations shall be construed as relating to the government, administration or conditions of service of the Royal Ulster Constabulary or such a force.

(3) In these regulations a reference to an aerodrome constabulary is a reference to such a constabulary within the meaning of the Aviation Security Act 1982; 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.

(4) Nothing in these regulations shall be construed as authorising pay or allowances payable to any person to be reduced retrospectively.

(5) In relation to a member of a police force below the rank of inspector—

- (a) the determined hours are the number of hours which the chief officer of police has determined under regulation 24(2) or (4A)(a) as his normal period of duty in a relevant period,
- (b) a relevant period is a period for which a duty roster relating to him has effect for the time being under regulation 27, and
- (c) the appropriate factor is $\frac{A}{B}$

where —

A is the number of the determined hours, and

B is 40 times the number of weeks in the relevant period.

(6)—In relation to a member of a police force above the rank of sergeant, the appropriate factor is $\frac{1}{2}$.

Probationary service in the rank of constable

14.—(1) This regulation applies to a member of a police force appointed in the rank of constable.

(2) A member of a police force to whom this regulation applies may be required to serve on probation for such period, not exceeding 2 years and 6 months, as the chief officer of police determines in the circumstances of a particular case.

(3) Omitted

(4) For the purposes of this regulation-

- (a) in reckoning service, any period of unpaid leave shall be disregarded;
- (b) in the case of a university scholar, in reckoning service his period of study shall be disregarded;
- (c) and (d) omitted.
- (e) in reckoning service in the case of a female member of a police force who has taken one or more periods of maternity leave -
 - (i) where that leave has been for more than fourteen weeks, the first fourteen weeks whilst on maternity leave shall be treated as if it were service in the police force;
 - (ii) where that leave has been for less than fourteen weeks, any period spent on maternity leave shall be treated as if it were service in the police force.

(5) In its application to the metropolitan police force this regulation shall have effect as if “chief officer” included an assistant commissioner of police.

Discharge of probationer

15.—(1) Subject to the provisions of this regulation, during any period of probation in the force the services of a constable may be dispensed with at any time if the chief officer of police considers that he 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 whose services are dispensed with under this regulation shall be entitled to receive a month's notice or a month's pay in lieu thereof.

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

(4) Where a constable has received a notice under this regulation that his services are to be dispensed with and he gives written notice of his intention to retire and retires under paragraph (3), he shall nevertheless be entitled to receive pay up to and until the date on which the month's notice he has received would have expired or where he has received or is due to receive a month's pay in lieu of notice he shall remain entitled to that pay notwithstanding the notice he has given under paragraph (3).

(4A) For the purposes of this regulation a month's pay is to be calculated by multiplying one-twelfth of the annual rate ascertained from Schedule 6 by the appropriate factor.

(5) In its application to the metropolitan police force this regulation shall have effect as if "chief officer" included an assistant commissioner of police.

Normal daily period of duty

24.—(1) This regulation applies to every member of a police force below the rank of inspector who is not assigned to duties which the Secretary of State has specially excepted from the provisions of this regulation.

(2) The normal period of duty in every relevant period of a member of a police force to whom this regulation applies, which is to be performed in accordance with general arrangements made by the chief officer of police after consulting the police authority and local representatives of the representative bodies, is, subject to paragraph (4A), the total number of hours determined by the chief officer with the agreement of the member at the time of his appointment.

(3) For the purposes of paragraph (2) a day of annual leave counts as a period of duty of 8 hours multiplied by the appropriate factor.

(4) The chief officer shall review a member's normal period of duty at intervals of not more than 52 weeks, and in doing so shall have regard to the number of hours actually spent on duty during the interval preceding the review.

(4A) After a review under paragraph (4) -

- (a) any number of hours different from that determined under paragraph (2) which was determined by the chief officer and agreed to by the member becomes the member's normal period of duty, and
- (b) if no different number was agreed to by the member, his normal period of duty is the number of hours determined under paragraph (2).

(4B) The number of hours determined under paragraph (2) or (4A)(a) must not be less than 16 times the number of weeks in the relevant period.

(4C) As far as the exigencies of duty permit, a shift shall consist of one continuous period.

(4D) Where in one day a member is on duty for a continuous period of 5 hours or more, an interval for refreshment shall, as far as the exigencies of duty permit, be allowed in accordance with the Table below.

<i>Number of hours</i>	<i>Refreshment interval</i>
Less than 6 hours	30 minutes
6 hours or more, but less than 7 hours	35 minutes
7 hours or more, but less than 8 hours	40 minutes
8 hours or more	45 minutes

(4E) Where a shift consists of two periods amounting in total to 5 hours or more and the member does not travel to and from his home between those periods, an interval for refreshment and rest shall normally be included at the beginning or end of one of them .

Rostering of duties

27.—(1) A chief officer shall cause to be published, in accordance with this regulation, duty rosters for members of his force below the rank of inspector and in these regulations—

- (a) a reference to a rostered rest day is to be construed, in relation to a member of a police force who is required to do duty on that day, as a reference to a day which according to the duty roster was, immediately before he was so required to do duty, to have been a rest day for the member; and
- (b) a day off granted in lieu of a rostered rest day shall be treated as a rostered rest day; and
- (c) a reference to a free day is to be construed as a reference to a day which is not —
 - (i) a day on which a shift is, according to the duty roster, to begin or end, or
 - (ii) a rostered rest day, or
 - (iii) a public holiday.

(2) Each such roster (except one relating to a member who has agreed with the chief officer on a different period) shall have effect for a period of 12 months, and shall be published at intervals not exceeding 12 months and not later than one month before the date on which it is to come into force.

(3) Each such roster shall set out, for the period for which it has effect, in relation to each member of the force to which it relates—

- (a) his rest days;
 - (aa) his free days;
 - (b) those days, being public holidays, on which he may be required to do duty; and
 - (c) the times at which each of his shifts is to begin and end.
- (4) Subject to paragraph (5), a duty roster shall make provision for—
- (a) an interval of not less than 8 hours between the ending of each of a member's shifts and the beginning of the next; and

- (b) unless he has agreed with the chief officer on a longer interval, an interval between each of his rostered rest days not exceeding 7 days;

unless the joint branch board agrees otherwise.

(5) Where, owing to the exigencies of duty, it is necessary to alter a duty roster, the officer responsible for making the alteration shall endeavour, so far as practicable, to avoid thereby requiring a member to do an additional shift such that the condition in paragraph (4)(a) would not be satisfied in relation thereto.

Overtime

28. (1) This regulation applies to a member of a police force below the rank of inspector.

(2) A member who has been on duty for more than 40 hours in any period of 7 days beginning with such day as is fixed for the purposes of this regulation by the chief officer of police (a “relevant week”) is entitled in respect of any day during that period in which he has been on duty for more than 8 hours (a “long-duty day”) to an allowance at the rate of one-twelfth of an hour’s pay for each completed 15 minutes in excess of 8 hours, except that on each of the first 4 occasions on which overtime which the member was not told at the beginning of the shift would be required is worked during a relevant week 30 minutes of the overtime is to be disregarded.

(3) A member may, before the end of a pay period (that is to say, a period comprising one of the intervals between payments under regulation 49), elect to be granted time off, instead of an allowance under paragraph (2), in respect of any long-duty day that occurred during a relevant week ending within the pay period.

(4) Subject to the exigencies of duty, where a member has elected as mentioned in paragraph (3) the chief officer of police shall, within 3 months after the end of the relevant week, grant him time off equal to the total of—

- (a) the time in excess of 8 hours spent on duty in the day, or as the case may be in each of the days, in respect of which the election was made, and
- (b) 15 minutes in respect of each completed 45 minutes of that time.

(5) Any time counting for the purposes of regulation 39(1) (pay) as time spent on duty, except—

- (a) time for which an allowance is received under paragraph (7) or under regulation 29 or 61, and
- (b) any period of less than 30 minutes worked during the first 30 minutes after the end of a rostered shift, except a period of 15 minutes which the member was told at the beginning of the shift would be required,

counts as time spent for the purposes of paragraph (2).

(6) For the purposes of paragraph (2) a period of duty—

- (a) which resulted from a member's being recalled and returning to duty between two rostered shifts, and
- (b) the length of which, after deducting any travelling time counting as a period of duty by virtue of regulation 32, was less than 4 hours,

counts as a period of duty lasting for the aggregate of 4 hours and any period counting by virtue of regulation 32.

(7) Where the time at which a member is required to commence a rostered shift is brought forward—

- (a) without giving him notice 8 hours or more before the new commencement time, and
- (b) so that he is required to commence that shift on the day on which his previous shift ended,

he is entitled to an allowance at the rate of one-twelfth of an hour's pay for each completed 15 minutes of the time for which he is on duty before the rostered commencement time.

(8) A member who has become entitled to an allowance under paragraph (7) may, before the end of the pay period during which the day on which he was required to commence the shift occurred, elect to be granted time off instead of the allowance.

(9) Subject to the exigencies of duty, where a member has elected as mentioned in paragraph (8) the chief officer of police shall, within 3 months after the date of the election, grant him time off equal to one and one-third times the number of completed quarters of an hour for which he was on duty before the rostered commencement time.

(10) Where—

- (a) on any day on which he has a rostered shift a member has been on duty for a period exceeding the length of that shift, and
- (b) he is not entitled in respect of that day to any allowance under paragraph (2) or (7),

he may, not later than 4 days after the end of the relevant week in which the day in question occurred, elect to be granted time off in respect of the excess over the length of the shift ("the excess period").

(11) For the purposes of paragraphs (2) and (10) a continuous period of duty which began before and ended after the beginning of a day shall—

(a) if the day on which it ended was not—

- (i) a public holiday,
- (ii) a rostered rest day, or
- (iii) a free day,

in respect of which he became entitled to an allowance under regulation 29, be treated as having fallen wholly within, and

(b) in any other case, be treated as having consisted only of so much of the period as fell within,

the day on which the period began.

(12) Subject to the exigencies of duty, where a member has elected as mentioned in paragraph (10) the chief officer of police shall, within 3 months after the date of the election, grant him time off equal to the excess period.

(13) For the purpose of regulation 39(1) (pay) any extra period of duty in respect of which time off is granted under paragraph (4) or (9) counts as one and one-third times the number of completed quarters of an hour comprised in the extra period of duty, and a period falling within paragraph (6)(a) and (b) counts as one of 4 hours.

Public holidays and rest days for ranks below inspector

29.—(1) This regulation applies to every member of a police force below the rank of inspector.

(2) Subject to the following provisions of this regulation, a member 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.

(3) A member shall, if required to do duty on a day which is a rostered rest day, be granted-

- (a) where he receives less than 15 days' notice of the requirement, an allowance at the appropriate rest-day rate; or
- (b) in any other case, another rest day, which shall be notified to him within 4 days of notification of the requirement.

(4) The appropriate rest-day rate is, for each completed 15 minutes of duty on a rostered rest day, the fraction of the member's hourly rate of pay calculated in accordance with regulation 39(1) specified in paragraph (5).

(5) The fraction is-

- (a) where the member received less than 8 days' notice of the requirement, one quarter; and
- (b) in any other case, one eighth.

(5A) A member who-

- (a) is required to do duty on a free day, and
- (b) receives less than 15 days' notice of the requirement,

shall be granted another free day in lieu, which shall be notified to him within 4 days of notification of the requirement.

(5B) This paragraph applies where-

- (a) a member is required to do duty on a free day, and
- (b) he receives less than 15 days' notice of the requirement, and
- (c) the duty is of such a nature that it would not in the circumstances have been reasonably practicable for it to be done by any other member.

(5C) Where paragraph (5B) applies—

- (a) if the member was on duty for more than 8 hours on the free day and for more than 40 hours (in addition to any hours on a rostered rest day or a public holiday for which an allowance fell to be granted under paragraph (3)(a) or (6)(a) or (b)) during the week in which the free day occurred, he is entitled to an allowance at the rate of one twelfth of an hour's pay for each completed period of 15 minutes of duty done on the free day, and
- (b) in any other case, he is entitled to time off equal to the total length of those periods.

(5D) Where—

- (a) a member is required to do duty on a free day, and
- (b) he receives less than 15 days' notice of the requirement, but paragraph (5C) does not apply, he is entitled to an allowance at the appropriate rest-day rate.

(6) A member shall, if required to do duty on a day which is a public holiday, be granted—

- (a) where he receives less than 8 days' notice of the requirement—
 - (i) an allowance at the appropriate rate and, in addition,
 - (ii) another day off in lieu thereof, which shall be notified to him within 4 days of notification of the requirement, and which shall be treated for the purposes of this regulation as a public holiday;
- (b) in any other case, an allowance at the appropriate rate.

(7) A member who is required to do duty on a day which is a public holiday or a rostered rest day may, within 28 days of the day in question, elect to receive, in lieu of an allowance as mentioned in paragraph (3)(a) or paragraph (6)(a) or (b), time off equal—

- (a) in the case of a day which is a public holiday, to double, and
- (b) in the case of a rostered rest day—
 - (i) where the member received less than 8 days' notice of the requirement, to double, and
 - (ii) in any other case, to one and a half times,

the period of completed quarters of an hour of duty on the day in question.

(7A) A member who is required to do duty on a free day may within 28 days of that day elect to receive—

- (a) in lieu of an allowance under paragraph (5C)(a), time off equal to one and one-third times, and
- (b) in lieu of an allowance under paragraph (5D), time off equal to one and a half times,

the period of completed quarters of an hour of duty done on the free day.

(8) Where such a member who is required to do duty on a day which is a public holiday or a rostered rest day or on a free day has elected to receive time off as mentioned in paragraph (7) or (7A), the chief officer of police shall, subject to the exigencies of duty, grant such time off within such time (not exceeding 3 months) as he may fix; and subject to such time off being taken, no allowance in respect of the day in question shall be payable under paragraph (3)(a) or, as the case may be, paragraph (5C) or (5D) or, paragraph (6)(a) or (b).

(9) Subject to paragraph (10), for the purposes of this regulation-

- (a) a member 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) "the appropriate rate" is, for each completed 15 minutes of duty done on a public holiday, one quarter of the member's hourly rate of pay calculated in accordance with regulation 39(1); and
- (c) OMITTED;
- (d) a reference to a day which is a public holiday is to be construed, in relation to the member concerned, as a reference to a day within the meaning of regulation 25(1) commencing at any time on the calendar date of the public holiday in question;
- (e) "week" means a period of 7 days beginning with such day as is fixed by the chief officer of police;
- (f) where a member is required to do duty, or is recalled to duty, for a period of less than 4 completed hours on a day which is a public holiday or a rostered rest day or a free day, such period or, as the case may be, each such period, shall be treated as though it were a period of 4 completed hours, except that a period of not more than one hour of duty on a rostered rest day or a free day shall, if it immediately follows a period for which he was on duty as part of a rostered shift, count as the number of periods of 15 minutes actually completed;
- (g) where a member is required to do duty on a day which is a public holiday or on a rostered rest day or a free day, his period of duty shall include (save for the purposes of sub-paragraph (f)) 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 officer of police, save that, for the purposes of this sub-paragraph, there shall be disregarded any period of time so occupied—

- (i) which together with the member's period of duty exceeds 6 hours, or
- (ii) which is treated as a period of duty under regulation 32 (travelling time treated as duty).

(10) Where it is at his own request that a member works on a day which is a public holiday or a rostered rest day or a free day he shall not be treated for the purposes of this regulation as having been required to do duty on that day but shall be granted another day off in lieu thereof, which shall be treated as a public holiday or a rostered rest day or a free day as the case may be.

(11) For the purposes of regulation 39(1) (pay)—

- (a) a day's leave allowed under paragraph (2) and a day off granted under paragraph (4)(a) or under paragraph (10) in respect of a public holiday each count as a period of duty of 8 hours multiplied by the appropriate factor, and
- (b) so much of any time off granted under paragraph (7A) or (8) as exceeds the time spent on duty on the public holiday, rest day or free day counts as time spent on duty.

Public holidays and monthly leave days for ranks above chief inspector

31.—(1) This regulation applies to every member of a police force of, or above, the rank of superintendent.

(2) Such a member shall, so far as the exigencies of duty permit, be allowed a day's leave on each public holiday and be granted in each month the amount of leave arrived at by multiplying by the appropriate factor—

- (a) in the case of a superintendent, 8 monthly leave days;
- (b) in any other case, 1 monthly leave days.

(3) Where the exigencies of duty have precluded—

- (a) the allowance of a day's leave on a public holiday, or
- (b) the grant in any month of the amount of leave arrived at by multiplying 8 days by the appropriate factor,

to a superintendent, he shall, during the next twelve months and so far as the exigencies of duty permit, be allowed a day's leave in lieu of any such day on a public holiday not allowed (or as the case may be) be granted the balance of monthly leave as additional monthly leave.

(4) Where the exigencies of duty have precluded the allowance of a day's leave on a public holiday to any such member other than a superintendent, he shall, during the next three months and so far as the exigencies of duty permit, be allowed a day's leave in lieu of any such day not allowed.

(5) For the purposes of this regulation "month" means that period of 28 days beginning with such day as is fixed by the chief officer of police.P.T.21

Travelling time treated as duty

32.—(1) This regulation applies to a member of a police force where—

- (a) a shift consists of two separate periods, or
- (b) he is recalled to duty between two shifts,

and he travels to and from his home between those periods 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 duty for the purposes of regulation 28, regulation 29 (except paragraph (9)(f) or regulation 39(1) the time occupied by such a member in relevant travelling, not exceeding such reasonable limit as may be fixed by the chief officer of police, shall be treated as a period of duty.

(3) For the purposes of regulation 57, the use of a motor vehicle for relevant travelling shall be treated as such use for the purpose of duties performed by the member 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 member concerned shall be reimbursed those expenses to the extent that they do not exceed such reasonable limit as the police authority may fix.

Annual leave

34.—(1) Every member of a police force shall, so far as the exigencies of duty permit, be granted annual leave in accordance with Schedule 4, except that in the case of a member above the rank of chief inspector any period of leave calculated in accordance with Schedule 4 is to be multiplied by the appropriate factor

(1A) In the case of a member below the rank of superintendent, each day of annual leave granted counts for the purposes of regulation 39(1) (pay) as a period of duty of 8 hours multiplied by the appropriate factor.

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

- (a) regulation 29, in the case of a member below the rank of inspector, or
- (b) regulation 30 or 31, in the case of a member of, or above, that rank;

and a member 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

35.—(1) A member of a police force 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 member may be so absent without such certificate of unfitness where the period of unfitness for duty does not exceed 7 days, including any day on which, even if he were fit to do so, he would not have been required to perform police duty;
- (b) if, notwithstanding such certificate of unfitness for duty, a registered medical practitioner appointed or approved by the police authority has examined the member and considers him to be fit for duty, the police authority shall, if the medical practitioner who issued the certificate of unfitness for duty agrees, within 28 days of the difference of opinion coming to their attention arrange for a third registered medical practitioner to examine the member and to report in writing to the other two practitioners concerned; the third registered practitioner shall be acceptable to the practitioner who issued the certificate of unfitness for duty and to the practitioner who has examined the member on behalf of the police authority, except that in the event of a failure to agree, the police authority may appoint such third medical practitioner as it considers appropriate; and if the third registered medical practitioner certifies the member to be fit for duty, or if the medical practitioner who issued the certificate of unfitness for duty does not agree to such further examination, the member shall no longer be entitled to be absent from duty.

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

(3) While a member below the rank of inspector is entitled under this regulation to be absent from duty, any rostered shift counts for the purposes of regulation 39(1) (pay) as a period of duty of the same duration.

Maternity leave

36. This regulation is now covered by Regulations 36 and 36A of the principal regulations set out on pages 89A and 89C respectively.

Paternity leave

37.—(1) So far as the exigencies of duty permit, a male member of a police force shall be granted 2 days' paternity leave during the relevant part of a woman's maternity period.

- (2) A woman's maternity period is one beginning with the later of—
 - (a) the date on which she is certified by a registered medical practitioner to be pregnant, and
 - (b) the date 6 months before the one estimated by that practitioner as being the probable date of birth.

and ending 9 months after the birth of the child.

- (3) The relevant part of a woman's maternity period is any part during which—
 - (a) the member is married to and not separated from her, or
 - (b) they are not married to each other but are living together as husband and wife.

(4) In the case of a member below the rank of superintendent, each day of paternity leave granted counts for the purposes of regulation 39(1) (pay) as a period of duty of 8 hours multiplied by the appropriate factor.

Rate of pay

39.—(1) A member of a police force below the rank of superintendent shall be paid for time spent on duty at an hourly rate calculated by multiplying the annual rate ascertained from Schedule 6 by

$$\frac{6}{12520}.$$

(1A) A member above the rank of chief inspector shall be paid at an annual rate calculated by multiplying that ascertained from Schedule 6 by the appropriate factor.

(2) Subject to regulations 43, 44 and 45, section 2(1) of the Police (Overseas Service) Act 1945 and prior to 1st April 1995 section 43(1) of the 1964 Act and on or after that date section 53C(3) of that Act, in reckoning the service of a member of a police force in any rank for the purposes of pay, account shall be taken of all his service in that rank, whether in that or another police force; and service in a higher rank, on temporary promotion thereto or otherwise, shall be treated as if it had been service in that rank:

(2A) For the purposes of this regulation in reckoning a member'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 member was reduced;
- (c) no account shall be taken of any performance of the duties of that rank in respect of which a temporary salary is payable under regulation 40;
- (d) any period of unpaid leave shall be disregarded;
- (e) any service performed pursuant to an appointment under regulation 7 (part-time appointments) shall be multiplied by the factor which was the appropriate factor within the meaning of regulation 4(5) or (6) as it applied to him by virtue of paragraph 1 of Schedule 1;

- (f) in the case of a female member of a police force who has taken one or more periods of maternity leave -
 - (i) where that leave has been for more than fourteen weeks, account shall be taken of the first fourteen weeks whilst on maternity leave;
 - (ii) where that leave has been for less than fourteen weeks, account shall be taken of any period spent on maternity leave;

and, in the case of a member of a police force of a rank higher than that of chief inspector, paragraph (2) 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) REVOKED

(4) Nothing in this regulation shall affect the operation of any provisions of the Discipline Regulations and, in relation to a member of a police force suspended or fined thereunder, the provisions of paragraphs 1 and 3 of Schedule 7 or of paragraph 4 thereof shall have effect.

(5) Paragraph (1) and Schedule 6 shall have effect in relation to a university scholar subject to the provisions of paragraph 3 of Schedule 5.

Temporary salary

40.—(1) A member of a police force of the rank of superintendent who is required for a continuous period exceeding 7 days to perform duties normally performed by a full time member of the force of a higher rank than his own, otherwise (subject to paragraph (2)) than as the direct or indirect result of the absence of any member of the force on a monthly or other leave day granted under regulation 31, shall be paid in respect of that period, other than the first 7 days thereof, at a rate equal to the rate of pay for a person appointed as a full-time member in that higher rank.

(1A) A member of a police force of the rank of superintendent who is required for a continuous period exceeding 7 days to perform the duties normally performed by such a member whose pay category under paragraph 1(3) of Schedule 6 is higher than his own, otherwise (subject to paragraph (2)) than as the direct or indirect result of the absence of any member of the force on a monthly or other leave day granted under regulation 31, shall be paid in respect of that period, other than the first 7 days thereof, at a rate equal to the rate of pay of the member in that higher pay category.

(2) Where any member of the force is absent for a continuous period comprising both—

- (a) monthly or other leave days granted under regulation 31, and
- (b) one or more annual leave days granted under regulation 34,

paragraph (1) or (1A) shall have effect as if the entire continuous period of absence were a period of annual leave.

(3) Subject to paragraph (3B) a member of a police force below the rank of superintendent who, in any year, has been required to perform the duties normally performed by a full time member of the force of a higher rank than his own for 14 complete days shall be paid in respect of each further complete day in that year on which he is required to perform such duties at a rate equal to the lowest rate of pay to which he would be entitled on promotion to the higher rank as a full time member:

(3A) Where—

- (a) a member of a police force below the rank of inspector is entitled to be paid under paragraph (3),
- (b) the higher rank is that of inspector or above, and

- (c) the day on which the member is required to perform the duties referred to in paragraph (3) is not a public holiday or rostered rest day,

there shall be no entitlement to an allowance of time off under regulation 28 in respect of such duties.

(3B) Paragraph (3) shall not apply where-

- (a) a member of a police force below the rank of inspector is required to perform the duties normally performed by a member of the force of the rank of inspector or above, and
- (b) the day on which the member is so required to perform such duties is a public holiday or rostered rest day.

(4) Where a member of a police force-

- (a) on his last scheduled working day in any year is required to perform the duties normally performed by a member of the force of a higher rank than his own, and
- (b) is paid in respect of that day temporary salary under paragraph (3), and
- (c) on his first scheduled working day of the next following year continues for the complete day to perform such duties,

he shall be paid, in respect of the day mentioned in sub-paragraph (c) and any following complete day which together therewith forms a continuous period when he is required to perform such duties, as if that day or days had formed part of the year mentioned in sub-paragraph (a):

Provided that the said day or days shall be disregarded for the purposes of the application of paragraph (3) to that member in the year mentioned in sub-paragraph (c).

(5) For the purposes of this regulation, “year” means a period of 12 months beginning on 1st April.

(6) For the purposes of this regulation, “day” means, in relation to a member of a police force below the rank of inspector, the period that would constitute his normal daily period of duty if he were a full-time member, and “full-time member” means a member of the force appointed otherwise than under regulation 7.

London weighting

41. The hourly rate of pay of a member of the City of London or metropolitan police force shall be increased by the amount obtained by multiplying by

$\frac{6}{12520}$ the sum of

£1,398, but any allowance under these regulations calculated by reference to a member's pay, shall be calculated as if this regulation had not been made.

Pay during maternity leave

46A.—(1) Subject to the following provisions of this regulation, a female member of a police force who satisfies the conditions in paragraph (2) is entitled to be paid as respects the first three months of any period or periods of maternity leave in any one maternity period (as defined by regulation 36A) taken in accordance with regulation 36A, but is not entitled to be paid thereafter.

(2) The conditions referred to in paragraph (1) are that:

- (a) at the beginning of the week in which the expected date of birth (as defined by regulation 36A(1)) occurs, the female member of a police force will have served continuously for a period of not less than sixty-three weeks in that or any other police force; and
- (b) on the date (“the relevant date”) fifteen weeks before the expected date of birth (as so defined) she either—
 - (i) remains pregnant, or
 - (ii) has given birth prematurely to a baby who is alive on the relevant date.

(3) In this regulation “week” means a period of seven days beginning with Sunday.

(4) A woman member below the rank of superintendent who satisfies the conditions in paragraph (2) is to be treated for the purposes of regulation 39(1) (pay) as having been on duty for the number of hours determined by multiplying the number of her determined hours by the length in days of the paid leave period and dividing the result by the length in days of the relevant period.

Removal allowance

52.—(1) Where a member of the police force moves his home in circumstances to which this paragraph applies, the police authority—

- (a) shall either reimburse the reasonably incurred cost of removal or carry out the removal;
- (b) shall, where the member was the owner of his former home, reimburse expenses reasonably incurred by him in connection with the disposal thereof;
- (c) shall, where the member 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 officer of police, 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 member 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 member payments made by him to meet relevant liabilities in respect of the first 26 weeks following the move and may, if they think fit, reimburse him such payments in respect of such further period as they may determine so, however, that where the police authority are of opinion that the member 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 member would have been liable to make had he taken all such steps.
- (2) Paragraph (1) applies where the member moves his home—
- (a) on joining the force in the rank of assistant chief constable or higher rank; or
 - (b) 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 officer of police, due to the exigencies of police duty or is made at the request of the chief officer of police and is, in his opinion, in the interests of the efficiency of the force.

(3) For the purposes of paragraph (1)(d) relevant liabilities are—

- (a) liabilities in respect of mortgage interest or rent payable in connection with his former home; and
- (b) in respect of any days in respect of which he is liable to pay council tax in respect of his former home, the amount by which that tax and any council tax he is liable to pay in respect of his new home exceeds the council tax that he would have been liable to pay in respect of his former home if he had not moved from it.

(4) Where a member of a police force moves his home in consequence of his voluntarily transferring from one force to another otherwise than in circumstances to which paragraph (2) applies, 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.

(5) Where the cost of removal is reimbursed or the removal is carried out by the police authority under paragraph (1) or (4), then, subject to paragraph (6), in respect of expenditure incidental to the move the police authority shall pay the member an allowance of the amount hereinafter provided.

(5A) Every sum of money specified in paragraphs (7) to (9) is to be multiplied by the appropriate factor.

(6) An allowance under paragraph (5)—

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

(7) In the case of a member who—

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

the amount of the allowance under paragraph (5) shall be £20.

(8) In the case of any other member the amount of the allowance under paragraph (5) shall not exceed £1,353 nor be less than the minimum amount mentioned in paragraph (9) 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.

(9) The minimum amount referred to in paragraph (8) shall be—

- (a) where the member holds, or is transferring to be appointed in, a rank higher than that of 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, £129;
- (c) where he holds, or is transferring to be appointed in, the rank of inspector or chief inspector, £102;
- (d) where he holds, or is transferring to be appointed in, any rank lower than inspector, £82.

(10) Where a member of a police force has been requested by the chief officer of police, in the interests of the efficiency of the force, to move his home, and—

- (a) the member has, in consequence, in connection with the contemplated disposal of his home and acquisition of a new home, incurred any expenses; and
- (b) he would, if he had moved his home, have been reimbursed those expenses by the police authority in pursuance of paragraph (1)(b) or (c); but
- (c) in consequence of a subsequent decision of the chief officer of police, the member does not in fact move his home,

he shall be entitled, notwithstanding that he has not moved his home, to be reimbursed those expenses by the police authority.

(11) In this regulation—

- (a) any reference to an owner of any property is a reference to an occupier thereof whose interest therein is either a freehold interest

or a leasehold interest which is neither a yearly or shorter tenancy nor a furnished tenancy, and

- (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, stamp duty and expenses in connection with the redemption, transfer or taking out of a mortgage; and any reference to expenses incurred in connection with the acquisition of any property shall be construed as also including expenses in connection with the contemplated acquisition of a property other than that acquired.

Plain clothes allowances

53.—(1) A member of a police force below the rank of assistant chief constable who is required on 7 or more consecutive days to do duty in plain clothes shall be paid a plain clothes allowance at such annual rate as shall be determined (regard being had to the appropriate factor) by the Secretary of State.

(2) A member of a police force below the rank of superintendent who is 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 as shall be determined by the Secretary of State.

(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 a 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 member of a police force 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 expenses allowance

54.—(1) This regulation applies in the case of a member of a police force who is assigned, on 7 or more consecutive days, to detective duty and, while so assigned, is, in the opinion of the chief officer of police, usually engaged in outside duty.

(1A) The rates specified in paragraphs (2) and (3) as the rates of allowances under this regulation are to be multiplied by the appropriate factor.

(2) Such a member of the rank of superintendent shall be paid a detective expenses allowance at the rate of £5 a week; and shall not be eligible for the reimbursement of expenses incurred in the execution of his duty in respect of any individual item of expenditure of £1.25p or less.

(3) Such a member below the rank of superintendent shall be paid a detective expenses allowance at the rate of £3 a week; and shall not be eligible for the reimbursement of expenses incurred in the execution of his duty in respect of any individual item of expenditure of 75 pence or less.

Subsistence, refreshment and lodging allowances

55.—(1) A member of a police force of or below the rank of superintendent who, having been retained on duty beyond his normal daily period of duty or engaged on duty away from his usual place of duty, certifies that, by reason of being so retained or engaged, he has been unable to obtain a meal in his usual way and that, as a consequence thereof, he has incurred additional expenditure to obtain food, shall—

- (a) if the period for which he is so retained or engaged is not less than 2 hours 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;

(2) A member of a police force of or below the rank of superintendent who, having been retained on duty beyond his normal daily period of duty or engaged on duty away from his usual place of duty, certifies that he has incurred additional expense for the purpose of obtaining lodging which he would not have required if he had not been so retained or engaged, shall be paid a lodging allowance.

(3) A member of a police force of or below the rank of superintendent who satisfies the chief officer of police that during his normal daily period of duty he has, though not away from his usual place of duty, been prevented by the exigencies of duty from obtaining a meal in his usual way and that he has, as a consequence thereof, incurred additional expenditure to obtain food, may be paid a refreshment allowance and in relation to a member below the rank of superintendent references in this regulation to his normal daily period of duty are to be construed as references to—

- (a) a period of duty lasting 8 hours, or
- (b) periods of duty performed in one day amounting in total to 8 hours.

(4) For the purposes of this regulation the expression “usual place of duty” means—

- (a) in the case of a member of the rank of superintendent, the divisional or sub-divisional headquarters or other police establishment, or
- (b) in the case of a member below the rank of superintendent, the police station or other police establishment,

in which the member is stationed or, where such place of duty has been

temporarily changed, and after such period from the date of change as the chief officer of police may determine, in which he is temporarily stationed, as the case may be.

(5) A subsistence, refreshment or lodging allowance payable under the foregoing provisions of this regulation shall be of an amount determined in accordance with Schedule 8.

(6) A member of a police force above the rank of superintendent may be paid an allowance, at such annual rate as is determined by the police authority, to cover additional expenditure incurred by him in obtaining food and lodging by reason of the exigencies of duty.

London allowance

60. A member of the City of London or metropolitan police force shall be paid a London allowance at the rate obtained by multiplying by the appropriate factor £1,011 a year.

Allowance under regulation 59 of the Police Regulations 1971

65. Where immediately before 1st September 1978 a member of a police force, other than the City of London or metropolitan police force, was entitled to an allowance under regulation 59 of the Police Regulations 1971 he shall, while he remains a member of that force, be entitled to an allowance at an annual rate calculated by multiplying by the appropriate factor-

- (a) in the case of an inspector, £50, and
- (b) in the case of a sergeant or constable, £72.

SCHEDULE 5

UNIVERSITY SCHOLARS

REGULATIONS 4, 38, 39 AND 64

1.—(1) In this Schedule a reference to a university scholar is a reference to a member of a police force nominated for a course of university study by the Secretary of State or by the police authority maintaining the force of which he is a member in pursuance of arrangements in that behalf approved by the Secretary of State and, in relation to such a member, “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) For the purposes of this paragraph a full-time course leading to a degree awarded by the Council for National Academic Awards shall be treated as a course of university study notwithstanding that the course is provided otherwise than at a university.

2. Regulations 24, 28 and 29 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, not being a member of the City of London or of the metropolitan police force, 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 not resident throughout that period), he shall be entitled to supplementary pay at the rate obtained by multiplying by the appropriate factor £1,398 a year.

4. 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 52 shall have effect in his case as if the removal were such as is mentioned in paragraph (1) thereof.

SCHEDULE 7

EFFECT OF DISCIPLINARY ACTION ON PAY AND ALLOWANCES

REGULATION 39 and 63

1.—(1) Subject to paragraph 3, a member of a police force suspended under the Discipline Regulations who—

- (a) is detained in pursuance of a sentence of a court in a prison or other institution to which the Prison Act 1952 applies, or is in custody (whether in prison or elsewhere) between conviction by a court and sentence, or
- (b) has absented himself from duty and whose whereabouts are unknown to the chief officer of police (or an assistant chief officer acting as chief officer),

shall not, by virtue of regulation 39, be entitled to pay in respect of his period in detention or custody or, as the case may be, in respect of the period during which his whereabouts are unknown as aforesaid.

(2) Where the member suspended is a chief constable or other senior officer within the meaning of the Police (Discipline) (Senior Officers) Regulations 1985, sub-paragraph (1)(b) shall have effect as if for the words after “unknown” there were substituted “to the police authority”.

2. Subject to paragraph 3, a member of a police force suspended under the Discipline Regulations shall not, by virtue of Part V of these regulations, be entitled to any allowance, in respect of the period of suspension, other than—

- (a) an allowance under Part II of Schedule 12; or
- (b) in the case of a member to whom paragraph 1(1) does not apply, an allowance under regulation 60 (London allowance) or 65 (allowance under Police Regulations 1971).

3. Where a member of a police force returns to duty when the period of suspension comes to an end, 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 reduction in his rate of pay, fine, reprimand or caution, he shall receive, as from the date of his suspension, the pay to which, but for paragraph 1, and the allowances to which, but for paragraph 2, he would have been entitled by virtue of these regulations.

4. Where a member of a police force is fined under the Discipline Regulations, the fine shall, without prejudice to any other method of recovery, be recoverable by way of deductions from the member's pay during the period of 13 weeks multiplied by the reciprocal of the appropriate factor following the imposition of the fine so, however, that the aggregate sum which may be deducted in pursuance of this paragraph in respect of any one week (whether on account of one or more fines) shall not exceed a seventh of his weekly pay multiplied by the appropriate factor:

Provided that in the event of the member leaving the police force, the whole amount of any fine unpaid may be deducted from any pay then due.

SCHEDULE 9

MOTOR VEHICLE ALLOWANCES

REGULATION 57

1. For the purposes of regulation 57 and of this Schedule—

“authorised use” means the use, authorised under regulation 57, of a motor vehicle owned by the member of a police force concerned for the purposes of his duties as a member of that force or, where he has been statutorily transferred from one force to another force, as a member of either of those forces, and “period of authorised use” means the period during which such use is authorised;

“cylinder capacity” means the cylinder capacity of the engine of a vehicle calculated in accordance with regulations under paragraph 2(4) of Schedule 1 to the Vehicle Excise and Registration Act 1994;

“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 twelve months beginning on such date as may be determined by the police authority;

and a reference to a motor vehicle owned by a member of a police force is a reference to such a vehicle kept and used by him.

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 fixed element and a mileage element calculated as provided in sub-paragraphs (2) and (3).

(2) The fixed element shall be calculated by reference to the number of completed months comprised in the period of authorised use for the year in question at such annual rate as is specified by the Secretary of State by reference to the cylinder capacity of the motor car in question.

(2A) The fixed element calculated in accordance with sub-paragraph (2) shall be multiplied by the appropriate factor.

(3) The mileage element shall be calculated in relation to authorised use at such rate as is specified by the Secretary of State by reference to the cylinder capacity of the motor car in question, and for that purpose he may so specify—

- (a) a basic rate, in relation to authorised use not exceeding such mileage as is specified by him (“the basic mileage”), and
- (b) a reduced rate in relation to authorised use in excess of the basic mileage.

(4) 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 over-payment shall be recoverable.

(5) Where in any year a motor vehicle allowance is payable at the essential user’s rate to a member of a police force and the member is on sick leave, or maternity leave, or the motor car in question is out of order, for a continuous period of four 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 as being appropriate in all the circumstances.

(6) 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, subparagraph (3) shall have effect as if for the reference to the basic mileage 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 such rate as is specified by the Secretary of State by reference to that mileage and the cylinder capacity of the motor car in question, except that where the amount of the allowance would be less if it were calculated at the essential user’s rate, it shall be an amount calculated in accordance with paragraph 2.

4. The amount of a motor vehicle allowance payable to a member of a police force shall not exceed that which would be payable if the vehicle in question were of such a cylinder capacity, not being less than 1,000cc, as the chief officer of police, with the approval of the police authority, has determined appropriate for use for the purposes of the duties normally performed by the member concerned.

NEXT IN THIS HANDBOOK ARE THE POLICE FEDERATION REGULATIONS

**Section 44 of the Police Act 1964 and
Section I of the Police Act 1972, and the
Police Federation Regulations 1969 No. 1787
up to and including The Police Federation
(Amendment) Regulations 1995 No. 2768**

Police Federations

POLICE ACT 1964 SECTION 44 AND POLICE ACT 1972 SECTION 1

(1) There shall continue to be a Police Federation for England and Wales and a Police Federation for Scotland for the purpose of representing members of the police forces in England and Wales and in Scotland respectively in all matters affecting their welfare and efficiency, other than questions of discipline and promotion affecting individuals.

(2) The Police Federations shall act through local and central representative bodies; and the Police Federations and every branch thereof shall be entirely independent of, and subject to subsection (2A) of this section unassociated with, any body or person outside the police service, but may employ persons outside the police service in an administrative or advisory capacity.

(2A) The Secretary of State from time to time may authorise a Police Federation or a branch service in such cases and manner, and subject to such conditions and restrictions, as he may specify and may vary or withdraw an authorisation previously given; and anything for the time being so authorised shall not be precluded by subsection (2) of this section.

(3) The Secretary of State may by regulations prescribe the constitution and proceedings of the Police Federations and, without prejudice to the generality of that power, regulations under this subsection may make provision—

- (a) with respect to the membership of the Federations;
- (b) with respect to the raising of funds by the Federations by voluntary subscription and the use and management of funds derived from such subscriptions;
- (c) with respect to the manner in which representations may be made by committees or bodies of the Federations to police authorities, chief officers of police and the Secretary of State;
- (d) for the payment by the Secretary of State of expenses incurred in connection with the Federations and for the use by the Federations of premises provided by police authorities for police purposes; and
- (e) for modifying any regulations under the Police Pension Act 1948, under Section 33 of this Act or under Section 11 of the Police (Scotland) Act 1956 in relation to any member of a police force who is the secretary or an officer of a Police Federation and for

requiring the appropriate Federation to make contributions in respect of the pay, pension or allowances payable to or in respect of any such person.

(4) Regulations under this section may contain such supplementary and transitional provisions as the Secretary of State thinks fit, including provisions adapting references in any enactment (including this Act) to committees or other bodies of the Federations.

(5) Before making any regulations under this section the Secretary of State shall consult the three Central Committees of the Police Federation to which the regulations will relate, sitting together as a Joint Committee; and any statutory instrument containing such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(6) This section applies to police cadets as it applies to members of police forces, and references to the police service shall be construed accordingly.

Section IV

The Police Federation Regulations 1969

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PART I
GENERAL

REGULATION 1

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Police Federation Regulations 1969 and shall come into operation on 1st January 1970.

(2) These Regulations shall not extend to Scotland.

Interpretation

2.—(1) In these Regulations the expression 'division', in relation to a police force, has the same meaning as in the regulations for the time being in force under section 33 of the Police Act 1964 but, for the purposes of these Regulations, a member of a specialist branch of a police force shall be deemed not to belong to a division of that force.

(2) In these Regulations the expression 'specialist branch', in relation to a police force, means—

- (a) the criminal investigation department thereof,
- (b) the traffic branch thereof, or
- (c) the branch attached to the headquarters thereof,

however styled, except that, in relation to the metropolitan police force, the said expression means the criminal investigation department thereof or the A, B and D departments, attached to the office of the commissioner of police of the metropolis, taken together.

(3) In these Regulations, unless the context otherwise requires, 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 and a reference to a paragraph shall be construed as a reference to a paragraph in the same Regulation, the same Schedule or the same Part of a Schedule, as the case may be.

(4) In these Regulations any reference to any enactment is a reference to that enactment as amended or extended by or under any subsequent enactment.

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

Revocations and transitional provisions

3.—(1) The Regulations set out in Schedule I, that is to say the Police Federation Regulations 1965 and the Regulations amending those Regulations, are hereby revoked.

(2) Anything done under, or for the purposes of, any provision of the Regulations revoked by this Regulation shall have effect as if done under, or for the purposes of, the corresponding provision of these Regulations.

PART II
ORGANISATION

REGULATION 4

Membership of Police Federation and branches thereof

4.—(1) The Police Federation for England and Wales (hereinafter referred to as the Federation’) shall be known as the Police Federation.

(2) There shall be a branch of the Federation for each police force, consisting of the following persons—

- (a) every member of that force below the rank of superintendent, and
- (b) every police cadet undergoing training with a view to becoming a member of that force,

and every such person shall be a member of the Federation.

Proceedings of branches

5.—(1) General meetings of the members of a branch of the Federation, or of such members belonging to a particular division or specialist branch of a police force, may be held in accordance with arrangements made by—

- (a) a board or joint board of that branch, or
- (b) a central committee or the Joint Central Committee of the Federation.

(2) The chief officer of police of the force in whose area such a meeting is to be held shall be given at least fourteen days' notice of the date of the meeting.

(3) The arrangements referred to in paragraph (1) may provide for the attendance at a meeting of members of the police authority and of other members of the Federation but shall not permit the attendance of other persons except to such extent, and subject to such conditions, as may be determined—

- (a) by the chief officer of police, where the arrangements are made under paragraph (1)(a);
- (b) by the Secretary of State, where the arrangements are made under paragraph (1)(b).

(4) The arrangements referred to in paragraph (1) shall not permit the passing of a resolution at a meeting for submission to a chief officer of police, a police authority or the Secretary of State.

(5) Subject to the provisions of the arrangements referred to in paragraph (1), Schedule 2 shall have effect in relation to the proceedings of a meeting held under this Regulation.

Branch boards

6.—(1) In each branch of the Federation there shall be constituted, in accordance with this Regulation, an inspectors', a sergeants' and a constables' branch board.

(2) Where a police force consists of fewer than five divisions, the persons belonging to those divisions holding the rank of inspector, sergeant or, as the case may be, constable in that force, shall elect from among their number, five members of the appropriate branch board.

(3) Where a police force consists of five or more divisions, the persons belonging to each division and holding the rank of inspector, sergeant or, as the case may be, constable therein, shall elect from among their number, one member of the appropriate branch board.

(4) The persons belonging to each specialist branch of a police force and holding the rank of inspector, sergeant or, as the case may be, constable therein, shall elect from among their number, one member of the appropriate branch board except that in the case of the two specialist branches of the metropolitan police force -

- (a) five members shall be elected by the criminal investigation department, and
- (b) three members shall be elected by the A, B and D departments.

(5) The members holding the rank of inspector, sergeant or, as the case may be, constable in a police force, shall elect one member of the appropriate branch board from among the women holding those ranks in the force, except any who have sought election under paragraph (2), (3) or (4).

(6) The police cadets undergoing training with a view to becoming members of a police force may elect, from among their number, one member of the constables' branch board; but, where they do not so elect a member, they shall designate to represent their interests a member of the constables' branch board elected in accordance with the preceding provisions of this Regulation.

(7) Schedule 3 shall have effect in relation to a branch board, so however that in any election thereto -

- (a) if only one person is qualified to take part therein, that person shall be deemed to be elected;

- (b) if only two persons are qualified to take part therein, subject to any agreement to the contrary between them, the senior of those two shall be deemed to be elected.

(8) Elections for the purposes of this Regulation shall be held as soon as practicable after the coming into operation of this paragraph, at any time in 1989 and in every third year thereafter.

(8A) In any branch of the Federation the elections which are required to be held by paragraphs (2) to (5) shall be held on the same day.

(9) A person becoming a member of a branch board shall, subject to any rules made under paragraph 5(1)(b) of Schedule 3, become such on the first day of the month following that in which elections are held under this Regulation and, subject to paragraph (10), shall remain a member until the end of the month in which the next following elections are held under this Regulation.

(9A) A person who was a member of a branch board immediately before 1st December 1986 shall, subject as aforesaid, remain a member until the end of the month in which elections are first held after that date.

(10) A person shall cease to be a member of an inspectors', sergeants', or constables' branch board if he is removed from office in accordance with Schedule 6, or if—

- (a) he ceases to hold the rank of inspector, sergeant or, as the case may be, constable
- (b) he ceases to be a member of the police force or, in the case of a police cadet, ceases to undergo training with a view to becoming such a member, or
- (c) in the case of a person elected in accordance with paragraph (3) or (4), he ceases to belong to the division or specialist branch by which he was elected.

(10A) Where a member of a joint branch board has been chosen as the secretary thereof he shall, by virtue of this paragraph and without prejudice to the filling of the casual vacancy, become an additional member of the appropriate branch board and shall remain such until the end of the month in which elections are first held under this regulation following the date on which he ceases to hold that office.

(11) Where a member of a branch board has been chosen as such a central officer of the Federation as is hereinafter mentioned he shall, by virtue of this paragraph and without prejudice to the filling of the casual vacancy,

become an additional member of that board and, subject to paragraph (10), shall remain such until some other person is chosen for the office in question.

In this paragraph the reference to a central officer of the Federation is a reference to—

- (a) a person chosen by the Joint Central Committee as the chairman, secretary or treasurer thereof, or
 - (b) a person chosen by a central committee as the secretary thereof.
- (12) REVOKED.

Proceedings of branch boards

7.—(1) Each branch board may hold quarterly meetings, each lasting one day and, with the consent of the chief officer of police, additional meetings of the branch board and meetings of committees thereof.

(2) Each branch board shall hold a quarterly meeting in January each year, which meeting is in these Regulations referred to as the annual meeting.

(3) In any branch of the Federation the three or any two of the branch boards may, by agreement, sit together as a joint branch board, either generally or for a special purpose.

(4) Without prejudice to any arrangements for informal consultation, a branch board or joint branch board may make written representations to the chief officer of police or the police authority and, if it thinks fit, submit a copy thereof to the Secretary of State; and in matters of importance a deputation may be appointed to make oral representations to the chief officer of police or the police authority.

(5) Schedule 2 shall have effect in relation to the proceedings of any branch board or joint branch board.

Liaison committees

8.—(1) In each branch of the Federation there shall be constituted, by the constables' branch board and in accordance with this Regulation, a liaison committee to represent the women members of the branch holding the rank of constable and consisting of a representative from each division of the force to which such members belong elected by the members of the branch belonging to that division.

(2) In each branch of the Federation there may, with the consent of the chief officer of police, be constituted by the sergeants' or constables' branch board, and in accordance with this Regulation, such other liaison committees as appear to them expedient having regard to the size and organisation of the police force.

(3) Members of a branch who hold the rank of constable or are police cadets may be represented by the same or separate liaison committees constituted under paragraph (2) but members who hold the rank of sergeant may only be represented by a sergeants' liaison committee.

(4) Subject to the preceding provisions of this Regulation, a liaison committee constituted under paragraph (1) or (2) shall be constituted in accordance with arrangements made by the appropriate branch board with the approval of the chief officer of police and any such arrangements—

- (a) shall provide that the committee shall consist of members of the branch who are not members of the appropriate branch board, and
- (b) without prejudice to the generality of this paragraph, may apply, subject to appropriate modifications, the provisions of Schedule 2 to the proceedings of the committee and the provisions of Schedule 3 to the committee.

(5) In each year, a liaison committee constituted under paragraph (1) may hold two ordinary meetings and a liaison committee constituted under paragraph (2) may hold four ordinary meetings, each lasting half a day.

(6) A liaison committee constituted under paragraph (1) or (2) may, with the consent of the chief officer of police, hold additional meetings.

(7) A person shall cease to be a member of a liaison committee if he is removed from office in accordance with Schedule 6.

Central conferences

9.—(1) There shall be constituted, in accordance with this Regulation, an inspectors', a sergeants' and a constables' central conference.

(2) Each branch board, at their annual meeting, shall elect from among the members holding the rank of inspector, sergeant or, as the case may be, constable in the police force, other than the member elected to the branch board under Regulation 6(5), such number of delegates to the appropriate central conference as is provided in Part I of Schedule 4.

(3) The members of the inspectors', sergeants' and constables' branch boards for the branches of the Federation in each of the regions mentioned in Schedule 5 shall elect, from among the women elected under Regulation 6(5) as members of those boards, such number of delegates to the appropriate central conference as is provided in Part II of Schedule 4.

(4) 'Cancelled.'

(5) A person shall cease to be a delegate to a central conference if he ceases to hold the rank of inspector, sergeant or, as the case may be, constable, or ceases to be a member of the branch from which he is a delegate or, in the case of a woman, elected as a delegate under paragraph (3), of a branch in the region from which she is a delegate.

(6) Where a member of a branch board has been chosen as such a central officer of the Federation as is mentioned in Regulation 6(11), he shall, by virtue of this paragraph and without prejudice to the filling of any casual vacancy among the delegates elected by that board to the appropriate central conference, become an additional delegate from that board to that conference and, subject to paragraph (5), shall remain such until some other person is chosen for the office in question.

(7) Schedule 3 shall have effect in relation to each of the central conferences.

Proceedings of central conferences

10.—(1) Each central conference shall meet each year at such times as the Secretary of State shall determine after consultation with the Joint Central Committee of the Federation and shall hold an annual meeting lasting not more than three days or, with the consent of the Secretary of State, four days.

(2) The three, or any two, of the central conferences may, by agreement, sit together for the purpose of discussing matters of common interest.

(3) The three central conferences sitting together shall be known as the Joint Central Conference.

(4) Schedule 2 shall have effect in relation to the proceedings of each of the central conferences.

Conferences arrangements committee

11.—(1) There shall be constituted, in accordance with this Regulation, a conferences arrangements committee charged with the making of arrangements for such meetings as are referred to in Regulation 10.

- (2) The conferences arrangements committee shall consist of—
- (a) three persons, other than any person elected to a branch board under Regulation 6(5), holding the rank of inspector,
 - (b) three persons, other than any person elected to a branch board under Regulation 6(5), holding the rank of sergeant,
 - (c) three persons, other than any person elected to a branch board under Regulation 6(5), holding the rank of constable, and
 - (d) one woman elected to a branch board under Regulation 6(5), holding the rank of inspector, sergeant or constable,

not being members of a central committee; and of the three persons holding each rank, one shall be a London member, that is to say, a member of the City of London or the Metropolitan police forces, and the other two shall be provincial members, that is to say, members of other police forces.

(3) The members of the conferences arrangements committee shall be elected by the appropriate delegates referred to in paragraph (3A).

(3A) The appropriate delegates are:

- (a) in the case of the London member of the conferences arrangements committee, those elected to the relevant central conference by the branch boards of the City of London and metropolitan police forces;
- (b) in the case of the provincial members of that committee, those so elected by the branch boards of other police forces in England and Wales, and
- (c) in the case of the woman member, those elected to all three central conferences.

(3B) Elections shall be held for the purposes of this Regulation in May 1987, at any time in 1990 and in every third year thereafter and a person elected as a member of the conferences arrangements committee under this Regulation shall, subject to paragraph (4), remain a member until the date of the next following elections under this Regulation.

(4) A person shall cease to be a member of the conferences arrangements committee if he is removed from office in accordance with Schedule 6 or on ceasing to be qualified for membership by reason of his ceasing to hold a particular rank or to be a member of a particular police force or by reason of his becoming a member of a central committee.

(5) The conferences arrangements committee may, each year, hold four ordinary meetings each lasting one day, and such additional meetings as appear to them necessary.

(6) Any expenses incurred by the conferences arrangements committee, with the approval of the Joint Central Committee, shall be defrayed by the Joint Central Committee.

(7) Notwithstanding anything in Regulation 9, each member of the conferences arrangements committee shall, by virtue of this paragraph, be an additional delegate to the appropriate central conference and on a person becoming a member of the committee and such an additional delegate he shall, if he has been elected a delegate to the conference under Regulation 9, cease to be a delegate so elected.

(8) Schedule 2 shall have effect in relation to the proceedings of the conferences arrangements committee and Schedule 3 shall have effect in relation to that committee.

Central committees

12.—(1) There shall be constituted, in accordance with this Regulation, an inspectors', sergeants' and a constables' central committee of the Federation.

(1A) Each central committee shall be elected by the delegates to the inspectors', sergeants' or, as the case may be, constables' central conference in the manner following -

- (a) two members shall be elected in respect of No. 8 (London) Region by the delegates from the City of London and metropolitan police forces;
- (b) one member shall be elected in respect of each other region listed in Schedule 5 by the delegates from police forces in the region in question; and
- (c) one woman member shall be elected by all the delegates;

in each case, from among their number.

(2) A member elected under paragraph (1A)(a) or (b) must not, and the member elected under paragraph (1A)(c) must, be a woman elected as a delegate under Regulation 9(3).

(2A) Elections shall be held for the purposes of this Regulation in May 1987, at any time in 1990 and in every third year thereafter and a person elected as a member of a central committee under this Regulation shall, subject to paragraph (4), remain a member until the date of the next following elections under this Regulation.

(3) Schedule 3 shall have effect in relation to each of the central committees.

(4) A person shall cease to be a member of a central committee if he is removed from office in accordance with Schedule 6 or if he ceases to be eligible to be a delegate to the inspectors', sergeants' or, as the case may be, constables', central conference.

Proceedings of central committees

13.—(1) Each central committee may hold—

- (a) an ordinary meeting once in two months, each meeting lasting not more than three days;
- (b) additional meetings called with the consent of the Secretary of State.

(2) The three or any two of the central committees may, by agreement, sit together as a joint committee either for all purposes of common interest or for any special purpose.

(3) The three central committees shall, at the request of the Secretary of State, sit together as a joint committee for the purpose of considering any question referred to them by him.

(4) The three central committees sitting together shall be known as the Joint Central Committee of the Federation.

(4A) Without prejudice to paragraphs (1) and (2), the Joint Central Committee of the Federation may hold an ordinary meeting once a year with the Joint Central Committee of the Scottish Police Federation and the Central Committee of the Police Federation for Northern Ireland, such meeting lasting not more than two days.

(5) A central committee, the Joint Central Committee or a joint committee of any two central committees may make written representations to the Secretary of State and, in matters of importance, a deputation may be appointed to make oral representations to him.

(6) Schedule 2 shall have effect in relation to the proceedings of each central committee, the Joint Central Committee and a joint committee of any two central committees.

Women's regional conferences

14.—(1) In each of the regions mentioned in Schedule 5 two women's conferences, each lasting not more than one day, may be held each year in accordance with arrangements made by the Joint Central Committee of the Federation.

(2) The persons elected under Regulation 6(5) of all the branch boards of the Federation in the region in question shall be delegates to a conference held under this Regulation.

(3) From each police force in the region in question which has an authorised establishment which includes two hundred or more women of all ranks there shall be three additional women delegates to a conference held under this Regulation, one such delegate being elected from the women holding, respectively, the rank of inspector, sergeant and constable in the force in question by the persons holding that rank in the force.

(4) Schedule 2 shall have effect in relation to the proceedings of a women's conference and Schedule 3 shall have effect in relation to such a conference.

PART III

FINANCIAL ARRANGEMENTS

REGULATION 15A

Federation Rules

15A.—(1) Subject to these Regulations, Rules made under this regulation (“Federation Rules”) may make provision relating to—

- (a) the raising of funds for Federation purposes and the manner in which such funds may be dealt with;
- (b) the expenses of the Joint Central Committee;
- (c) the use to which Federation funds may be put.

(2) Subject to the following provisions of this regulation, Federation Rules shall be prepared in draft by the Joint Central Committee and submitted to the Joint Central Conference for approval of their general purpose and intent.

(3) Where it appears to the Joint Central Committee that the case is one of urgency, it shall not be necessary for that committee to submit Rules in draft to the Joint Central Conference for such approval and it shall be sufficient for the Rules to be approved by the Secretary of State in accordance with paragraph (4); but in such a case the Rules shall cease to have effect unless they are ratified at the next meeting of the Joint Central Conference.

(4) After approval of their general purpose and intent by the Joint Central Conference, Federation Rules shall be submitted to the Secretary of State for his approval, and shall not have effect until approved by him.

Emoluments etc. of officers of Federation

15B.—(1) The Federation shall make such contributions to the police authorities maintaining the police forces of which the chairman, the secretary and the treasurer of the Joint Central Committee are members, in respect of the pay, pension or allowances payable to or in respect of them, as may be agreed between the Joint Central Committee and the police authorities concerned or, in default of agreement, as may be determined by the Secretary of State.

(2) The Regulations for the time being in force under—

- (a) section 33 of the Police Act 1964, in so far as they relate to leave, pay and allowances, and
- (b) the Police Pensions Act 1976, except in so far as they relate to compulsory retirement on account of age,

shall have effect in relation to the chairman, the secretary and the treasurer of the Joint Central Committee as provided by paragraph (3).

(3) Subject to paragraph (4), the said Regulations shall have effect—

- (a) in relation to the said chairman and secretary, as if they held the rank of chief inspector in the Metropolitan police force; and
- (b) in relation to the said treasurer, as if he held the rank of inspector in that force;

so, however, that nothing in this paragraph shall be construed as transferring any rights or liabilities to the police authority maintaining that force.

(4) Notwithstanding paragraph (3), regulation 65 of the Police Regulations 1987 (London allowance) shall not apply in the case of a person to whom that paragraph applies unless that regulation would apply in his case apart from that paragraph.

Subscriptions etc

16.-(1) The Federation may raise funds by—

- (a) the collection of voluntary subscriptions from the members thereof;
- (b) the acceptance of donations from such members, from reversionary members of home police forces or servicemen within the meaning of the regulations from time to time in force under the Police Pensions Act 1976 or from persons with a contingent right of reversion to a home police force under section 2 of the Police Act 1969,

and by such other means, and subject to such conditions, as Federation Rules may provide.

(1A) Without prejudice to paragraph (1), Federation Rules may make provision in particular for the raising of funds by—

- (a) the borrowing of money;
- (b) the acceptance of donations from individuals or bodies: and
- (c) the sale of publications or other articles, and the receipt of commission in connection with the sale thereof.

(1B) Subject to these Regulations, any funds so raised shall be dealt with in accordance with Federation Rules.

(1C) Each joint branch board shall maintain a fund to be known as the Joint Branch Board Fund or, in the case of the Metropolitan police force, the Joint Executive Committee Fund; and in addition each of the inspectors', sergeants' and constables' branch boards may maintain a fund.

(1D) The Joint Central Committee shall maintain a fund to be known as the Police Federation Joint Fund; and each of the three central committees shall maintain a fund to be known respectively as the Police Federation (Constables') Fund, the Police Federation (Sergeants') Fund and the Police Federation (Inspectors') Fund.

(2) Voluntary subscriptions shall be collected by the appropriate branch boards and the normal amount of such subscriptions (including additional subscriptions) shall be determined by the Joint Central Committee, subject to the approval of the Joint Central Conference.

(3) Out of the sum collected by way of subscriptions in each year, a branch board shall pay to the appropriate central committee such sum in respect of each subscribing member as the Joint Central Committee shall have determined should be paid by branch boards in that year but, subject to the next following paragraph, the balance of the sum so collected shall be retained by the branch board.

(4) If at the end of any year the funds held by a branch board exceed—

- (a) £600 where the number of subscribing members is less than a hundred;
- (b) £6 for each subscribing member, where the number of such members is a hundred or more but less than five hundred or, in the case of the Metropolitan police force, a hundred or more but less than a thousand;
- (c) £3,000 where the number of subscribing members is five hundred or more or, in the case of the Metropolitan police force, £6,000 where the number of such members is one thousand or more,

the board shall pay the excess to the appropriate central committee and, after making such payment, may pay such sum as they think fit to the joint branch board.

Expenses of Joint Central Committee

17.—(1) There shall be paid to the Joint Central Committee, out of Federation funds held by the central committees, such sums as the Joint Central Committee determine.

(2) Subject to Regulation 19 any expenses incurred by or for the purposes of the Joint Central Committee shall be defrayed out of Federation funds held by that committee except that, to the extent that the Secretary of State has agreed with the Joint Central Committee that such expenses should be defrayed by him, they shall be so defrayed.

Accounts

18.—(1) This Regulation shall have effect in relation to every branch board or joint branch board, each central committee and the Joint Central Committee.

(2) Every such board and committee shall, in relation to Federation funds held by the board or committee in question, keep accounts showing all monies received or paid out and shall cause the accounts for each year to be audited by an independent auditor.

(3) The independent auditor shall be a person who is a member, or a firm all of the partners wherein are members, of one or more of the following bodies, that is to say—

- (a) the Institute of Chartered Accountants in England and Wales;
- (b) the Instituted of Chartered Accountants in Scotland;
- (c) the Association of Certified and Corporate Accountants;
- (d) the Institute of Chartered Accountants in Ireland;
- (e) any other body of accountants established in the United Kingdom and for the time being recognised for the purposes of section 161(1)(b) of the Companies Act 1948 by the Board of Trade.

(4) After the end of each year, a summary of the accounts for that year, together with a copy of the independent auditor's report thereon, shall—

- (a) in the case of the accounts of a branch board or joint branch board, be made available to the subscribing members and sent to the chief officer of police and the appropriate central committee, or, as the case may be, the Joint Central Committee which shall, if so requested in a particular case by the Secretary of State, transmit copies to him;
- (b) in the case of the accounts of a central committee or the Joint Central Committee, be made available to the appropriate central conference or, as the case may be, the Joint Central Conference, sent to the Secretary of State and published, in a manner approved by the committee in question, to members of the Federation.

Use of Federation funds

19.—(1) Federation funds shall not be used—

- (a) to support a political party or to promote, directly or indirectly, a person's candidature in a parliamentary, European Assembly or local election; or
- (b) to contribute to the funds of a political party or trade union or of any other body or organisation not being connected with the police service or its welfare or carrying out charitable work for the welfare of others.

(2) Subject as aforesaid and to any provision made by Federation Rules, a branch board, a joint branch board, the Metropolitan Police Joint Executive Committee and a central committee may use for any purpose which the joint central committee may determine to be necessary or expedient in the interests of the Federation or its members the Federation funds which it holds.

Trustees of Federation property and funds

20.—(1) Federation property and funds held by a branch board or joint branch board shall be vested in not more than three trustees appointed in such manner as may be determined by the board in question

(2) Federation property and funds held by a central committee shall be vested in three trustees appointed by the committee in question.

(2A) Federation property and funds held by the Joint Central Committee shall be vested in three trustees, of whom each of the central conferences shall have elected one from among the delegates to that conference, appointed by the Joint Central Committee.

(2B) Rules made by the Joint Central Conference may prescribe the term of office of trustees appointed under paragraph (2A) and may provide for the conduct of elections under that paragraph and the filling of casual vacancies among trustees appointed thereunder.

(3) Where any Federation funds are vested in trustees in accordance with this Regulation those trustees shall not invest the funds or vary any investment except in pursuance of the powers of investment conferred on trustees generally by the Trustee Investment Act 1961 and in accordance with the directions of the appropriate board or committee.

(4) Where any Federation property or funds are vested in three trustees in accordance with this Regulation, any two of those trustees shall have the like powers to deal with that property or those funds as they would have had if they had been the sole trustees thereof.

The Police Federation Regulations 1969

SCHEDULES

SCHEDULE 1

Regulations Revoked

REGULATIONS	REFERENCES
The Police Federation Regulations 1965	S.I. 1965/619 (1965 I, p. 1928)
The Police Federation (Amendment) Regulations 1966	S.I. 1966/542 (1966 II, p. 1119)
The Police Federation (Amendment) Regulations 1967	S.I. 1967/94 (1967 I, p. 199)
The Police Federation (Amendment) Regulations 1968	S.I. 1968/24 (1968 I, p.29)
The Police Federation (Amendment) (No. 2) Regulations 1968	S.I. 1968/2044 (1968 III, p.5513)

SCHEDULE 2

Proceedings

1. This Schedule shall have effect in relation to the proceedings of the following bodies (hereafter in this Schedule referred to as specified bodies)—

any branch meeting, including a meeting of members belonging to a particular division or specialist branch of a police force;

any branch board or joint branch board;

each central conference;

the conferences arrangements committee;

each central committee, the Joint Central Committee and a joint committee of any two central committees;

any women's regional conference.

2. Subject to paragraph 2A each specified body shall choose its chairman and secretary from among its members.

2A. The chairman and secretary of a joint branch board shall be elected from among its members; elections shall be held for the purposes of this paragraph at some time in 1993 and in every third year thereafter; an additional election may be held before the end of 1990 by any joint branch board, and in any such election the candidates may include any person who, immediately before such election, is discharging the duties and functions of the office concerned notwithstanding that he is not then a member of the joint branch board.

3. The chairman at any meeting of a specified body shall have a second or casting vote.

4. Subject as aforesaid, each specified body shall regulate its own procedure and may provide for the appointment of committees and sub-committees and for their procedure.

5. Where a police authority can make available to a specified body, accommodation in premises provided for police purposes, the specified body shall be under no obligation to make payment for the use of such accommodation.

SCHEDULE 3

Elections, etc

1. This Schedule shall apply in relation to the following bodies (hereafter in this Schedule referred to as specified bodies')—

- any branch board;
- each central conference;
- the conferences arrangements committee;
- each central committee;
- each women's regional conference.

2. An election to a specified body shall be by secret ballot.

3. At any such election each person qualified to take part therein shall be entitled to give the like number of votes as there are vacancies to be filled but shall not give more than one vote for any one candidate.

4. Where at any such election an equality of votes is found to exist between any candidates and the addition of a vote would entitle any of those candidates to be declared elected, the decision between those candidates shall be reached by lot and the candidate on whom the lot falls shall be declared elected.

5.-(1) Subject to the provisions of these Regulations, rules may be made by the appropriate rule-making body mentioned in sub-paragraph (2) as respects—

- (a) the conduct of elections to a specified body, and
- (b) the circumstances and manner in which casual vacancies thereon are to be filled, whether the vacancy occurs as a result of the death or resignation of a person or in consequence of any provision of these Regulations.

(2) The appropriate rule-making body shall be—

- (a) in relation to a branch board, that board;
- (b) in relation to an election under Regulation 9(2) or the filling of a casual vacancy of a person elected under that provision, the branch board;
- (c) in relation to an election under Regulation 9(3) or the filling of a casual vacancy of a person elected under that provision, the Joint Central Committee;

- (d) in relation to the conferences arrangements committee, the Joint Central Conference;
- (e) in relation to the election of members of a central committee by a central conference and casual vacancies among those members, that central conference;
- (f) in relation to an election under Regulation 14(3) or the filling of a casual vacancy of a person elected under that provision, the members of the inspectors', sergeants' and constables' branch boards in the force in question elected under Regulation 6(5).

SCHEDULE 4

Delegates to central conferences

Part I — Delegates under Regulation 9(2)

1.—(1) Except in the Metropolitan police force, there shall be elected to the appropriate central conference under Regulation 9(2), by each inspectors', sergeants' and constables' branch board, two delegates together with a further delegate for each five hundred men included in the authorised establishment for the police force in question as at 31st March 1995.

(2) REVOKED.

2. In the Metropolitan police force the inspectors', sergeants', and constables' branch boards shall, under Regulation 9(2), each elect to the appropriate central conference—

- (a) two delegates from each division;
- (b) five delegates from the criminal investigation department, and
- (c) six delegates from A, B and D departments.

Part II — Delegates under Regulation 9(3)

1. The number of delegates to be elected, under Regulation 9(3), by members of inspectors', sergeants' or constables' branch boards in a region to the appropriate central conference—

- (a) in the case of No. 8 (London) Region, shall be four;
- (b) in the case of each other region, shall be determined by reference to the number of women in the aggregate authorised establishment for the police forces in the region, as at 31st March 1995, as hereafter in this Part of this Schedule provided.

2. Where there are less than two hundred women in the aggregate authorised establishment there shall be one delegate.

3. Where there are two hundred women or more in the aggregate authorised establishment, there shall be two delegates with a further delegate for each five hundred women included in the aggregate authorised establishment.

4. REVOKED.

SCHEDULE 5

Regions

For the purposes of these Regulations there shall be the following eight regions—

- (a) **No. 1 (North West) Region**, comprising the police areas of Cheshire, Cumbria, Lancashire, Greater Manchester and Merseyside;
- (b) **No. 2 (North East) Region**, comprising the police areas of Cleveland, Durham, Humberside, Northumbria, North Yorkshire, South Yorkshire and West Yorkshire;
- (c) **No. 3 (Midlands) Region**, comprising the police areas of West Midlands, West Mercia, Warwickshire and Staffordshire.
- (d) **No. 4 (Eastern) Region**, comprising the police areas of Cambridgeshire, Derbyshire, Leicestershire, Lincolnshire, Norfolk, Northamptonshire, Nottinghamshire and Suffolk;
- (e) **No. 5 (South East) Region**, comprising the police areas of Bedfordshire, Essex, Hampshire, Hertfordshire, Kent, Surrey, Sussex and Thames Valley;
- (f) **No. 6 (South West) Region**, comprising the police areas of Avon and Somerset, Devon and Cornwall, Dorset, Gloucestershire and Wiltshire;
- (g) **No. 7 (Wales) Region**, comprising the police areas of North Wales, South Wales, Dyfed-Powys and Gwent;
- (h) **No. 8 (London) Region**, comprising the Metropolitan police district and the City of London.

SCHEDULE 6

Removal from office

1. This Schedule shall apply in relation to the removal from office of a member of any of the following bodies (hereinafter in this Schedule referred to as 'specified bodies')—

- (a) any branch board;
- (b) any liaison committee;
- (c) the conferences arrangements committee;
- (d) each central committee.

2. A motion for the removal from office of a person under this Schedule shall be sent to the secretary of the specified body in question and shall—

- (a) be signed by at least one-third of those qualified to elect the person in question to the specified body in question (the electorate'); and
- (b) contain a statement of the grounds on which those signing the motion consider that that person should be removed from office.

3. On receipt of a motion in accordance with paragraph 2, the secretary shall forthwith send a copy thereof to the person in question and invite him to supply in writing, within 14 days, his comments thereon.

4. At the expiry of the said 14 days, the secretary shall send a copy of the motion, and the comments, if any thereon of the person in question, to each member of the electorate and shall arrange for the members of the electorate to vote on the motion.

5. If a majority of the members of the electorate voting thereon vote in favour of the motion the person in question shall cease to be a member of the specified body in question.

6. An election shall forthwith be held to fill any vacancy created by the removal of a person under this Schedule, and a person so removed shall be entitled to be a candidate for office at such an election.

POLICE FEDERATION FUND RULES

(The Police Federation Regulations, 1969, Part 111 as amended)

THE POLICE FEDERATION (AMENDMENT) REGULATIONS 1990

PART 1. SUBSCRIPTIONS, AUDITS AND SOURCE OF FUNDS

1. The Police Federation may raise funds by the collection of voluntary subscriptions and the acceptance of donations from the members, and

- (a) By borrowing money from any person or persons or body corporate, or other legally constituted body authorised to lend on such security and upon such terms as may from time to time be arranged, by interest on capital or by commissions;
- (b) By acceptance of donations or gifts, whether directly or by bequest, providing the acceptance of such donations or gifts shall not affect or interfere with the impartial discharge of police duties;
- (c) By the sale of periodicals or articles and publications, and such other matters or items which can be considered incidental to, and compatible with, the objects and purposes of the Federation; and
- (d) By receiving the income raised by the Federation or any other party on its behalf from business activities concerned in any way with any Exhibition or Conference constituted in accordance with the Regulations (or otherwise).

(Members include cadets, central service officers, reversionary members of a Home Police Force and servicemen, within the meaning of the Regulations from time to time in force, under the Police Pensions Act 1976 and persons with a contingent right of reversion to a Home Police Force under Section 2 Police Act 1969.)

2A. All existing contributors and those whose contributions commence within six months of joining the Police Service, will have a right to the benefits set out in these Rules as amended from time to time, provided the contributions have been continuous with Police Service. A person who fails to contribute within six months of joining the Police Service or ceases to contribute and later elects to resume paying contributions may be required to pay contributions for a period of twelve months before he/she qualifies for benefits under these Rules as the case may be.

2B. A member of the Police Federation who is not receiving any pay will have a right to the benefits set out in these Rules, as amended from time to time, provided that either one of the provisions set out in 2A above was fully satisfied (to the extent that the member would otherwise have been entitled to a right to the said benefits) at the date on which that member first commenced

the period during which no payment of pay was made by the relevant Force.

3. The Joint Central Committee, subject to the approval of the Joint Central Conference, shall fix the amount per contributing member payable by Branch Boards to separate Central Committees and the amount shall be the same for every Branch Board.

4.0 REPEALED.

4.1 The weekly subscription, being such sum as has been determined by the Joint Central Committee, with the approval of the Joint Central Conference, shall be increased on 1st January each year, to such a sum as shall be determined by the Joint Central Committee, subject to the approval of the Joint Central Conference. The sum determined shall be rounded off to the nearest number of pence divisible by three.

4.2 As from 1st July 1995, out of the contributions made by each rank of each Force (with the exception of cadets) 30% overall shall be allocated to the appropriate Branch Board Fund and 70% to the appropriate Central Committee Fund: out of the said 70%, each Central Committee shall allocate, by agreement, part to the Joint Central Committee Fund.

4.3 Out of the contributions made by the cadets of each Force, 30% shall be allocated to the local Constables' Branch Board Fund, and the remaining 70% to the Constables' Central Committee Fund.

4.4 In each Force the following Funds may be set up within the Police Federation:-

- (i) The Constables' Branch Board Fund
- (ii) The Sergeants' Branch Board Fund
- (iii) The Inspectors' Branch Board Fund

4.5 Additionally the following Funds will be maintained within the Police Federation.

- (a) In each Force a Joint Branch Board Fund or, in the case of the Metropolitan Police, the Joint Executive Committee Fund, or in lieu of a Constables', Sergeants', and Inspectors' Branch Board Fund and, by agreement, a Joint Branch Board Fund only may be set up to receive the total contributions from members which would otherwise have been maintained in separate Branch Board Funds and shall be applied in financing the activities of the separate Branch Boards.
- (b) At national level
 - (i) The Constables' Central Committee Fund
 - (ii) The Sergeants' Central Committee Fund

- (iii) The Inspectors' Central Committee Fund
- (iv) The Joint Central Committee Fund

The Funds set up under (b) above shall be known as the Police Federation (Constables') Fund, the Police Federation (Sergeants') Fund, the Police Federation (Inspectors') Fund and the Police Federation Joint Fund.

- 4.6 (a) In accordance with Regulation 18 of the Police Federation Regulations 1969, Branch Boards and Central Committees shall keep detailed accounts and shall have them audited annually by an authorised and independent auditor. Annual Statements of Accounts shall be made available by Branch Boards to their members and by Central Committees to the appropriate Central Conference. Copies of these Statements shall be sent, in the case of the Central Committees, to the Secretary of State. The Accounts of the Central Committees shall be published to the members of the Police Federation.
- (b) Each Branch Board shall send a signed copy of the annual financial statement to the Treasurer of the appropriate Central Committee and, where the local Fund or Funds include the Joint Branch Board, a signed copy of such financial statement shall be sent to each Treasurer of the three separate Committees.
- (c) A Central Committee shall send to the Secretary of State a copy of the Annual Statement of Accounts of any Branch Board for which he/she may call.

PART II AUTHORISATION OF EXPENDITURE BY COMPONENT PARTS OF THE POLICE FEDERATION

5.1 Federation Funds may only be used in the manner prescribed by the Regulations, and by these Rules made under the Regulations and approved by the Secretary of State, and within this general purpose, only as may be determined from time to time by the Joint Central Committee and approved by Conference.

Without prejudice to the generality of this paragraph, Federation Funds may be used as follows;

A. Joint Central Committee Fund

1. (a) On the administrative expenses of the Joint Central Committee, including the provision of office accommodation, the payment of due taxes, the retention and payment of persons consulted in an administrative professional or advisory capacity, the engagement of all necessary staff, and generally in any manner which the Joint Central Committee shall deem necessary to enable it to carry out its functions.
- (b) Expenses in connection with the publication and distribution of

reports and other documents, including a journal or magazine, and the purchase of publications for the use of Committees and Boards.

- (c) On such contributions to a Police Authority as may be required under the Regulations in respect of the pay, pension or allowances of the Chairman, General Secretary or Treasurer of the Joint Central Committee, together with the authority to make payment to the aforesaid Officers of an amount necessary to implement their salaries to that of the highest rate payable to a Chief Inspector of the Metropolitan Police, together also with the authority to make payments of any additional pay or allowance to the aforesaid Officers (and Deputy Officers as the case may be) as may be agreed by the Joint Central Committee, in accordance with a decision of Annual Conference.
- (d) To meet, where not met from public funds, the cost of additional meetings of the Central Committees and of Sub-Committees, or any other meetings of these Committees, and the costs of members attending Discussion and Study Groups and other training courses.
- (e) To grant honoraria to officials of the Central Committees. Honoraria so paid shall be met by the appropriate Central Committee in accordance with the decisions taken by Annual Conference; and in the case of the Joint Central Committee any such payment shall be met by the Police Federation Joint Fund, in accordance with the decision taken by the Joint Central Conference.
- (f) To grant honoraria to members of the Joint Central Committee.
- (g) To defray the expenses incurred by members of the Federation in assisting Branch Boards.
- (h) To make payments to members of such an amount as the Joint Central Committee may, in its discretion decide, in respect of their out-of-pocket and other expenses in attending Federation meetings, and commitments falling within the jurisdiction of the fund.
- (i) On the instigation and operation of insurance, medical and super-annuation and similar schemes for the benefit of its members and staff.
- (j) To advance a loan or grant to a Committee, a Joint Branch Board or a Branch Board, or in the case of the Metropolitan Police, the Joint Executive Committee and upon such terms and conditions as the Joint Central Committee may determine.
- (k) To test the validity of the decisions by the Police Authorities or by the Secretary of State, on matters of police pay, allowances, expenses or pensions. Only those cases involving a principle of universal application shall be supported in this way.
- (l) To support individual members of the Police Federation, their widows and children, in pension or medical appeals.
- (m) To meet the cost of medical and legal advice, and to support legal

action on behalf of members in matters of general principle or importance to contributors generally.

- (n) To support claims for compensation by members of the Police Federation who have sustained injuries on- or off-duty; and by the personal representatives or relations of members who have been killed on- or off-duty; and by the members' immediate family who have sustained injuries in the same incident as the members who were injured or killed.

In all cases where support is given to pursue a claim for injuries suffered by the members' immediate family, costs not recovered in such proceedings will be the liability of the immediate family, and the Joint Central Committee will take all reasonable steps to recover these costs from the immediate family.

Provided always that the Joint Central Committee may reclaim from a member all or part of the legal or other expenses so incurred in circumstances where the member on his/her own or in concert with others has, by a wilful act, caused those expenses to be unnecessarily incurred.

- (o) For payment from the Police Federation Joint Fund of £2,100 in the case of any contributor or donor specified in Rule 1 who dies whilst serving. Payment to be made to the widow or any dependant or other person.

(The amount of the Death Benefit payment is reviewed annually.)

- (p) On charitable or benevolent purposes.
- (q) To authorise the purchase of a gift, not exceeding a cost of £500, for any person, whether or not a member of the Federation where, in the opinion of the Committee, the individual has made a valid or recognisable contribution to the Federation or its members.
- (r) On all matters as may be incidental or conducive to the objects of the Police Federation.
- (s) To support claims by members where damage to the members' own personal property has been sustained whilst on duty, or in circumstances arising out of any activity or event associated with Police duty, and compensation for such damage is neither paid by any party responsible, nor paid under the terms of a policy of insurance arranged by the member or any other party.

2. Federation Funds held by the Joint Central Committee (or with the consent thereof, Funds held by a Central Committee), **may, on such terms and conditions as may be specified** by the Joint Central Committee in the circumstances of a particular case, and with the prior consent of the Joint Central Committee, be used to defray legal charges incurred by a member or former member of the Federation, or by a central police officer, within the meaning of the Regulations from time to time in force under the Police

Pensions Act 1976 entitled at the end of his/her period of central service to revert to his/her Police Force in a rank below that of Superintendent, in connection with **criminal proceedings brought against him/her for any offence committed in, or founded upon something done in the performance or purported performance of his/her duties as a member of a Police Force** (including an offence committed on any occasion in respect of which an allowance is payable under Regulations made under Section 33 of the Police Act 1964 for the use of a motor vehicle or bicycle owned by a member), or as such a central police officer as the case may be. Such assistance will only be provided in those cases where the member's Chief Officer or Police Authority has not agreed to provide a solicitor acceptable to the member.

*Procedure note agreed by the Joint Central Committee
Statutory Meeting 6th September 1990, as amended by the JCC Statutory
Meeting 23rd January 1991*

Applications for assistance under this Fund Rule will be dealt with by application to the Deputy General Secretary of the Joint Central Committee. Where the Deputy General Secretary has rejected an application from a member, he/she must confer with the appropriate Separate Central Committee Secretary and, in the absence of an agreement thereafter, the matter must be referred for consideration by the Joint Central Committee. Should the Joint Central Committee also reject the same application, the matter may be further considered by the separate rank Central Committee. If then, by a majority decision of that Committee, it decides to support the member, they shall then determine whether to use their own Funds or Joint Funds to support that particular case.

3. Federation Funds held by the Joint Central Committee may, **on such terms and conditions as may be specified** by that Committee in the circumstances of a particular case, be used to defray legal charges incurred by a member or former member of the Federation, arising out of any step taken by him/her, **with the prior approval** of that Committee (given for the purposes hereof), in connection with an action for libel or slander which he/she has brought, or contemplates bringing, in respect of a statement or alleged statement which appears to the Committee :-

- (a) to relate to his/her conduct as a member of a Police Force, or
- (b) to disparage him/her in the office of Constable or otherwise to cast doubt upon his/her fitness to be a member of a Police Force.

In all cases where support is given to a member it **will only be approved** by the Joint Central Committee and action shall normally be taken through the solicitors to the Police Federation.

4. Federation Funds held by the Joint Central Committee may, **with prior approval** and on such terms and conditions as may be specified by that Committee in the circumstances of a particular case, be used to defray legal

charges incurred for a member in connection with his/her legal representation in disciplinary proceedings, in

- (i) Disciplinary Proceedings
- (ii) Unsatisfactory Performance Proceedings; and
- (iii) Police Appeal Tribunal Proceedings

instituted in accordance with the provisions of the Police Act 1964, the Police and Criminal Evidence Act 1984, the Police and Magistrates Courts Act 1994 and any regulations made thereunder where legal representation is available to the member under the provisions of these Acts or Regulations.

Procedure note agreed at the Joint Central Committee Statutory Meeting of 9th May, 1991.

Applications for assistance under this Fund Rule will be dealt with by application to the Deputy General Secretary of the Joint Central Committee. Where the Deputy General Secretary has rejected an application from a member, he/she must confer with the appropriate Separate Central Committee Secretary and, in the absence of an agreement thereafter, the matter must be referred for consideration by the Joint Central Committee. Should the Joint Central Committee also reject the same application, the matter may be further considered by the separate rank Central Committee. If then, by a majority decision of that Committee, it decides to support the member, they shall then determine whether to use their own Funds or Joint Funds to support that particular case.

5. Federation Funds held by the Joint Central Committee may be used to defray legal charges incurred for a member of the Police Federation to provide legal advice and representation in connection with:-

- (i) the testing of decisions affecting all ranks, or decisions which might affect one rank only, but which are detrimental to Federation policy, and are matters of general or universal principle;
- (ii) proceedings before a Coroner's Court or Tribunal, when such assistance may be given to the personal representative or dependants of a deceased officer, or to an officer who was directly involved in such proceedings;

Provided always that in the granting of such legal advice and representation:

- (I) the prior approval of the Joint Central Committee is obtained; and in all cases where support is given to a member, it will only be approved by the Joint Central Committee, and action shall normally be taken through the solicitors to the Police Federation.
- (II) the Joint Central Committee shall have an absolute discretion as to the extent of such representation, and it shall be on such terms and circumstances of a particular case.

B. Constables', Sergeants', Inspectors' Central Committee Fund

- (a) On the administrative expenses of a Central Committee, including the provision of office accommodation, the payment of due taxes, the retention of and payment of persons involved in such administration, that is to say civilian staff, and all other general administrative expenses and the payment of persons consulted in an administrative, professional or advisory capacity, and generally in the manner which the Central Committee shall deem necessary to enable it to carry out its functions.
- (b) On expenses in connection with the purchase, publication and distribution of publications, reports and other documents.
- (c) On such contribution to a Police Authority as may be agreed by the Central Committee in respect of pay, pension or allowance of the Secretary of the Central Committee.
- (d) To make payments to members of such an amount as the Central Committee may in its discretion decide, in respect of their out-of-pocket and other expenses in attending Federation meetings, and commitments falling within the jurisdiction of the Fund.
- (e) To grant honoraria to officials of the Central Committees. Honoraria so paid shall be met by the appropriate Central Committee in accordance with the decisions taken by Annual Conference.
- (f) In the granting of honoraria to members of the Central Committee.
- (g) On the instituting of, and the running of, any insurance or medical scheme.
- (h) To advance a loan or grant to a Branch Board upon such terms and conditions as the Central Committee may determine.
- (i) To test the validity of the decisions by the Police Authorities, or by the Secretary of State, on matters of police pay, allowances, expenses or pensions. Only those cases involving a principle of universal application shall be supported in this way.
- (j) To meet the cost of medical and legal advice and to support legal action on behalf of members in matters of general principle or importance to contributors generally.
- (k) To support claims for compensation by members of the Police Federation who have sustained injuries on- or off-duty; and by the personal representatives or relations of members who have been killed on- or off-duty; and by the members' immediate family who have sustained injuries in the same incident as the members who were injured or killed.

In all cases where support is given to pursue a claim for injuries suffered by the members' immediate family, costs not recovered in such proceedings will be the liability of the immediate family, and

the Central Committee will take all reasonable steps to recover these costs from the immediate family.

Provided always that the Central Committee may reclaim from a member all or part of the legal or other expenses so incurred in circumstances where the member on his/her own or in concert with others has, by a wilful act, caused those expenses to be unnecessarily incurred.

- (l) To meet any expenses incurred in connection with Federation activities, including the cost of legal advice or professional services on questions of interest generally which affect the welfare and efficiency of members of the Police Federation, which are not payable from public funds, and are not prohibited by the Police Federation Regulations, and are not agreed by the Joint Central Committee for payment from the Joint Fund.

(m) On legal advice and legal action in connection with:

- (i) claims for compensation by members of the particular rank who have sustained injuries on- or off-duty and claims by personal representatives and dependants of those whose injuries have resulted in death; and by the members' immediate family who have sustained injuries in the same incident as the members who were injured or killed.

In all cases where support is given to pursue a claim for injuries suffered by the members' immediate family, costs not recovered in such proceedings will be the liability of the immediate family, and the Central Committee will take all reasonable steps to recover these costs from the immediate family;

- (ii) with the testing of Force and Department of Social Security decisions affecting one particular member only, or affecting all the members of that rank only;
- (iii) to the extent that assistance shall be limited to advice only, the giving of legal advice to members on any matter affecting the life of himself/herself and his/her family; and
- (iv) any other matter which the Joint Central Committee shall approve of;

Provided always that in the granting of legal advice:

- (I) the prior approval of the Central Committee is obtained; and
- (II) the Central Committee shall have an absolute discretion as to the extent of such advice and assistance.

And provided always that the Central Committee may reclaim from a member all or part of the legal or other expenses so incurred in circumstances where the member,

on his/her own or in concert with others has, by a wilful act, caused those expenses to be unnecessarily incurred.

- (n) To support individual members of the Police Federation, their widows and children, in pension or medical appeals.
- (o) On charitable or benevolent purposes.
- (p) To authorise the payment of a sum of money to, or the purchase of a gift for, any person, whether or not a member of the Federation where, in the opinion of the Committee, the individual has made a valid or recognisable contribution to the Federation or its members.
- (q) Other purposes approved by the Secretary of State.
- (r) To support claims by members where damage to the members' own personal property has been sustained whilst on duty, or in circumstances arising out of any activity or event associated with Police duty, and compensation for such damage is neither paid by any party responsible, nor paid under the terms of a policy of insurance arranged by the member or any other party.

PART III BRANCH BOARDS

6. Subject to the approval of the Joint Central Conference, the Federation Fund of Branch Boards may be used for the following purposes:-

(Note: In the following paragraphs, the term Branch Board refers to both Joint Branch Boards or, in the case of the Metropolitan Police, the Joint Executive Committee, and separate Branch Boards).

- (a) On the administrative expenses of a Branch Board, including the provision of office accommodation and equipment, the employment of civilian staff, and all general administrative work.
- (b) On expenses in connection with the purchase, publication and distribution of reports and other documents to members.
- (c) On charitable or benevolent purposes.
- (d) To meet, where not met from public funds, the cost of additional regional conferences of Policewomen, and additional meetings of Branch Boards and Sub-Committees of Branch Boards, and any other meetings.
- (e) On granting honoraria to Branch Board members.
- (f) To meet the difference between the actual cost incurred by delegates and observers attending conferences of the Police Federation, and the amount paid by the Police Authority under Police Regulations.
- (g) On the instigation and operation of insurance and medical schemes for the benefit of members.

- (h) To meet the cost of approved general meetings held under the auspices of Branch Boards or Central Committees.
- (i) To meet any expenses incurred in connection with Federation activities, including meeting the cost of legal advice or professional services on questions of interest generally which affect the welfare and efficiency of members at local level, which are not payable from public funds or the funds of the Central Committees, nor prohibited by the Police Federation Regulations.

Provided always that in the granting of legal advice:-

- (I) the prior approval of the Branch Board is obtained; and
 - (II) the Branch Board shall have an absolute discretion as to the extent of such advice.
- (j) To make payments to members of such an amount as the Branch Board may, in its discretion decide, in respect of their out-of-pocket and other expenses in attending Federation meetings, and commitments falling within the jurisdiction of the Fund.
 - (k) To authorise the payment of a sum of money to, or the purchase of a gift for, any person, whether or not a member of the Federation where, in the opinion of the Committee, the individual has made a valid or recognisable contribution to the Federation or its members.

PART IV GENERAL

7. When matters relating to the Federation Funds are being dealt with at Annual Conference, at meetings of the Joint Central Committee or a separate Central Committee, and at meetings of the Joint Branch Board or a separate Branch Board, only those who are contributors to the Funds from amongst those present shall be entitled to speak on such matters; any non-contributors amongst those present have no right to raise any issue concerning the voluntary Funds or contributions, or to speak or vote on any such issue.

At General Meetings convened by the Joint Central Committee, a separate Central Committee, a Joint Branch Board or a separate Branch Board, no non-contributor shall have a right to initiate, discuss or vote on issues relating to these Funds or contributions.

A reference in these Rules to “the Regulations” shall mean the Police Federation Regulations 1969, as amended from time to time.

8. The general principle underlying these Rules can be altered or added to only as a result of an application from a Central Committee, or a Branch Board, which has been approved by the Secretary of State. The application and operation of the relevant Rules, as regards the national Funds, shall be subject to any additions or alterations made by the Annual Conference

on a motion submitted in accordance with the Annual Conference Regulations and Standing Orders; and as regards local Funds, shall be subject to any additions or alterations made by any properly convened General Meeting of the Branch Board.

PART V USE OF FUNDS - DISPUTE PROCEDURE

The Joint Central Committee of the Police Federation will be the arbitors as to whether Funds held by Branch Boards have been used in accordance with these Rules or Regulations, as may be amended from time to time. Appeal against a ruling of the Joint Central Committee shall be to a panel of arbitrators consisting of a Chairman, who shall be a legal adviser, appointed jointly by the Joint Central Committee and the Branch Board concerned, plus one person nominated by the Branch Board, and one person nominated by the Joint Central Committee, neither of whom shall be a member of the Committee or Board, and any decisions made by that arbitration panel shall be final and binding.

(This section is a reproduction of the Police Federation Fund Rules, including the Police Federation (Amendment) Regulations 1990, which became effective on 1st September 1990).

NEXT IN THIS HANDBOOK ARE THE POLICE FEDERATION CADET REGULATIONS

The Police Cadets Regulations 1979
No. 1727

as amended up to and including

The Police Cadets
(Amendment) Regulations 1993
No. 2528

The Police Cadets Regulations 1979

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Citation and operation

1. These Regulations may be cited as the Police Cadets Regulations 1979 and shall come into operation on 1st February 1980.

Revocations

2. The Regulations set out in Schedule 1 are hereby revoked.

Interpretation

3.—(1) In these Regulations any reference to the police force to which a police cadet is attached is a reference to the force with a view to becoming a member of which the cadet is undergoing training; and in relation to a police cadet any reference to the chief officer of police or the police authority is a reference to the chief officer of that force or, as the case may be, the authority maintaining that force.

(2) In these Regulations the following expressions have the meanings hereby respectively assigned to them, that is to say—

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

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

‘week’ means a continuous period of 7 days.

(3) For the purposes of these Regulations—

- (a) any reference in a Regulation to a paragraph is a reference to a paragraph of that Regulation, and
- (b) any reference to a Schedule is a reference to a Schedule to these Regulations.

Qualifications for appointment

4.—(1) The qualifications for appointment as a police cadet shall be as follows, that is to say, the person concerned at the time of his appointment—

- (a) shall have produced to the chief officer of police satisfactory references as to character;
- (b) subject to paragraph (2), shall have attained the age of 16 years and shall not have attained the age of 18 years;
- (c) shall have satisfied the chief officer of police that he is likely, on attaining the age of 18 years 6 months, to be able to satisfy the qualifications for appointment to a police force in the rank of constable and, for that purpose, shall have been examined by a registered medical practitioner approved by the police authority.

(2) A person may be appointed a police cadet notwithstanding that he has not attained the age of 16 years or has attained the age of 18 years if the chief officer of police, after considering the circumstances of the case, so decides.

Notice of conditions of service

4A. A candidate for appointment as a police cadet shall be given a notice describing the conditions of service relating to the appointment.

Termination of service

5.—(1) A police cadet may resign only if he has given to the police authority two weeks' written notice of his intention to resign or such shorter notice as may have been accepted by that authority.

(2) A police cadet's service as such shall terminate, by virtue of this paragraph, on his appointment as a member of a police force.

(3) Subject to the provisions of this Regulation, the chief officer of police (or, in the case of the metropolitan police force, an assistant commissioner of police) may, at any time, terminate a police cadet's service.

(4) A police cadet whose service is terminated under paragraph (3), otherwise than for misconduct, shall be entitled to receive two weeks' notice or two weeks' pay in lieu thereof.

(5) Where the chief officer of police (or, in the case of the metropolitan police force, with an assistant commissioner of police, a deputy assistant commissioner of police or a commander) is considering terminating a police cadet's service under paragraph (3) he shall, before reaching a decision, afford to the cadet an opportunity of a personal interview with him or a deputy chief constable or an assistant chief constable and at any such interview the cadet shall be entitled to be accompanied by such person as he may choose and to make such representations as he thinks fit.

Restriction on other employment

6. A police cadet shall not engage in any other employment for gain except with the consent of the chief officer of police.

Hours of duty

7.—(1) Subject to paragraph (2), the normal hours of duty of a police cadet shall be such as are determined by, or with the authority of, the chief officer of police.

(2) Where a police cadet, for the purposes of training, is assigned to duties with a member of the police force, his normal weekly period of duty shall be 40 hours.

(3) A police cadet whose actual period of duty in any week exceeds his normal period of duty (which excess period of duty is hereinafter referred to as overtime) shall, within 28 days, be granted in respect of each complete quarter of an hour of overtime, an equal period of time off and, in addition, in respect of each complete three-quarters of an hour of overtime, an additional quarter of an hour of time off.

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

Public holidays

- 8.** A police cadet shall be granted a day's leave on each public holiday.

Annual leave

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

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

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

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

Sick leave

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

- (a) a registered medical practitioner certifies that he is so unfit, or
- (b)—the period consists of not more than seven days.

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

Special leave

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

Medical examination

OMITTED

Pay

13.—(1) Subject to the provisions of this Regulation, the rate of pay of a police cadet shall be in accordance with the appropriate scales set out—

- (a) in respect of the period beginning with 1st September 1992 and ending with 31st August 1993, in Part I of the Table in Schedule 2 hereto, and
- (b) in respect of the period thereafter, in Part II of the said Table.

(2) Except where his pay falls to be reduced in accordance with paragraph (3), there shall be deducted from the pay of a police cadet—

- (a) the amount of any sickness benefit to which he is entitled under the Social Security Acts 1975 — 1982, and
- (b) any statutory sick pay to which he is entitled under the Social Security and Housing Benefits Act 1982,

and for the purposes of sub-paragraph (a) above any increase for adult and child dependants shall be treated as forming part of the benefit to which it relates.

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

- (a) exceeds three months, then (without prejudice to the next following sub-paragraph) his pay shall be reduced by a half in respect of that continuous period or, as the case may be, in respect of so much thereof as falls on or after that day;
- (b) exceeds four months, then he shall not be entitled to pay in respect of that continuous period or, as the case may be, in respect of so much thereof as falls on or after that day;

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

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

Board and lodging

14.—(1) The police authority shall provide for a police cadet's board and lodging and, subject to paragraph (2), shall charge the cadet therefor in accordance with Schedule 3 hereto; and any such charge may, without prejudice to any other method of payment, be discharged by way of a deduction from his pay.

(2) Where a cadet is—

- (a) on annual leave, or
- (b) absent from his normal place of lodging for reasons approved by the police authority for the purposes of this paragraph,

for a continuous period of at least four days, the police authority shall, in respect of that period, waive or reduce the charge under paragraph (1); and, for the purpose of this paragraph, any such continuous period shall be calculated to the nearest week, a period of less than a week but of more than three days being treated as a week.

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

Calculation of pay and charges

15.—(1) This Regulation shall apply to the calculation of payments by way of pay under Regulation 13 and by way of charges for board and lodging under Regulation 14.

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

(3) A week's payment shall be calculated at a weekly rate determined by dividing by 52 and one sixth the annual rate.

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

(5) In making any such payment as is referred to in paragraph (1), a fraction of a penny shall be treated as a whole penny except that a fraction less than a half-penny shall be ignored.

Allowances

16.—(1) No allowance shall be paid to a police cadet except as provided by these Regulations or approved by the Secretary of State; and the amounts and conditions of payment of such allowances shall be as so provided or approved.

(2) Nothing in this Regulation shall apply to the reimbursement of expenses incurred by a police cadet in the execution of his duty, being expenses authorised either generally or specifically by the police authority.

Travel allowances

17.—(1) A police cadet shall, subject to paragraph (2), be entitled in any year to travel allowances in respect of the cost of up to three return journeys, actually made, to visit a parent or guardian where the cost of the return journey exceeds £1.27p.

(2) An allowance payable under this Regulation shall not in any case exceed whichever is the less of the two following amounts, namely—

- (a) the reasonable cost of the return journey actually made, or
- (b) the reasonable cost of a return journey to the parents' or guardian's usual place of abode;

and, without prejudice to the said limitation, an allowance payable in respect of a return journey to a place outside the British Isles shall not exceed £92.

In computing the amount referred to in sub-paragraph (a) or (b) of this paragraph, any question as to reasonable cost shall be determined by the police authority.

Uniform and equipment

18.—(1) Subject to the following provisions of this Regulation, the police authority shall supply a police cadet with two pairs of boots or shoes annually for the purposes of normal duty and with such other items of uniform and equipment as are requisite in his case, and shall provide for the dry cleaning of uniform and the repair of footwear.

(2) OMITTED.

(3) Where, in the case of a woman, a police authority supplies a police cadet with stockings or tights for the purposes of duty, they shall supply 24 pairs annually but, in lieu of supplying such pairs, they may pay a cadet an allowance at the rate of £25 a year.

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

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

- (a) on his being required so to do;
- (b) on his ceasing to serve as a police cadet, or
- (c) on the replacement of the article in question,

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

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

SCHEDULES

SCHEDULE 1

REGULATION 2

Regulations revoked

REGULATIONS	REFERENCES
The Police Cadets Regulations 1968	S.I. 1968/25
The Police Cadets (Amendment) Regulations 1969	S.I. 1969/408
The Police Cadets (Amendment) (No. 2) Regulations 1969	S.I. 1969/1786
The Police Cadets (Amendment) Regulations 1970	S.I. 1970/418
The Police Cadets (Amendment) (No. 2) Regulations 1970	S.I. 1970/1402
The Police Cadets (Amendment) Regulations 1971	S.I. 1971/151
The Police Cadets (Amendment) (No. 2) Regulations 1971	S.I. 1971/804
The Police Cadets (Amendment) Regulations 1972	S.I. 1972/706
The Police Cadets (Amendment) Regulations 1973	S.I. 1973/1156
The Police Cadets (Amendment) Regulations 1974	S.I. 1974/1153
The Police Cadets (Amendment) Regulations 1975	S.I. 1975/933
The Police Cadets (Amendment) (No. 2) Regulations 1975	S.I. 1975/1361
The Police Cadets (Amendment) Regulations 1976	S.I. 1976/1595
The Police Cadets (Amendment) Regulations 1977	S.I. 1977/1005
The Police Cadets (Amendment) (No. 2) Regulations 1977	S.I. 1977/1989
The Police Cadets (Amendment) Regulations 1978	S.I. 1978/1239
The Police Cadets (Amendment) Regulations 1979	S.I. 1979/1543

SCHEDULE 2

REGULATION 13

Pay

The pay of a police cadet shall be determined by reference to his age, in the case of a cadet attached to the City of London or Metropolitan police force, in accordance with the scale set out in the second column of the following table and, in any other case, in accordance with the scale set out in the third column thereof.

TABLE

AGE	LONDON	PROVINCES
Part I		
<i>Pay from 1st September 1992 to 31st August 1993</i>		
Under 17 years	£5,220 a year	£4,4413 a year
17 years	£5,490 a year	£4,683 a year
18 years or over	£6,018 a year	£5,211 a year
Part II		
<i>Pay from 1st September 1993</i>		
Under 17 years	£5,286 a year	£4,479 a year
17 years	£5,559 a year	£4,752 a year
18 years	£6,096 a year	£5,289 a year

SCHEDULE 3

REGULATION 14

Charge for board and lodging

1. The charge for board and lodging shall be determined by reference to the appropriate rate specified in the next following paragraph.

2. The annual rate of charge shall be—

- (a) in the case of a police cadet attached to the Metropolitan police force, £675;
- (b) in any other case, £624.

The Police (Promotion) Regulations 1996
No. 1685

The Police (Promotion) Regulations 1996

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Schedule 1 Qualifying examinations

Schedule 2 Recognition of certain promotion examinations

Schedule 3 Revocations

Citation and commencement

1. These Regulations may be cited as the Police (Promotion) Regulations 1996 and shall come into force on 1st August 1996.

Interpretation

- 2.—(1) In these Regulations, unless the context otherwise requires—
- “member of a police force” includes such a member who is suspended from membership of his force and the office of constable under regulations made by virtue of section 33(2)(f) of the Police Act 1964;
- “probationary service”, in relation to a constable who completed the required period of probation following a previous appointment, does not include any period of probation following his latest appointment;
- “Scottish force” means a police force within the meaning of the Police (Scotland) Act 1967; and;
- “Scottish promotion regulations” means regulations relating to qualification for promotion from time to time in force under that Act.

(2) In these Regulations, unless the context otherwise requires, any reference to a member of a police force includes a reference to a reversionary member, that is to say—

- (a) a reversionary member of a home police force, or
- (b) a central police officer,

within the meaning of the Police Pensions Regulations 1987; any reference to service includes a reference to service as a reversionary member; and any reference to a constable or a sergeant includes a reference to a reversionary member entitled under section 53C(3) of the Police Act 1964 to revert to a police force in the rank in question.

(3) In reckoning service or a period in any rank for the purposes of these Regulations—

- (a) any period of unpaid leave shall be disregarded;
- (b) any period of study as a university scholar within the meaning of the Police Regulations 1995 shall be disregarded;
- (c) in the case of a female member of a police force who has taken one or more periods of maternity leave (within the meaning of regulation 36A(1) of the Police Regulations 1995)—
 - (i) where that leave has been for more than fourteen weeks, the first fourteen weeks whilst on maternity leave shall be treated as if it were service in the police force;

- (ii) where that leave has been for less than fourteen weeks, any period spent on maternity leave shall be treated as if it were service in the police force.

(4) In these Regulations, unless the context otherwise requires, a reference to a regulation or Schedule shall be construed as a reference to a regulation or Schedule in 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, same Schedule; and a reference to a sub-paragraph shall be construed as a reference to a sub-paragraph contained in the same paragraph.

Qualification for promotion

3.—(1) A constable is qualified for promotion to the rank of sergeant if he—

- (a) has obtained a pass in the qualifying examination for promotion to the rank of sergeant,
- (b) as completed 2 years' service, and
- (c) has completed his probationary service.

(2) A sergeant is qualified for promotion to the rank of inspector if he—

- (a) has obtained a pass in the qualifying examination for promotion to the rank of inspector, and
- (b) has completed 2 years' service in the rank of sergeant.

(3) Previous service in—

- (a) a Scottish force,
- (b) the Royal Ulster Constabulary,
- (c) the Isle of Man Constabulary, or
- (d) the British Airports Authority Constabulary if the service terminated with transfer to a police force by an order under section 30 of the Aviation Security Act 1982,

counts for the purposes of paragraph (1)(b), and if it constituted probationary service in the force or constabulary in question, for the purposes of paragraph (1)(c), and such service in the rank of sergeant counts for the purposes of paragraph (2)(b).

(4) Previous service in—

- (a) the Port of Tilbury Constabulary,
- (b) the Port of Liverpool Constabulary,
- (c) the States of Jersey Police,
- (d) the Royal Parks Constabulary,
- (e) the Ministry of Defence Police,
- (f) the British Transport Police, or
- (g) the Dover Harbour Board Police,

which constituted probationary service in the body in question counts for the purposes of paragraph (1)(c).

(5) Subject to paragraph (6), a person who, on or after 1st August 1996, has passed the qualifying examination to the rank in question prescribed by Scottish promotion regulations is qualified—

- (a) for promotion to the rank of sergeant if he has completed—
 - (i) not less than one year's service in that rank in a Scottish force, and
 - (ii) his period of probation in that rank;
- (b) for promotion in the rank of inspector if he has completed one year's service in that rank in a Scottish force.

(6) Service in a rank on temporary promotion to it does not count for the purposes of paragraph (5).

(7) In paragraphs (1) and (2) “qualifying examination” means—

- (a) an examination held in accordance with Schedule 1;
- (b) an examination held in accordance with any previous regulations about promotion which have been made under section 33 of the Police Act 1964 and which were in force at the time of the examination in question; and
- (c) an examination recognised under Schedule 2.

(8) Schedule 1 (qualifying examinations) shall have effect.

(9) Schedule 2 (recognition of certain promotion examinations) shall have effect.

Selection for promotion

4.—(1) Subject to regulation 7, promotion from one rank to another rank shall be by selection.

Period of probation for constable promoted to sergeant

5.—(1) Subject to paragraph (2), a member of a police force who—

- (a) is promoted to, or
- (b) is qualified by virtue of regulation 3(5) for promotion to, and has been appointed to the force in,

the rank of sergeant shall be on probation in that rank for a period of one year or for such longer period as the chief officer of police may determine in the circumstances of the particular case.

(2) If the chief officer of police considers that a person who is on probation in the rank of sergeant is unlikely to perform the duties of that rank satisfactorily he may reduce him to the rank of constable.

Temporary promotion

6. A member of a police force who is required to perform the duties of a higher rank may, even if there is no vacancy for that rank, be promoted temporarily to it, but in the case of promotion to the rank of sergeant or inspector only if he is qualified for the promotion under regulation 3.

Accelerated promotion courses

7.—(1) In this regulation “APC(S)” means a course for the time being recognised by the Secretary of State for the purposes of this regulation as the accelerated promotion course for sergeants and “APC(I)” means a course so recognised as the accelerated promotion course for inspectors; in this paragraph “course” means a course of training entailing periods of residence at one or more training establishments.

(2) A constable who—

- (a) is qualified under regulation 3 for promotion to the rank of sergeant, and
- (b) is selected to attend APC(S),

shall be promoted to the rank of sergeant on the first day of his attendance.

(3) A period spent attending APC(S)—

- (a) counts as service in the rank of sergeant for the purposes of regulation 3(2)(b), but
- (b) to the extent that it is spent in residence at a training establishment does not count as probationary service in that rank for the purposes of regulation 5.

(4) A sergeant who—

- (a) is qualified under regulation 3 for promotion to the rank of inspector, and
- (b) is selected to attend APC(I),

shall be promoted to the rank of inspector on the first day of his attendance, but shall be on probation in that rank until he has completed one year’s service in it.

(5) Promotion under paragraph (2) or (4)—

- (a) shall take place whether or not there is a vacancy for the rank in question, and
- (b) does not affect any existing or subsequent vacancy unless the person promoted is designated to fill it.

Revocations

- 8.** The Regulations specified in Schedule 3 are hereby revoked.

SCHEDULE 1
QUALIFYING EXAMINATIONS

REGULATION 3(8)

1.-(1)—The qualifying examinations for promotion to the ranks of sergeant or inspector are examinations in -

- (a) criminal law,
- (b) evidence and procedure in criminal courts,
- (c) traffic law,
- (d) general police duties, and
- (e) managerial competence,

held under arrangements and on syllabuses approved by or on behalf of the examinations board.

(2)—Each of the qualifying examinations referred to in sub-paragraph (1) comprises -

- (a) Part I, consisting of a written paper, and
- (b) Part II, consisting of practical tests.

(3)—There shall be held in each year each Part of the qualifying examinations for promotion to the rank of inspector and, as the case may be, sergeant.

2.-(1)—There shall continue to be an examinations board (“the examinations board”) appointed by the Secretary of State for the purposes of the qualifying examinations referred to in paragraph 1(1).

(2)—The examinations board shall determine -

(a) the standard to be achieved by a candidate in order to obtain a pass in any Part of such a qualifying examination, and

(b) the circumstances in which a person who has failed in Part II of such a qualifying examination may attempt it a second time without again obtaining a pass in Part I.

3.—The examination papers and practical tests referred to in paragraph 1(2) shall be set and marked in accordance with arrangements approved by the examinations board.

4.—The examinations board shall secure that each chief officer of police is notified -

- (a) of the dates on which it is proposed to hold, and the general arrangements for holding, each Part of each of the qualifying examinations referred to in paragraph 1(1),
- (b) of the closing dates for the submission to them of the names of candidates, and
- (c) of the results in so far as they affect members of the police force of which he is the chief officer.

5.-(1)—Subject to sub-paragraphs (4) and (5), a constable who will before 1st December in any year have completed 2 years' service and have completed his probationary service is eligible to take Part I of the qualifying examination for promotion to the rank of sergeant in that year.

(2)—Previous service, including probationary service, within regulation 3(3) or (4) counts for the purposes of sub-paragraph (1).

(3)—Subject to sub-paragraphs (4) and (5), a member of a police force who on 1st July in any year holds the rank of sergeant, otherwise than on temporary promotion under regulation 6, is eligible to take Part I of the qualifying examination for promotion to the rank of inspector in that year.

(4)—A member of a police force who has at any time obtained a pass in an examination which at that time constituted, under regulations made under section 33 of the Police Act 1964, the qualifying examination for promotion to the rank of either sergeant or inspector is not eligible to take Part I of the qualifying examination for promotion to the rank in question.

(5)—A person is not eligible without the leave of the examinations board to take Part I of the qualifying examination for promotion to the rank of sergeant or, as the case may be, inspector in any year if that person took Part I of that examination in the immediately preceding year and failed to obtain a pass in it.

(6)—Part II of such a qualifying examination -

- (a) may be taken only if a pass has been obtained in Part I, and
- (b) unless the examinations board or persons acting on their behalf decide that in the circumstances of the particular case it may be taken on a later occasion, must be taken within 12 months after the Part I pass was obtained.

6.—Notwithstanding that a candidate for a Part of a qualifying examination referred to in paragraph 1(1) is eligible to take it, the examinations board or persons acting on their behalf may exclude him, or in an appropriate case may treat him as having withdrawn, from taking that Part on a particular occasion if -

- (a) his candidature has not been submitted to the examinations board before the closing date mentioned in paragraph 4(b), or
- (b) he fails to comply with the general or other arrangements made or approved by the examinations board or persons acting on their behalf.

SCHEDULE 2

RECOGNITION OF CERTAIN PROMOTION EXAMINATIONS

REGULATION 3(9)

1. A member of a police force who, while serving in a body specified in the first column of the Table in paragraph 4,—

- (a) has obtained a pass in an examination specified in relation to that body in the second column of that Table by means of an abbreviation which is defined in paragraph 2, and
- (b) where a condition specified in the third column of that Table by means of an abbreviation which is defined in paragraph 3 applies, has satisfied that condition,

shall be treated for the purposes of regulation 3 as having obtained a pass in the qualifying examination for promotion to the rank in question while a member of a police force.

2. In the second column of the Table—

- Q(1) is the qualifying examination for promotion in the body in question to the rank of sergeant or inspector;
- Q(2) is a qualifying examination for promotion to the rank of sergeant or inspector prescribed by Scottish promotion regulations;
- Q(3) is an examination which at the time it was taken also constituted, under regulations made under section 33 of the Police Act 1964, the qualifying examination for promotion to the rank of sergeant or inspector in a police force.

3. The conditions in the third column of the Table are -

- C(1) the pass must have been obtained after 31st December 1982;
- C(2) the pass must have been obtained during service that terminated with transfer to a police force by an order under section 30 of the Aviation Security Act 1982;
- C(3) the examination must have comprised a written paper and practical tests; and
- C(4) the pass must have been obtained before 1st August 1996.

4. The following Table is that referred to in paragraphs 1 to 3:

TABLE

<i>Body</i>	<i>Examination</i>	<i>Conditions</i>
1. The Royal Ulster Constabulary	Q(1)	—
2. The Isle of Man Constabulary	Q(1)	C(1)
3. The British Airports Authority Constabulary	Q(1)	C(2)
4. The States of Jersey Police	Q(1)	C(3)
5. A Scottish force	Q(2)	C(4)
	Q(3)	—
6. The British Transport Police	Q(2)	C(4)
	Q(3)	—
7. The Port of Tilbury Constabulary	Q(3)	—
8. The Port of Liverpool Constabulary	Q(3)	—
9. The Royal Parks Constabulary	Q(3)	—
10. The Ministry of Defence Police	Q(3)	—
11. The Dover Harbour Board Police	Q(3)	—

SCHEDULE 3
REVOCATIONS

REGULATION 8

Regulations revoked	References
The Police (Promotion) Regulations 1979	S.I. 1979/991
The Police (Promotion) (Amendment) Regulations 1981	S.I. 1981/919
The Police (Promotion) (Amendment) Regulations 1982	S.I. 1982/1607
The Police (Promotion) (Amendment) Regulations 1984	S.I. 1984/1214
The Police (Promotion) (Amendment) Regulations 1985	S.I. 1985/1808
The Police (Promotion) (Amendment) Regulations 1991	S.I. 1991/1961
