STATUTORY RULES OF NORTHERN IRELAND

1996 No. 565

POLICE

Royal Ulster Constabulary Reserve (Part-time) (Appointment and Conditions of Service) Regulations 1996

Made - - - -	*4th December 1996*
To be laid before Parliament	
Coming into operation	*30th December 1996*

The Secretary of State, in pursuance of section 26 of the Police Act (Northern Ireland) 1970(**1**), read with section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(**2**), and after consulting, in accordance with section 34(2) of the said Act of 1970, the Police Authority and the Police Association, hereby makes the following regulations:—

Part I

Commencement and Interpretation

Citation, operation and effect

1. These regulations may be cited as the Royal Ulster Constabulary Reserve (Part-time) (Appointment and Conditions of Service) Regulations 1996, and shall come into operation on 30th December 1996, but shall have effect for the purposes of regulation 16 as from the dates specified therein.

Meanings assigned to certain expressions, etc.

2.—(1) The following expressions have the meanings hereby assigned to them—

"chief constable" means the chief constable of the Royal Ulster Constabulary;

"Discipline Regulations" means the regulations for the Royal Ulster Constabulary Part-time Reserve relating to discipline for the time being in force;

"the force" means the Royal Ulster Constabulary Reserve;

(**1**) 1970 c. 9 (N.I.) as amended by 1994 c. 29 and modified by S.I.1973/2163
(**2**) 1962 c. 7 (N.I.)

"member" means a member of the force appointed on a part-time basis and includes a member who is suspended under the Discipline Regulations.

(2) Nothing in these regulations shall be construed as authorising pay or allowances payable to any person to be reduced retrospectively.

Part II

Government

Authorised establishment

3. The establishment of the force shall be constituted by the maximum number of persons in each rank mentioned in regulation 4 which is determined for this purpose in accordance with section 6 of the Police Act (Northern Ireland) 1970.

Ranks

4.—(1) The force may consist of members of the following ranks—

Reserve Superintendent

Reserve Inspector

Reserve Sergeant

Reserve Constable

and the chief constable may appoint such numbers of members to the various ranks as the Police Authority may approve.

(2) Without prejudice to regulation 9(2), the appointment of every member shall, unless otherwise specified, be without limitation as to period.

Restrictions on the private life of members

5.—(1) No restrictions on the private life of members shall be imposed by the Police Authority or the chief constable, other than those designed to secure the proper exercise of the functions of a member, except such as may temporarily be necessary or such as may be approved by the Secretary of State after consultation with the Advisory Board and any such restriction temporarily imposed shall be reported forthwith to the Secretary of State.

(2) A member shall at all times abstain from any activity which is likely to interfere with the impartial discharge of his duties or which is likely to give rise to the impression amongst members of the public that it may so interfere; and in particular a member shall not take any active part in politics.

(3) A member shall not wilfully refuse or neglect to discharge any lawful debt.

Qualifications for appointment to the force

6.—(1) A candidate for appointment to the force shall—

(a) produce satisfactory references as to character and, if he has served in any police force or in any special constabulary, in the armed forces, in the civil service or as a seaman, produce satisfactory proof of his good conduct while so serving;

(b) have attained the age of 18 years;

(c) be certified by a registered medical practitioner approved by the Police Authority to be in good health, of sound constitution, and fitted both physically and mentally to perform the duties on which he will be employed after appointment;

(d) satisfy the chief constable that he is sufficiently educated by passing a written and oral examination; and

(e) give such information as may be required as to his previous history or employment or any other matter relating to his appointment to the force.

(2) For the purposes of this regulation—

(a) the expression "armed forces" means the naval, military or air forces of the Crown including any women's service administered by the Defence Council; and

(b) the expression "seaman" has the same meaning as in the Merchant Shipping Act 1894(**3**).

Probation

7.—(1) A member shall be on probation for 2 years from the date of his first appointment as a member, provided that, in the case of a former member of the force, or of the Royal Ulster Constabulary or of a police force in Great Britain, service in that force may, at the chief constable's discretion, count towards the period mentioned.

(2) If, in the opinion of the chief constable, the said period of probation was seriously interrupted by a period of absence from duty by reason of injury or illness, the chief constable may, at his discretion, extend the period of probation for such longer period, not exceeding 12 months, as he determines in the circumstances of the particular case.

Discharge of probationer

8.—(1) Subject to the provisions of this regulation, during his period of probation in the force the services of a member may be dispensed with at any time if the chief constable considers that he is not fitted, physically or mentally, to perform the duties of his office or that he is not likely to become an efficient or well-conducted member.

(2) A member whose services are dispensed with under this regulation shall be entitled to receive a month's notice.

(3) A member's services shall not be dispensed with in accordance with this regulation and any notice given for the purposes thereof shall cease to have effect if he gives written notice to the Police Authority of his intention to retire and retires in pursuance of the said notice on or before the date on which his services would otherwise be dispensed with; and such a notice taking effect on that date shall be accepted by the Police Authority notwithstanding that less than a month's notice is given.

Retirement

9.—(1) Without prejudice to the Discipline Regulations, a member may retire only if he has given a month's written notice of his intention to retire or such shorter notice as may have been accepted by the chief constable:

Provided that, while suspended under the Discipline Regulations, a member may not, without the consent of the chief constable, give notice for the purposes of this regulation or retire in pursuance of a notice previously given.

(2) Retirement shall be compulsory on attaining the age of 57 years, provided that the chief constable may extend the service of a member by yearly periods not exceeding 5 in number on being satisfied that exceptional circumstances render such extensions desirable.

(**3**) 1894 c. 60

(3) The chief constable may require a member to retire on such date as he may specify on the grounds that he is disabled to such an extent that he is unable to perform the ordinary duties of a member and the disablement is likely to be permanent.

Delegation

10. The chief constable may delegate his powers under regulations 8 and 9 to a member of the Royal Ulster Constabulary of the rank of—

(a) deputy chief constable, or

(b) assistant chief constable acting in the place of such a member as is mentioned in paragraph (*a*).

Contents of personal records

11.—(1) The chief constable shall cause a personal record of each member to be kept.

(2) The personal record shall contain—

(a) a personal description of the member;

(b) particulars of his place and date of birth;

(c) particulars of his marriage (if any) and of his children (if any);

(d) a record of his service (if any) in any branch of Her Majesty's naval, military or air forces or in the civil service;

(e) a record of his service (if any) in any other police force (including service in the Royal Ulster Constabulary) and of his transfer (if any) from one police force to another;

(f) a record of his service in the force including particulars of all postings, removals, injuries received, periods of illness, commendations, rewards, punishments other than cautions and the date of his ceasing to be a member with the reason, cause or manner thereof:

Provided that—

(i) a punishment of a fine or of a reprimand shall be expunged after 3 years free from punishment, other than a caution;

(ii) any other punishment shall be expunged after 5 years free from punishment, other than a caution;

but, in the case of a period free from punishment other than a caution which expired before 1st July 1989, only if the member so requests.

(3) A member shall, if he so requests, be entitled to inspect his personal record.

Personal record of member leaving the force

12.—(1) Where a member ceases to be a member he shall, on request, be given a certificate showing his rank and setting out the period of his service in the force.

(2) Where a member ceases to be a member his personal record shall be kept for such time as the chief constable may think fit and shall then be destroyed.

Fingerprints

13.—(1) Every member shall, in accordance with the directions of the chief constable, have his fingerprints taken.

(2) Fingerprints of members taken in accordance with paragraph (1) shall be kept separate from the fingerprints of persons whose fingerprints have been taken otherwise than in accordance with that paragraph.

(3) The fingerprints of a member taken in accordance with paragraph (1) and all copies and records thereof shall be destroyed on his ceasing to be a member.

Part III

Duty

Duty to carry out lawful orders

14. Every member shall carry out all lawful orders and shall at all times, punctually and promptly, perform all appointed duties and attend to all matters within the scope of his office as a reserve constable.

Normal duties

15.—(1) Members shall attend training parades and perform patrol duty at such times as the chief constable may require and in accordance with any directions which the chief constable may issue.

(2) Members shall be required to attend 2 training parades, each of a minimum of 2 hours' duration, during each calendar month.

(3) The chief constable may require monthly patrols to be performed by members instead of some or all of the training parades required as basic duties, and for this purpose 2 hours of patrol duty shall be deemed to be the equivalent of a training parade.

(4) The chief constable may at any time direct members to perform patrols in excess of those that may be required under the foregoing provisions of this regulation.

(5) Notwithstanding anything in the foregoing provisions of this regulation, the chief constable may in any period reduce the number of training parades laid down in paragraph (2) provided, however, that any such reduction shall not be deemed to diminish the prescribed basic duties for the purpose of reckoning additional patrols under paragraph (4).

Part IV

Pay

Rate of pay

16. The rate of pay for any member for each hour of duty actually performed is, with effect as from 31st August 1995, £6·91 and, with effect as from 31st August 1996, £7·15.

Sick pay

17.—(1) Where a member loses remuneration in his private employment in consequence of an injury received or disease contracted—

(a) in the execution of his duty; or

(b) while on duty or while on a journey necessary to enable him to report for duty or to return home after duty,

he shall be entitled to an allowance by way of sick pay as hereinafter provided.