STATUTORY RULES OF NORTHERN IRELAND

2004 No. 2

POLICE

Police Reserve Trainee Regulations (Northern Ireland) 2004

Made - - - -	*7th January 2004*
To be laid before Parliament	
Coming into operation	*8th February 2004*

The Secretary of State, in exercise of the powers conferred upon him by section 26 of the Police (Northern Ireland) Act 1998(**1**) and sections 37 and 41 of the Police (Northern Ireland) Act 2000(**2**), and after consulting the Northern Ireland Policing Board and the Police Association for Northern Ireland, hereby makes the following Regulations:

Citation and commencement

1.—(1) These regulations may be cited as the Police Reserve Trainee Regulations (Northern Ireland) 2004.

(2) These regulations shall come into operation on 8th February 2004.

Conditions for appointment as reserve constable

2. A person shall not be appointed as a reserve constable unless he has –

(a) completed such period of service as a police reserve trainee as may be specified by the Chief Constable;

(b) completed, to the satisfaction of the Chief Constable, such training for service as a reserve constable as may be specified by the Chief Constable; and

(c) demonstrated during his period of service as a police reserve trainee, by such tests or assessments as may be determined by the Chief Constable, that he possesses the physical competence to perform the duties of a reserve constable.

Restrictions on the private life of police reserve trainees

3.—(1) No restriction on the private life of police reserve trainees shall be imposed by the Chief Constable, except such restrictions as are set out in this regulation or as may be necessary in the interests of the safety of police reserve trainees.

(**1**) 1998 c. 32
(**2**) 2000 c. 32

(2) Where the Chief Constable imposes a restriction on the private life of police reserve trainees under paragraph (1), he shall report the restriction forthwith to the Board and to the Secretary of State.

(3) A police reserve trainee shall not take any active part in politics.

(4) A police reserve trainee shall not wilfully refuse or neglect to discharge any lawful debt.

Prohibited business interests

4.—(1) Where a police reserve trainee or a relative included in his family has a prohibited business interest within the meaning of regulation 2A of the Police (Recruitment) (Northern Ireland) Regulations 2001(**3**) the Chief Constable may give notice in writing to the police reserve trainee that the prohibited business interest is incompatible with him remaining a police reserve trainee.

(2) The Chief Constable shall not give notice under paragraph (1) before any such procedure as may be specified in standing orders under regulation 10 for the informal resolution of the case has been concluded.

(3) Within 10 days of receiving a notice given under paragraph (1), or within such longer period as the Board may in all the circumstances allow, the police reserve trainee concerned may appeal to the Board against the decision of the Chief Constable as set out in the notice by sending written notice of his appeal to the Board.

(4) On receipt of a notice given under paragraph (3) the Board shall require the Chief Constable to submit to it, within the next following 10 days –

(a) a notice setting out the reasons for his decision, and

(b) copies of any documents on which he relies in support of that decision,

and the Board shall send to the police reserve trainee 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 police reserve trainee has appealed to the Board under paragraph (3) the Board shall give him notice of its determination of the appeal within 28 days of –

(a) receiving his comments on the notice and any other documents submitted by the Chief Constable under paragraph (4), or

(b) the expiration of the period afforded for making comments if none have by then been received.

(6) Where a police reserve trainee has been given notice under paragraph (1) and either –

(a) the police reserve trainee has not appealed against the decision set out in the notice under paragraph (3), or

(b) on such appeal, the Board has upheld the decision of the Chief Constable,

the Chief Constable may terminate the period of service of that police reserve trainee by giving him one week's notice in writing.

(7) Any reference in this regulation to a relative included in a police reserve trainee's family shall include a reference to his spouse, parent, son, daughter, brother or sister.

Pay

5.—(1) Subject to the following provisions of this regulation, the Secretary of State shall determine the hourly rate at which police reserve trainees are to be paid for participating in training, tests or assessments in accordance with regulation 2.

(**3**) S.R. 2001 No. 140. Regulation 2A was inserted by the Police (Recruitment) (Northern Ireland) (Amendment) Regulations 2004 (S.R. 2004 No. 1). Other amendments have been made by S.R. 2002 No. 385 and S.R. 2003 No. 372

(2) 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.

(3) A determination under paragraph (1) may make different provision for different cases.

(4) Where a police reserve trainee completes any part of the training specified under regulation 2(b) under arrangements which do not require the presence of other police reserve trainees, police officers or police support staff, standing orders made under regulation 10 may provide for the period for which he is paid for participating in that part of the training to be such period as is determined in accordance with standing orders.

(5) Police reserve trainees shall be paid monthly in arrears, or at such other intervals as the Chief Constable may fix.

(6) The Chief Constable may, if he thinks fit, pay to a police reserve trainee such part of his pay as he may determine in advance of the day on which it would otherwise be due to be paid in accordance with this regulation.

(7) The pay of a police reserve trainee for a quarter of an hour shall be calculated for all purposes at a rate determined by dividing by four the hourly rate determined under paragraph (1).

Allowances: general

6.—(1) No allowances shall be paid to a police reserve trainee 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 provided by or under these regulations or as approved by the Secretary of State.

(2) A police reserve trainee claiming any allowance under these regulations shall comply with such directions as may be given by the Chief Constable from time to time as to the time and manner of claiming and certification.

(3) Nothing in this regulation shall apply to the reimbursement of expenses incurred by a person in connection with his service as a police reserve trainee, being expenses authorised either generally or specifically by the Chief Constable in respect of which no allowance is payable under these regulations.

Allowance in respect of medical charges

7.—(1) Where a police reserve trainee –

(a) receives an injury without his default when –

(i) participating in training specified under regulation 2(b) or tests or assessments determined under regulation 2(c) at a place approved for the purposes of this regulation by the Chief Constable, or

(ii) travelling to or from such a place for the purposes of participating in such training, tests or assessments, and

(b) incurs normal standard charges under Article 5, 61, 62, 63 or 98 of the Health and Personal Social Services (Northern Ireland) Order 1972(**4**) (which Articles relate to charges for certain drugs, medicines and appliances and for dental treatment) by reason of the injury,

he shall be reimbursed the charges.

(2) Where a police reserve trainee –

(a) receives an injury which, in the opinion of the Chief Constable,

(**4**) S.I.1972/1265 (N.I. 14) as modified by S.I. 1978/1907 (N.I. 26)