1988 No. 35

POLICE

Royal Ulster Constabulary Reserve (Part-time) (Appointments and Conditions of Service) Regulations 1988

Made . . . . . *2nd February 1988*
Coming into operation . . *21st March 1988*
To be laid before Parliament

ARRANGEMENT OF REGULATIONS

PART I

GENERAL

1. Citation and operation
2. Revocations
3. Meanings assigned to certain expressions, etc.

PART II

ORGANISATION

4. Authorised establishment
5. Ranks
6. Control
7. Restrictions on the private life of members

APPOINTMENT, PROBATION AND RETIREMENT

8. Qualifications for appointment to force
9. Probation
10. Discharge of probationer
11. Retirement
12. Delegation

PERSONAL RECORDS

13. Contents of personal records
14. Personal record of member leaving the force
15. Fingerprints

PART III

DUTY

16. Duty to carry out lawful orders
17. Normal duties

PART IV

PAY

18. Rate of pay
19. Sick pay
20. Deductions from pay of social security benefits and statutory sick pay
21. Pay day

PART V

ALLOWANCES AND OTHER EMOLUMENTS

22. Restriction on payment of allowances
23. Restriction on payment for private employment of police
24. Subsistence, refreshment and lodging allowances
25. Motor vehicle allowances
26. Advances to cover expenses when away on duty
27. General

PART VI

UNIFORM AND EQUIPMENT

28. Issue of uniform and equipment
29. Re-issue of uniform and equipment
30. Ownership of uniform and equipment
31. Replacement of uniform and equipment

PART VII

TRANSITIONAL PROVISIONS

32. Transitional provisions

SCHEDULES

Schedule 1. Subsistence, refreshment and lodging
Schedule 2. Motor vehicle allowances in respect of motor cars
Schedule 3. Issue of uniform and equipment

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:—

PART I

GENERAL

Citation and operation

1. These regulations may be cited as the Royal Ulster Constabulary Reserve (Part-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(**b**) insofar as they refer to service on a part-time basis and the Royal Ulster Constabulary Reserve (Appointment and Conditions of Service) (Amendment) Regulations (Northern Ireland) 1975(**c**) 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 part-time Reserve relating to discipline for the time being in force;

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

"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.

(**a**) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670
(**b**) S.R. & O. (N.I.) 1973 No. 83 (p.372)
(**c**) S.R. 1975 No. 67

Ranks

5.—(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 11(2), the appointment of every member shall, unless otherwise specified, be without limitation as to period.

Control

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

Restrictions on the private life of members

7.—(1) No restrictions on 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.

APPOINTMENT, PROBATION AND RETIREMENT

Qualifications for appointment to the force

8:—(1) For appointment to the force a candidate must—

(*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*) unless the chief constable with the approval of the Police Authority decides, have a minimum height of 168 cms in the case of a man or 162 cms in the case of a woman;

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

(*f*) give such information as may be required as to his previous history, 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(**a**).

Probation

9.—(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

10.—(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

11.—(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.

(a) 1894 c. 60