STATUTORY RULES OF NORTHERN IRELAND

# 2004 No. 1

# POLICE

## Police (Recruitment) (Northern Ireland) (Amendment) Regulations 2004

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| *Made - - - -* | *6th 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 sections 25 and 26 of the Police (Northern Ireland) Act 1998(**1**) and section 44 of the Police (Northern Ireland) Act 2000(**2**), and after consulting the Northern Ireland Policing Board, the Chief Constable, the Equality Commission for Northern Ireland 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 (Recruitment) (Northern Ireland) (Amendment) Regulations 2004.

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

**Appointment as police reserve trainee: prohibited business interests**

**2.**—(1) In regulation 2(2)(e) of the Police (Recruitment) (Northern Ireland) Regulations 2001(**3**) (qualified candidate for appointment as a police trainee or police reserve trainee must not be ineligible for appointment by virtue of provisions on business interests and criminal convictions) after "or" there shall be inserted "regulation 2A (prohibited business interests for police reserve trainees) or".

(2) After regulation 2 of those regulations there shall be inserted –

"**Prohibited business interests for police reserve trainees**

**2A.**—(1) A person shall not be eligible for appointment as a police reserve trainee if he or a relative included in his family has a prohibited business interest.

(**1**) 1998 c. 32
(**2**) 2000 c. 32
(**3**) S.R. 2001 No. 140, as amended by S.R. 2002 No. 385 and S.R. 2003 No. 372

(2) For the purposes of this regulation a candidate for appointment as a police reserve trainee or, as the case may be, a relative included in his family, has a prohibited business interest if –

(a) the candidate –

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

(ii) carries on any business,

which, if held after his appointment as a reserve constable, could reasonably be regarded as affecting his ability to discharge his duties as a reserve constable in accordance with the code of ethics issued by the Policing Board under section 52 of the Act; or

(b) a shop is kept or a like business carried on by the candidate's spouse (not being separated from him) at any premises in Northern Ireland or by any relative included in his family at the premises at which he resides, and the keeping of the shop or carrying on of the business after his appointment as a reserve constable could reasonably be regarded as affecting his ability to discharge his duties as a reserve constable in accordance with that code of ethics; or

(c) the candidate, 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 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, and the holding of that licence or permit or pecuniary interest after his appointment as a reserve constable could reasonably be regarded as affecting his ability to discharge his duties as a reserve constable in accordance with that code of ethics.

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

(4) The Chief Constable may give guidance to reserve constables, police reserve trainees and candidates for appointment as police reserve trainees in connection with prohibited business interests.

(5) The Chief Constable shall publish any guidance issued under paragraph (4).".

**Functions of vetting panel**

**3.**—(1) In regulation 11(1) of those regulations (restrictions on contracting out) after sub-paragraph (b) there shall be inserted –

"(bb) assessments as to whether candidates are ineligible for appointment as police trainees or police reserve trainees by virtue of any of the provisions mentioned in regulation 2(2)(e);".

(2) In regulation 12 of those regulations (vetting panel) –

(a) in paragraph (1) (function of panel) for the words from "function" to the end there shall be substituted

"functions shall be to decide, in any case which is referred to it, on his behalf and subject to his direction and control –

(a) on the suitability of any candidate for appointment as a police trainee or police reserve trainee;

(b) whether a candidate is ineligible for appointment as a police trainee or police reserve trainee by virtue of any of the provisions mentioned in regulation 2(2)(e).";