STATUTORY RULES OF NORTHERN IRELAND

2002 No. 96

POLICE

Police Service of Northern Ireland Reserve (Full-time) (Appointment and Conditions of Service) Regulations 2002

Made - - - - 8th March 2002

To be laid before Parliament
Coming into operation in accordance with regulation 1(2)

The Secretary of State, in pursuance of section 26 of the Police (Northern Ireland) Act 1998(**1**), and after consulting, in accordance with section 26(6) of that Act, the Northern Ireland Policing Board and the Police Association, hereby makes the following Regulations:

Citation and commencement

1.—(1) These regulations may be cited as the Police Service of Northern Ireland Reserve (Full-time) (Appointment and Conditions of Service) Regulations 2002.

(2) These regulations shall come into operation on 5th April 2002, but—

(a) Regulations 3, 4, 5 and 7 shall have effect from 9th February 1999;

(b) Regulation 6 shall have effect—

(i) in the case of paragraph (*a*) from 9th February 1999,

(ii) in the case of paragraph (*b*) from 1st April 1999,

(iii) in the case of paragraph (*c*) from 1st April 2000;

(iv) in the case of paragraph (*d*) from 1st April 2001;

(c) Regulation 8 shall have effect from 1st July 2000 except that paragraph 1 shall have effect from 9th February 1999.

(3) In these Regulations "the principal Regulations" means the Royal Ulster Constabulary Reserve (Full-time) (Appointment and Conditions of Service) Regulations 1996(**2**).

(**1**) 1998 c. 32
(**2**) S.R. 1996 No. 564 as amended by S.R. 1997 No. 363, S.R. 1999 No. 411 and S.R. 2001 No. 80

Public Holidays

2.—(1) In regulation 2(1) of the principal Regulations, in the definition of public holiday, for the words "last Monday in May" substitute the words "3rd June 2002, 4th June 2002".

(2) This regulation shall only apply in the year 2002.

Reference to Pay Schedule

3. In regulation 1 of the principal Regulations sub-paragraph (*e*) shall be omitted.

Part-time Working

4.—(1) In regulation 4A of the principal Regulations (part-time appointments), after paragraph (1), there shall be inserted the following paragraphs—

"(1A) In these Regulations a person appointed to perform part-time service includes a person appointed to share a job with another person.

(1B) A person appointed to perform part-time service may not be appointed to serve as a full-time member without his consent.

(1C) A person appointed to perform part-time service immediately after serving as a full-time member may give notice in writing of his intention to be re-appointed as a full-time member and shall be so appointed—

(a) within one month of the date the notice is received by the Northern Ireland Policing Board, where the authority has a suitable vacancy, or

(b) except where sub-paragraph (*a*) applies, when 3 months have elapsed since the day the notice was received, or from an earlier date if reasonably practicable.".

(2) In regulation 20 of the principal Regulations (variable shift arrangements)—

(a) in paragraph (1) the words ", appointed otherwise than under regulation 4A (part-time appointments)" shall be omitted;

(b) in paragraph (4), at the end there shall be added "but subject in its application to members appointed in accordance with regulation 4A (part-time appointments) to paragraph (5)";

(c) after paragraph (4), add—

"(5) In their application to members appointed in accordance with regulation 5 to whom variable shift arrangements apply—

(a) Schedule 12 shall have effect as if the Table in regulation 18(3D), as substituted by paragraph 3 of that Schedule, was the Table set out in regulation 18(3) as substituted by paragraph 1 of Schedule 2; and

(b) Schedule 2 shall have effect as if paragraph 1 (except to the extent provided by sub-paragraph (*a*) above), paragraph 2 and paragraph 3 of that Schedule were omitted.".

(3) In regulation 30 (rate of pay), paragraph 2A shall be omitted.

(4) Schedule 12 to the principal Regulations shall be amended in accordance with the following provisions of this regulation and in those provisions a reference to a paragraph number is, except where the context otherwise requires, a reference to the paragraph of that Schedule bearing that number.

(5) In regulation 2(3) of the principal Regulations, inserted by paragraph 1, for the word "inspector" there shall be substituted the word "superintendent".

(6) In paragraph 3 in the paragraph substituted by sub-paragraph (*b*), for the words "ascertained from Schedule 4" there shall be substituted "determined by the Secretary of State in accordance with regulation 30".

(7) In paragraph 4—

(a) after the words "period of duty)" insert the words "for "inspector" in paragraph (1) there shall be substituted "superintendent" and",

(b) in regulation 18(3A)—

(i) after "(3)" insert "or (3ZA)", and

(ii) for head (*b*), substitute—

"(b) if no different number was agreed to by the member, his normal period of duty is the number of hours determined on the last previous review, or where no such review has taken place, under paragraph (1).",

(c) after regulation 18(3A), insert—

"(3ZA) In addition to any review required under paragraph (3A), a member or the chief officer may require a further review where there has been or is likely to be significant changes in the normal daily period of duty or in the circumstances of the member.

(3ZB) On any review under paragraph (3ZA) the chief officer shall have regard to the number of hours actually spent on duty during the interval preceding the review.",

(d) in regulation 18(3D) for the Table there shall be substituted the following Table:

"**TABLE**

Number of hours	*Refreshment time*
Less than 6 hours	30 minutes
6 hours or more, but less than 7 hours	35 minutes
7 hours or more, but less than 8 hours	40 minutes
8 hours or more, but less than 9 hours	45 minutes
9 hours or more, but less than 10 hours	50 minutes
10 hours or more	60 minutes"

(8) After paragraph 4, there shall be inserted the following paragraph—

"**4A.** In regulation 20(1) for "inspector" substitute "superintendent".".

(9) In paragraph 5(*a*) after head (i) there shall be inserted the following head—

"(ia) for "inspector" substitute "superintendent", and".

(10) In paragraph 6, after regulation 22(2), insert—

"(2A) In the case of a member working a variable shift arrangement, the number of hours on duty shall be determined by adding together—

(a) the average number of hours the member is contracted to work in the 7 day period referred to in paragraph (2);

(b) the number of hours (if any) the member worked on any rest day falling within that period; and

(c) the number of hours (if any) the member worked on any public holiday falling within that period.".