STATUTORY RULES OF NORTHERN IRELAND

2008 No. 477

POLICE

The Police Service of Northern Ireland (Promotion) Regulations 2008

Made - - - -	*1st December 2008*
To be laid before Parliament	
Coming into operation	*31st December 2008*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 25 and 72(2) of the Police (Northern Ireland) Act 1998(**1**). In accordance with section 25(8) of that Act he has consulted the Northern Ireland Policing Board and the Police Association for Northern Ireland before making these Regulations.

Citation and Commencement

1. These Regulations may be cited as the Police Service of Northern Ireland (Promotion) Regulations 2008 and shall come into operation on 31st December 2008.

Interpretation

2. In these Regulations—

"the 1995 Regulations" means the Royal Ulster Constabulary (Promotion) Regulations 1995(**2**);

"examinations agency" means such body or persons as may be appointed by the Chief Constable for the purposes of these Regulations;

"examinations board" means the board appointed by the Chief Constable for the purposes of these Regulations;

"HPD Scheme" has the same meaning as in the Police (Promotion) Regulations 1996(**3**);

"member" means a member of the Police Service of Northern Ireland;

(**1**) c. 32; relevant amendments to section 25 were made by the Police (Northern Ireland) Act 2000 (c. 32) Schedule 6, Paragraph 23(1) and (2)(a) and (b)
(**2**) S.R. 1995/120
(**3**) S.I.1996/685, amended by S.I. 2002/767; there are other amending instruments but none is relevant

"selection examination for promotion to the rank of sergeant" and "selection examination for promotion to the rank of inspector" have the meanings assigned to them by paragraph 1(1) of the Schedule.

Revocation and Transitional Provisions

3.—(1) The 1995 Regulations are revoked.

(2) This paragraph applies to any member who—

(a) immediately before the coming into operation of these Regulations—

(i) is qualified for promotion to the rank of sergeant; and

(ii) has not been promoted to that rank; or

(b) passes the qualifying examination for promotion to the rank of sergeant held in 2008 under the 1995 Regulations and is otherwise qualified for promotion to the rank of sergeant.

(3) A member to whom paragraph (2) applies may be promoted to sergeant during the period ending on 31st December 2010 without undertaking a selection examination for promotion to that rank.

(4) This paragraph applies to any member who—

(a) immediately before the coming into operation of these Regulations—

(i) is qualified for promotion to the rank of inspector;

(ii) has not been promoted to that rank; or

(b) passes the qualifying examination for promotion to the rank of inspector held in 2008 under the 1995 Regulations and is otherwise qualified for promotion to the rank of inspector.

(5) A member to whom paragraph (4) applies may be selected for promotion to the rank of inspector during the period ending on 31st December 2010 without undertaking a selection examination for promotion to that rank.

Qualifications for Promotion

4.—(1) A constable ("C") to be qualified for promotion to the rank of sergeant shall have completed C's probationary period in the rank of constable.

(2) A sergeant ("S") to be qualified for promotion to the rank of inspector shall have completed S's probationary period in the rank of sergeant.

(3) Subject to paragraph (4), in this Regulation—

(a) "probationary period in the rank of constable" means the period determined under Regulation 12 of the Police Service of Northern Ireland Regulations 2005(**4**);

(b) "probationary period in the rank of sergeant" means the period provided for in Regulation 6(1).

(4) Previous service in a police force in Great Britain or the Isle of Man Constabulary,

which constituted probationary service in the force or constabulary in question shall count for the purposes of this Regulation.

Selection for promotion

5.—(1) Subject to Regulation 8, promotion from one rank to another rank shall be by selection.

(**4**) S.R. 2005/547

(2) Each selection process for promotion to the rank of sergeant shall include a selection examination for promotion to that rank.

(3) Each selection process for promotion to the rank of inspector shall include a selection examination for promotion to that rank.

(4) The Schedule has effect in relation to selection examinations for promotion to the rank of sergeant, and selection examinations for promotion to the rank of inspector.

Probationary period

6.—(1) Subject to paragraph (2) a member who is promoted—

(a) to the rank of sergeant; or

(b) to the rank of inspector,

shall be on probation in the rank to which the member is promoted for a period of one year or for such longer period as the Chief Constable may determine in the circumstances of a particular case.

(2) The Chief Constable may reduce—

(a) a sergeant to the rank of constable; or

(b) an inspector to the rank of sergeant,

at any time during the member's period of probation if the Chief Constable considers that the member is not likely to perform satisfactorily the duties of sergeant, or inspector, as the case may be.

Temporary promotion

7.—(1) A member who is required to perform the duties of a higher rank may be promoted temporarily to that rank by the Chief Constable.

(2) This regulation shall not apply to a deputy Chief Constable required to perform the duties of the Chief Constable.

High Potential Development Scheme

8.—(1) A constable ("C") who—

(a) is qualified under regulation 4 for promotion to the rank of sergeant; and

(b) is participating in the HPD scheme,

shall be promoted to the rank of sergeant as soon as the Chief Constable determines that C is competent to perform the duties of a sergeant.

(2) A sergeant ("S") who—

(a) is qualified under regulation 4 for promotion to the rank of inspector; and

(b) is participating in the HPD scheme,

shall be promoted to the rank of inspector as soon as the Chief Constable determines that S is competent to perform the duties of an inspector.

(3) An inspector ("I") who is participating in the HPD scheme,

shall be promoted to the rank of chief inspector as soon as the Chief Constable determines that I is competent to perform the duties of a chief inspector.

(4) Promotion under paragraphs (1), (2) or (3)—

(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.