STATUTORY RULES OF NORTHERN IRELAND

2009 No. 393

POLICE

Police Service of Northern Ireland Reserve (Part-Time) (Amendment) Regulations 2009

Made - - - -	*24th November 2009*
Laid before Parliament	*9th December 2009*
Coming into operation	*31st December 2009*

The Secretary of State, in exercise of the powers conferred by section 26 of the Police (Northern Ireland) Act 1998(**1**), makes the following Regulations:

In accordance with section 26(6) of that Act, he has consulted the Northern Ireland Policing Board and the Police Association for Northern Ireland:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Police Service of Northern Ireland Reserve (Part-Time) (Amendment) Regulations 2009.

(2) These regulations shall come into operation on 31st December 2009.

(3) In these regulations "the principal regulations" means the Police Service of Northern Ireland Reserve (Part-Time) Regulations 2004(**2**).

Restrictions on private life

2. In regulation 6 of the principal regulations (restrictions on private life) after paragraph (1) insert—

"(1A) No restriction may be imposed under paragraph (1) on the private life of a member except—

(a) in the interests of public safety,

(b) for the purpose of preventing disorder or crime, or

(c) for the protection of the rights and freedoms of others."

(**1**) 1998 c. 32.
(**2**) S.R. 2004 No. 3.

Business interests

3.—(1) Regulation 7 of the principal regulations (prohibited business interests) shall be amended as follows.

(2) For paragraph (1) substitute—

"(1) The Chief Constable may give notice in writing to a member that a business interest is incompatible with that person remaining a member if—

(a) the member—

(i) holds any office or employment for hire or gain (otherwise than as a member), or

(ii) carries on any business, or

(iii) holds, or possesses a pecuniary interest in, a relevant licence or permit,

which could reasonably be regarded as affecting his ability to discharge his duties as a reserve constable in accordance with the code of ethics; or

(b) a relative holds, or possesses a pecuniary interest in, a relevant licence or permit, and the holding of that licence or permit or the possession of that pecuniary interest could reasonably be regarded as affecting his ability to discharge his duties as a reserve constable in accordance with the code of ethics.

(1A) In paragraph (1)—

"the code of ethics" means the code of ethics issued by the Northern Ireland Policing Board under section 52 of the Police (Northern Ireland) Act 2000; and

"relevant licence or permit" means 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 Northern Ireland."

(3) In paragraph (2) for "included in his family may have a prohibited business interest" substitute "may have a business interest such as is described in paragraph (1)".

(4) For paragraph (8) substitute—

"(8) Any reference in this regulation to a relative, in relation to a member, means—

(a) the father, mother, stepfather, stepmother, son, daughter, stepson, stepdaughter, grandmother, grandfather, grandson or granddaughter of that member or the spouse or former spouse of that member, or

(b) the brother, sister, uncle, aunt, niece or nephew (whether of the full blood or the half blood or by affinity) of that member or of the spouse or former spouse of that member,

and includes, in relation to a member who is living or has lived with another person as husband and wife, any person who would fall within sub-paragraph (a) or (b) if the parties were married to each other."

(5) After paragraph (8) insert—

"(9) The Chief Constable may give guidance to members in connection with business interests which may be incompatible with a person remaining a member.

(10) The Chief Constable shall publish any guidance issued under paragraph (9)."

Samples

4. After regulation 15A of the principal regulations insert—