1988 No. 36

POLICE

Royal Ulster Constabulary Reserve (Full-Time) (Appointments and Conditions of Service) Regulations 1988

Made . . . . . 2nd February 1988

Coming into operation . . 21st March 1988

To be laid before Parliament

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The Secretary of State, in pursuance of section 26 and section 34(3) of the Police Act (Northern Ireland) 1970(a), and after consulting, in accordance with section 34(2), of that Act the Police Authority and the Police Association, hereby with the concurrence of the Treasury makes the following regulations:—

(a) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670

PART I

GENERAL

Citation and operation

1. These regulations may be cited as the Royal Ulster Constabulary Reserve (Full-Time) (Appointment and Conditions of Service) Regulations 1988 and shall come into operation on 21st March 1988.

Revocations

2. The Royal Ulster Constabulary Reserve (Appointment and Conditions of Service) Regulations (Northern Ireland) 1973(**a**) insofar as they refer to service on a full-time basis are hereby revoked.

Meanings assigned to certain expressions, etc.

3.—(1) In these regulations 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 full-time Reserve relating to discipline for the time being in force;

"member" means a member of the Royal Ulster Constabulary Reserve appointed on a full-time basis;

"public holiday" means, New Year's Day, St. Patrick's Day, first Monday in May, Spring Holiday, 12th July, Late Summer Holiday, Christmas Day and 26th December;

except for the purpose of pay, as specified in regulation 28, "reserve constable" shall include "reserve sergeant", "reserve inspector" and "reserve superintendent";

"the Act" means the Police Act (Northern Ireland) 1970;

"the force" means the Royal Ulster Constabulary Reserve.

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

PART II

ORGANISATION

Authorised establishment

4. The establishment of the force shall be constituted by the maximum number of persons in each rank mentioned in regulation 5 which is determined for this purpose in accordance with section 6 of the Act.

Ranks

5. The force may consist of members of the following ranks:—

Reserve Superintendent

Reserve Inspector

(a) S.R. & O. (N.I.) 1973 No. 83 (p. 372)

Reserve Sergeant

Reserve Constable

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

Control

6. Members shall be under the direction and control of the chief constable.

Restrictions on the private life of members

7. The restrictions on private life contained in Schedule 1 shall apply to all members and no restrictions other than those designed to secure the proper exercise of the functions of a reserve constable shall be imposed by the Police Authority or the chief constable on the private lives of members 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.

Business interests incompatible with membership of the force

8.—(1) If a member or a relative included in his family proposes to have, or has, a business interest within the meaning of this regulation, the member shall forthwith give written notice of that interest to the chief constable unless that business interest was disclosed at the time of his appointment as a member.

(2) On receipt of a notice given under paragraph (1), the chief constable shall determine whether or not the interest in question is compatible with the member concerned remaining a member and shall notify the member in writing of his decision.

(3) Within 10 days of being notified of the chief constable's decision as aforesaid, or within such longer period as the Police Authority may in all the circumstances allow, the member concerned may appeal to the Police Authority against that decision by sending written notice of his appeal to the Police Authority.

(4) Upon receipt of such notice, the Police Authority shall send to the member concerned copies of any documents submitted to them by the chief constable setting out the matters on which he relies in support of his decision and shall afford the member concerned a reasonable opportunity to comment thereon.

(5) Where a member has appealed to the Police Authority under paragraph (3) the Police Authority shall give him written notice of their determination of the appeal but, where they have upheld the decision of the chief constable and, within 10 days of being so notified or within such longer period as the Police Authority may in all the circumstances allow, the member makes written requests to the Police Authority for the reference of the matter to the Secretary of State, the matter shall be so referred and, unless and until the determination of the Police Authority is confirmed by the Secretary of State, it shall be of no effect and in particular, no action in pursuance thereof shall be taken under paragraph (6).

(6) Where a member, or a relative included in his family, has a business interest within the meaning of this regulation which the chief constable has