STATUTORY RULES OF NORTHERN IRELAND

2004 No. 402

POLICE

Police Service of Northern Ireland (Amendment) Regulations 2004

Made - - - -	*19th September 2004*
To be laid before Parliament	
Coming into operation	*12th November 2004*

The Secretary of State, in pursuance of section 25 of the Police (Northern Ireland) Act 1998(**1**), read with section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(**2**) and after consulting, in accordance with section 25(8) of the Police (Northern Ireland) Act 1998, the Northern Ireland Policing Board and the Police Association and, after taking into account the recommendations made by the Police Negotiating Board for the United Kingdom and supplying that Board with a draft of the regulations in accordance with section 62(1) of the Police Act 1996(**3**), hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Police Service of Northern Ireland (Amendment) Regulations 2004.

(2) These regulations shall come into operation on 12th November 2004 , but –

(a) Regulations 2, 3 and 4 shall have effect from the dates mentioned therein;

(b) Regulation 6 shall have effect from 19th October 2000;

(c) Regulations 7 and 8 shall have effect from 1st April 2003;

(d) Regulation 11 shall have effect from 1st April 2002;

(e) Regulation 16 shall have effect from 4th April 2001;

(f) Regulation 17(2) shall have effect from 1st September 2001;

(g) Regulation 17(3) shall have effect from 1st September 2002;

(h) Regulation 17(4) shall have effect from 1st September 2003.

(**1**) 1998 c. 32
(**2**) 1962 c. 7 (N.I.)
(**3**) 1996 c. 16

(3) In these Regulations "the principal regulations" means the Royal Ulster Constabulary Regulations 1996(**4**).

(4) In these regulations "the amending regulations" means the Police Service of Northern Ireland Regulations 2002(**5**).

Amendments to the amending regulations

2.—(1) Regulation 1 of the amending regulations (*Citation, commencement and interpretation*) is amended as follows:

(2) Paragraph (2)(a) shall be substituted by:

"(i) regulations 4 (*Part-time appointments*) and 9 (*Variable Shift arrangements*) shall have effect from 1st September 1998;

(ii) regulation 13 (*Temporary promotion*) shall have effect from 22nd July 1998;

(iii) regulation 21 (*Modification for part-time service*) shall have effect –

(a) in the case of paragraph (7)(d), from 1st July 1992;

(b) in the case of paragraphs (2) and (9)(a) and (b), from 1st September 1996;

(c) in the case of the remaining provisions, from 1st September 1998;

(iv) regulation 25 (*Replacement Allowance*) shall have effect –

(a) in the case of paragraph (1), from 1st September 1994;

(b) in the case of paragraph (2), from 1st April 1998;".

(3) Paragraph (2)(b)(i) shall be substituted by:

"(a)(i) in the case of sub-paragraph (a), from 1st April 1997;

(i)(a) in the case of sub-paragraph (a)(i), from 1st April 1998;".

(4) Paragraph (2)(c)(i) shall be substituted by:

"(i) in the case of sub-paragraph (a), from 1st July 1996;

(i)(a) in the case of sub-paragraph (a)(i), from 1st July 1997;

(i)(b) in the case of sub-paragraph (a)(ii), from 1st July 1998;".

(5) In paragraph (2)(d)(i) the words "9th February 1999" shall be substituted by "1st September 1997".

(6) After paragraph (2)(d) there shall be inserted the following:

"(e) regulation 10 shall have effect –

(i) in the case of paragraph (3)(b) from 1st July 1992;

(ii) in the case of the remaining provision, from 1st September 1996;

(f) regulation 11 shall have effect –

(i) in the case of paragraphs (1) to (3), from 1st September 1996;

(ii) in the case of paragraphs (4) and (5), from 22nd July 1998;

(g) regulation 12 shall have effect from 8th March 1995.".

3.—(1) Regulation 18 of the amending regulations (*Removal allowance*) is amended as follows:

(2) Paragraph (a) shall be substituted by:

"(a) for "£1,396" there shall be substituted "£1,431";

(**4**) 1996 No. 473
(**5**) 2002 No. 95

(a)(i) for "£1,431" there shall be substituted "£1,482";".

4.—(1) Regulation 23 of the amending regulations (*University scholars*) is amended as follows:

(2) Paragraph (a) shall be substituted by:

"(a) for "£1,440" there shall be substituted "£1,491";

(a)(i) for "£1,491" there shall be substituted "£1,542";

(a)(ii) for "£1,542" there shall be substituted "£1,605";".

Amendments to the principal regulations

5. In regulation 2 of the principal regulations (*Meanings assigned to certain expressions, etc.*) in paragraph (1) there shall be inserted the following definition in the appropriate place:

""British Transport Police Force" means the force of constables appointed under section 53 of the British Transport Commission Act 1949 (c. xxix);".

6.—(1) Regulation 23(4) of the principal regulations (*Rostering of duties*) is amended as follows:

(2) In sub-paragraph (a) for "8" there shall be substituted "11".

(3) After the words "unless the central committee agrees otherwise" there shall be inserted ", such agreement providing for an equivalent period of compensatory rest".

7. In regulation 24 of the principal regulations (*Overtime*) at the end of paragraph (5) there shall be inserted:

", except that on each of the first 4 occasions on which overtime in respect of which the constable or sergeant was not informed as mentioned in paragraph (6) is worked during a week 30 minutes of the overtime worked is to be disregarded".

8. In regulation 25 of the principal regulations (*Public holidays and rest days for ranks below inspector*) in paragraph (5)(a) for "8" there shall be inserted "5".

9. In regulation 37(4) of the principal regulations (*Temporary salary*) for the phrase "of that more highly-paid member" there shall be substituted "that more highly-paid member".

10. The following regulation is inserted after regulation 38 of the principal regulations:

"**Reckoning of service in the British Transport Police Force**

38A.—(1) Where a member joined or rejoined the force having left the British Transport Police Force, on or after 1st September 1994 then, for the purposes of regulation 36, his service in any rank in the British Transport Police Force shall be treated as if it were service in the corresponding rank in the force:

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

(2) A member of the rank of constable shall be entitled to reckon, for the purposes of pay for that rank, any period of service in the British Transport Police Force not reckonable under paragraph (1).

(3) In this regulation, any reference to rank corresponding to a rank in the force is a reference to a rank in the British Transport Police Force designated by the Secretary of State for the purposes hereof as the rank corresponding to the rank in question."

11. In regulation 49(7) of the principal regulations (*Removal allowance*) for "£1,596" there shall be inserted "£1,608".