1974. No. 322

POLICE

Royal Ulster Constabulary (Amendment) (No. 2) Regulations 1974

Made	18*th December* 1974
Coming into operation	1*st February* 1975
To be laid before Parliament	

REGULATIONS, DATED 18TH DECEMBER 1974, MADE BY THE SECRETARY OF STATE UNDER SECTION 25 OF THE POLICE ACT (NORTHERN IRELAND) 1970 AND SECTION 18 OF THE ADMINISTRATIVE AND FINANCIAL PROVISIONS ACT (NORTHERN IRELAND) 1962.

In pursuance of the powers conferred by 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 4(4) of the Police Act 1969(**c**), the Police Council for the United Kingdom, I hereby with the concurrence of the Minister for the Civil Service(**d**), make the following Regulations:—

Citation, commencement and effect

1.—(1) These Regulations may be cited as the Royal Ulster Constabulary (Amendment) (No. 2) Regulations 1974.

(2) These Regulations shall come into operation on 1st February 1975 and shall have effect—

(*a*) for the purposes of Regulations 5(1), 7, 8, 9, 10 and 12 as from that date;

(*b*) for the purposes of Regulations 5(2) and 6 as from 1st September 1972;

(*c*) for the purposes of Regulation 3, as from 25th May 1974;

(*d*) for the purposes of Regulation 4, as respects overtime worked by an inspector before 1st February 1975 as provided therein and, subject as aforesaid, as from that date;

(*e*) for the purposes of Regulation 11, as respects the year beginning on 1st October 1973 as provided therein and, subject as aforesaid, as from 1st October 1974.

Interpretation

2.—(1) In these Regulations any reference to the principal Regulations is a reference to the Royal Ulster Constabulary Regulations 1973(**e**).

(**a**) 1970 c. 9 (N.I.).
(**b**) 1962 c. 7.
(**c**) 1969 c. 63.
(**d**) Formerly the Ministry of Finance for Northern Ireland; see S.I. 1973/2163
(**e**) S.R. & O. (N.I.) 1973, No. 31 as amended by S.R. & O. (N.I.) 1973, No. 440 and S.R. (N.I.) 1974, No. 97.

(2) In these Regulations "pay period" means the period for which, in pursuance of Regulation 35 of the principal Regulations, a member is paid.

Pay increases related to Retail Price Index

3.—(1) This Regulation shall have effect, notwithstanding anything in the principal Regulations, for the purpose of supplementing the pay of a member holding the rank of chief superintendent or any lower rank; but any allowance under the principal Regulations calculated by reference to a member's pay shall be calculated as if this Regulation had not been made.

(2) Subject to paragraphs (3) and (4) the annual pay of such a member shall be increased—

(*a*) with effect from the first day of his pay period first beginning after 24th May 1974, by £62.64, and

(*b*) with effect from the first day of his pay period first beginning after 21st June 1974 by a further £41.76.

(3) Where the Secretary of State is satisfied that the Retail Price Index figure as published on any date falling after 21st June 1974 but before 16th November 1974 exceeds by 12% or more the base figure, that is to say so exceeds 185.4, he may, in lieu of the increases under paragraph (2) above, or of any increase previously authorised hereunder, authorise the increase of the annual pay of such a member in pursuance of this paragraph and, for the purposes thereof, shall specify—

(*a*) the amount of the increase, being £20.88 in respect of each full 1% over and above 6%, by which the Retail Price Index figure in question exceeds the base figure; and

(*b*) the date of publication of the Retail Price Index figure in question.

(4) The annual pay of such a member shall be increased in pursuance of an authorisation under paragraph (3) above by the amount specified under sub-paragraph (*a*) thereof with effect from the first day of his pay period first beginning after the date specified under sub-paragraph (*b*) thereof; but, with effect from that date, no increase shall be payable in his case under paragraph (2) or in pursuance of any authorisation under paragraph (3) above given before the authorisation in question was given.

(5) In this Regulation the following expressions have the meanings hereby respectively assigned to them, that is to say—

"annual pay" means annual pay determined in accordance with the principal Regulations;

"base figure" means the Retail Price Index figure for October 1973;

"Retail Price Index figure" means that figure as published by the Department of Employment.

Compensation for inspectors' overtime

4.—(1) In paragraph (2) of Regulation 20 of the principal Regulations (overtime) (referred to in this Regulation as "Regulation 20") for the words "or sergeant" there shall be substituted the words "sergeant or inspector".

(2) Paragraphs (4) and (6) of Regulation 20 shall be omitted.

(3) In paragraph (7) of Regulation 20 the words "or by virtue of paragraph (6)" shall be omitted.

(4) Notwithstanding paragraphs (1), (2) and (3) above, in relation to overtime worked by an inspector during the period of 3 months ending immediately before 1st April 1974 Regulation 20 shall have effect as if these Regulations had not been made except that, where time off falls to be granted by virtue of paragraph (6) of that Regulation, Regulation 20 shall have effect as if in paragraph (7) thereof for the words "within such time (not exceeding 3 months from the beginning of the month in which the overtime was worked) as the chief constable may fix, he" there were substituted the words "before 1st April 1975 the chief constable".

(5) In relation to overtime worked by an inspector during the period beginning with 1st April 1974 and ending immediately before 1st February 1975 being overtime worked otherwise than on a special occasion in respect of which time off has not been granted by virtue of paragraph (6) of Regulation 20, Regulation 20 shall have effect as amended by paragraphs (1), (2) and (3) above but—

(*a*) an election under paragraph (2) of Regulation 20 may be made at any time before the expiry of the pay period which includes 1st February 1975 and

(*b*) paragraph (7) of Regulation 20 shall have effect as if for the words "(not exceeding 3 months from the beginning of the month in which the overtime was worked)" there were substituted the words "(not exceeding 3 months) after the month which includes 1st February 1975".

(6) In this Regulation the expressions "overtime" and "special occasion" have the meanings respectively assigned to them by Regulation 20.

Public holidays and rest days for lower ranks

5.—(1) After paragraph 5(*a*) of Regulation 21 of the principal Regulations (public holidays and rest days for lower ranks) there shall be inserted the following provision:—

"(*aa*) a member who is paid a dog handler's allowance shall not be treated as required to do duty by reason only of his being required to care for the dog;".

(2) In paragraph (5)(*f*) of the said Regulation 21 after the words "his period of duty shall include" there shall be inserted "(save for the purposes of sub-paragraph (*e*))".

Travelling time treated as duty

6. In Regulation 22(3) of the principal Regulations (travelling time treated as duty) after the words "for the purposes of Regulation 21" there shall be inserted the words "(save for the purposes of paragraph (5)(*e*) thereof)".

Reckoning of service for pay

7. For Regulation 28(5) of the principal Regulations (rate of pay) there shall be substituted the following provision:—

"(5) Subject to Regulations 29, 30, 31 and 32 in reckoning the service of a member in any rank for the purposes of any of the aforesaid scales of pay, account shall be taken of all his service in that rank, and service in a higher rank, on temporary promotion thereto or otherwise, shall be treated as if it had been service in that rank:

Provided that in reckoning a member's service in any rank—

(*a*) that service shall be treated as unbroken by, and including, any period of service in Her Majesty's forces which he is entitled to reckon as pensionable service;

(*b*) except where the Police Authority in the circumstances of a particular case otherwise determine with the approval of the Secretary of State no account shall be taken of any previous service in that rank which terminated in his reduction in rank as a punishment; but any previous service in a higher rank which so terminated shall be treated as if it had been service in the rank to which the member was reduced;

(*c*) any period of unpaid maternity leave shall be disregarded,

and, in the case of a member of a rank higher than that of inspector, this paragraph shall have effect subject to any contrary agreement so far as it relates to the reckoning of previous service in the force."

Reckoning of service in a police force in Great Britain

8. In paragraph (1) of Regulation 29 of the principal Regulations (reckoning of service in a police force in Great Britain) the words "but for the purposes hereof Regulation 28(5) shall have effect as if the words "on temporary promotion thereto" in each place where they occur and, in proviso (*b*), the words "subsequent to that promotion", were omitted." shall be omitted.

Dog handler's allowance

9. After Regulation 54 of the principal Regulations there shall be inserted the following Regulation:—

"Dog handler's allowance

54A.—(1) Where a dog owned by the Police Authority is kept and cared for by a member at his home, the member shall be paid a dog handler's allowance in respect of the care accorded to the dog on the member's rest days and on public holidays.

(2) A dog handler's allowance shall be of an amount determined in accordance with Schedule 10.

(3) For the purposes of this Regulation and of Schedule 10 a member shall be treated as keeping and caring for a dog at his home if he would be so doing but for his being on annual leave.".

Carry over of annual leave — superintendents

10. In paragraph 3 of Schedule 2 to the principal Regulations (annual leave) for the words "below the rank of superintendent" there shall be substituted the words "of a rank not higher than that of superintendent".

Motor vehicle allowances

11.—(1) For Tables A, B, C and D in Schedule 7 to the principal Regulations (motor vehicle allowances) there shall be substituted the Tables set out in Appendix 1.

(2) As respects the year beginning on 1st October 1973 a motor vehicle allowance in respect of a motor car payable under Regulation 52 of the Principal Regulations shall be calculated as hereinafter provided.