1983 No. 44

POLICE

Royal Ulster Constabulary (Amendment) Regulations 1983

Made	*7th March 1983*
Coming into operation . . .	*31st March 1983*
To be laid before Parliament	

The Secretary of State, in pursuance of section 25 of the Police Act (Northern Ireland) 1970(**a**), read with section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(**b**), and after consulting, in accordance with section 34(2) of the said Act of 1970, the Police Authority for Northern Ireland, and the Police Association for Northern Ireland and, in accordance with section 2(1) of the Police Negotiating Board Act 1980(**c**), the Police Negotiating Board for the United Kingdom, hereby, with the concurrence of the Treasury, makes the following regulations:—

Citation, commencement and effect

1.—(1) These regulations may be cited as the Royal Ulster Constabulary (Amendment) Regulations 1983.

(2) These regulations shall come into operation on 31st March 1983, except for regulation 10, which shall come into operation on 6th April 1983, but they shall have effect—

(*a*) for the purposes of regulations 3, 4, 6 and 7 from 1st April 1982;

(*b*) for the purpose of regulation 8 from 16th August 1982;

(*c*) for the purpose of regulation 9 from 1st January 1983;

(*d*) for the purpose of regulation 11(1) from 26th April 1982;

(*e*) for the purpose of regulation 11(2) from 27th October 1982;

(*f*) for the purpose of regulation 12(1) from 1st April 1982;

(*g*) for the purpose of regulation 12(2) from 16th August 1982; and

(*h*) for the purposes of regulations 15 and 16 from 1st September 1982.

Interpretation

2. In these regulations any reference to the principal regulations is a reference to the Royal Ulster Constabulary Regulations 1973(**d**)

Overtime

3. In regulation 20(9) of the principal regulations for the words "'"a day's pay" means a week's pay divided by 5" there shall be substituted the words "'"a day's pay" means the member's pay for the week in question divided by five".

Public holidays and rest days for lower ranks

4. In regulation 21 of the principal regulations for sub-paragraph (6)(*b*) there shall be substituted the following sub-paragraph:—

(**a**) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670
(**b**) 1962 c. 7 (N.I.)
(**c**) 1980 c. 10
(**d**) S.R. & O. (N.I.) 1973 No. 31 as amended by S.R. 1974 No. 322; S.R. 1975 No. 320; S.R. 1978 No. 92; S.R. 1978 No. 280; S.R. 1980 No. 353; S.R. 1981 No. 406; S.R. 1982 No. 317

"(*b*) "a day's pay" means a week's pay at the rate at which the member was paid on the day in question divided by five;".

Sick leave

5. In regulation 25(1) of the principal regulations for sub-paragraph (*a*) of the proviso there shall be substituted the following:—

"(*a*) with the consent of the Police Authority, a member may be so absent without such certificate of unfitness where the period of unfitness for duty does not exceed seven days, including any day on which, even if he were fit to do so, he would not have been required to perform police duty;".

Scales and conditions of pay

6. In regulation 28(5) of the principal regulations after sub-paragraph (*b*) of the proviso there shall be inserted the following sub-paragraph:—

"(*bb*) no account shall be taken of any performance of the duties of that rank in respect of which a temporary salary is payable under regulation 28A or 28B,".

Temporary salary

7. After regulation 28 of the principal regulations there shall be inserted the following regulation:—

"*Temporary salary*

28A.—(1) A member of the rank of superintendent who is required for a continuous period exceeding 7 days to perform duties normally performed by a member of the force of a higher rank than his own, otherwise (subject to paragraph (2)) than as the direct or indirect result of the absence of any member on a monthly or other leave day granted under regulation 23, shall be paid in respect of that period, other than the first 7 days thereof, at a rate equal to the lowest rate of pay for that higher rank.

(2) Where any member of the force is absent for a continuous period comprising both—

(*a*) monthly or other leave days granted under regulation 23, and

(*b*) one or more annual leave days granted under regulation 24,

paragraph (1) shall have effect as if the entire continuous period of absence were a period of annual leave.

(3) A member below the rank of chief inspector who, in any year, has been required to perform duties normally performed by a member of a higher rank than his own for 14 complete days shall be paid in respect of each further complete day in that year on which he is required to perform such duties at a rate equal to the lowest rate of pay to which he would be entitled on promotion to the higher rank:

Provided that where a member is entitled to be paid under this paragraph and the higher rank is that of superintendent there shall be no entitlement to an allowance, or time off, under regulation 20 or 21 in respect of such duties; but where in such a case the member is required to do duty on a public holiday or rostered rest day, he shall be granted a day's leave for each such day.

(4) For the purpose of this regulation the expression "year" means a period of 12 months beginning on 1st April.

(5) For the purpose of this regulation, the expression "day" means, in relation to a member below the rank of chief inspector, his normal daily period of duty.".

Temporary salary for the rank of chief inspector

8. After regulation 28A of the principal regulations there shall be inserted the following regulation:—

"*Temporary salary for the rank of chief inspector*

28B.—(1) A member of the rank of chief inspector, who in any year, has been required to perform the duties normally performed by a member of superintendent rank for 14 complete days shall be paid in respect of each further complete day in that year on which he is required to perform such duties at a rate equal to the lowest rate of pay to which he would be entitled on promotion to the rank of superintendent:

Provided that where a member of the rank of chief inspector is paid under this paragraph there shall be no entitlement to an allowance or time off, under regulations 20 or 21 in respect of such duties but a member who is required to do duty on a public holiday or rostered rest day shall be granted a day's leave for each such day.

(2) For the purpose of this regulation the expression "year" means a period of 12 months beginning on 1st April.

(3) For the purpose of this regulation, the expression "day" means, in relation to a member of the rank of chief inspector, his normal daily period of duty.".

Reckoning by constables of overseas police service

9. In regulation 31(2)(*a*) of the principal regulations after the words "British Nationality Act 1948" there shall be inserted the words ", a dependent territory within the meaning of the British Nationality Act 1981" and for the words "protectorate, or protected state" in the second place where they occur there shall be substituted the words "protectorate, protected state of dependent territory".

Deductions from pay

10. In regulation 33 of the principal regulations for paragraphs (2), (3) and (4) there shall be substituted the following provisions:—

"(2) There shall be deducted from the pay of a member—

(*a*) the amount of any sickness benefit, invalidity pension or invalidity allowance to which he is entitled under the Social Security (Northern Ireland) Acts 1975-1982, and

(*b*) any statutory sick pay to which he is entitled under the Social Security (Northern Ireland) Order 1982(**a**)

and for the purposes of sub-paragraph (*a*) above any increase for adult and child dependants shall be treated as forming part of the benefit or allowance to which it relates.

(3) For the purposes of this regulation, a woman member who as a married woman or widow has elected to pay contributions under Part I of the Social Security (Northern Ireland) Act 1975(**b**) at the reduced rate, shall be deemed to be entitled to any social security benefits mentioned in paragraph (2) to which she would have been entitled had she not elected to contribute at the reduced rate.".

Removal allowance

11.—(1) In regulation 44(1)(*d*) of the principal regulations, after the words "following the move", there shall be inserted the words "and may, if they think fit,

(**a**) S.I. 1982/1084 (N.I. 16)
(**b**) 1975 c. 15