1972. No. 70 **[C]**

ROYAL ULSTER CONSTABULARY

Duty, Overtime and Leave

REGULATIONS, DATED 13TH MARCH 1972, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 25 OF THE POLICE ACT (NORTHERN IRELAND) 1970.

The Ministry of Home Affairs for Northern Ireland in exercise of the powers conferred on it by Section 25 of the Police Act (Northern Ireland) 1970(a) and of all other powers enabling it in that behalf, and after consulting the Police Authority, the Police Association and, in accordance with the Police Act 1969(b), the Police Council for the United Kingdom, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Royal Ulster Constabulary (Duty, Overtime and Leave) Regulations 1972 and shall come into operation on 1st April 1972.

Revocation

2. The following Orders are hereby revoked:—

Royal Ulster Constabulary (Hours of Duty and Overtime) Order 1969(c);

Royal Ulster Constabulary (Allowances) (Amendment) (No. 2) Order 1970(d) insofar as it remains unrevoked;

Royal Ulster Constabulary (Hours of Duty and Overtime) (Amendment) Order 1971(e).

Interpretation

3. In these Regulations, unless the context otherwise requires, the following expressions have the meaning hereby assigned to them:—

(*a*) "member" means a member of the Royal Ulster Constabulary;

(*b*) "inspector" includes chief inspector;

(*c*) "superintendent" includes chief superintendent;

(*d*) "member recalled to duty" does not include a member who is only warned to be in readiness for duty if required;

(*e*) "special occasion" means an occasion designated as a special occasion for the purposes of these Regulations by the chief constable;

(*f*) "detective duty allowance" has the same meaning as in the Royal Ulster Constabulary Allowances Regulations 1971(f),

(*g*) "week" means that period of 7 days beginning with such day as is fixed by the chief constable;

(*h*) "weekly rate of pay" means the annual rate of pay divided by $52\frac{1}{6}$;

(*i*) "a day's pay" means a week's pay divided by 5;

(a) 1970. c. 9 (N.I.).
(b) 1969. c. 63.
(c) S.R. & O. (N.I.) 1969, No. 258.
(d) S.R. & O. (N.I.) 1970, No. 316.
(e) S.R. & O. (N.I.) 1971, No. 356.
(f) S.R. & O. (N.I.) 1971, No. 142.

(*j*) "unit" means a complete quarter of an hour;

(*k*) "month" means a calendar month;

(*l*) "leave year" means that period of 12 months beginning on such date as may from time to time be determined by the Police Authority;

(*m*) "relevant service" means any service which a member is entitled to reckon for the purposes of his scale of pay together with any service which he was previously so entitled to reckon—

(i) in the case of a member below the rank of superintendent, in any lower rank;

(ii) in any other case, in the rank of superintendent (or any equivalent rank held prior to 1st June 1970) or any higher rank;

(iii) as a member of the Ulster Special Constabulary who had the option of attaining permanent status in accordance with the Ulster Special Constabulary Pensions (Amending) Regulations 1969(**g**);

except that relevant service shall not include any such service as is specified in Regulation 35 or 36 of the Police Regulations 1971(**h**) by a member of another United Kingdom police force who transfers to the Royal Ulster Constabulary;

(*n*) "public holiday" means St. Patrick's Day, Spring Holiday, 12th July, Late Summer Holiday, Christmas Day and 26th December;

(*o*) "university scholar" means a member nominated for a course of university study by the Police Authority in pursuance of arrangements in that behalf approved by the Ministry and, in relation to such a member, the expression "course" means the course for which he has been nominated and which he has undertaken and "study" means study for the purpose of that course.

Duty to carry out lawful orders

4. 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 constable.

Normal daily period of duty

5.—(1) This Regulation shall apply to every member below the rank of superintendent who is not assigned to duties which the Ministry has specially excepted from the provisions of this Regulation.

(2) The normal daily period of duty (including the period for refreshment referred to in paragraph (3)) of a member to whom this Regulation applies shall be 8 hours and, in addition, any time occupied in reporting at the appointed place for duty before a tour of duty begins:

Provided that in the case of a woman member, where the duty is wholly or mainly patrol duty, the Police Authority may substitute 7 hours or 7½ hours for the said 8 hours.

(3) Where the normal daily period of duty is performed in one tour of duty an interval of 45 minutes shall normally be allowed for refreshment:

Provided that in the case of a woman member, where the duty is wholly or mainly patrol duty and the normal period of duty, other than the time occupied in reporting for duty, is 7½ hours or more, the said interval shall normally be an hour.

(**g**) S.R. & O. (N.I.) 1969, No. 64. (**h**) S.I. 1971/156.

Meetings of Police Association treated as police duty

6. The attendance of a member at one of the following meetings of the Police Association shall be treated as an occasion of police duty:

(*a*) In the case of the Police Federation for Northern Ireland—

(i) a quarterly meeting of a regional board or the Annual Conference of members of the regional boards;

(ii) an ordinary or annual meeting of the central committee;

(iii) subject to the approval of the chief constable, an ad hoc meeting or committee or sub-committee meeting of a regional board or the central committee; and

(iv) subject to the approval of the Ministry, a meeting other than such a meeting as is mentioned in sub-paragraph (i), (ii) or (iii).

(*b*) In the case of the Superintendents' Association—

(i) four one-day meetings annually of the executive committee, so however that additional meetings may be held with the permission of the chief constable if he is satisfied that such meetings are necessary in the public interest and that the business for which they are called can not reasonably be deferred until the next ordinary meeting of the committee;

(ii) subject to the approval of the Ministry, a meeting other than such a meeting as is mentioned in sub-paragraph (i).

Overtime

7.—(1) Subject to the provisions of this Regulation, where a member to whom Regulation 5 applies, other than a member who is paid a detective-duty allowance, remains on duty for a period of not less than one half-hour after his tour of duty ends or is recalled to duty between two tours of duty, he shall be granted, if and as soon as the exigencies of duty in the opinion of the chief constable permit, in respect of each unit of time during which he so remains on duty after his tour of duty ends or after being so recalled (hereinafter in these Regulations referred to as "overtime") an equal period of time off and in addition for each 3 units of overtime an additional quarter of an hour of time off.

(2) If in respect of the overtime during any month time off is not granted within such time (not exceeding 3 months from the beginning of the month in which the overtime occurred) as the chief constable may fix, the member, if he is below the rank of inspector, shall be granted for each unit of overtime worked during that month for which time off has not been granted an allowance of a twenty-fourth of a day's pay at the rate of pay appropriate to his rank on that day calculated as on the last day of the month in which the overtime occurred, so, however, that in making any payment by way of such allowance a fraction of a penny shall be treated as a whole penny except that a fraction less than a half-penny shall be ignored; and after the time so fixed any right to time off in respect of that month of members to whom Regulation 5 applies shall cease.

(3) In computing any period of overtime for the purposes of this Regulation—

(*a*) where the member is engaged in casual escort duty, account shall be taken only of—

(i) the time during which he is in charge of or shares the charge of the person under escort;

(ii) such other time as is necessarily spent in travelling to or from the place where the member is to take charge of, or hand over, the person under escort; provided that if the member is so engaged overnight

and has proper sleeping accommodation, whether in a train or otherwise, the chief constable may exclude such period, not exceeding 8 hours, during which the member is not in charge of the person under escort as he considers appropriate in the circumstances;

(iii) any other time that may be allowed by the chief constable;

(*b*) where the tour or tours of duty does not or do not amount in the aggregate to more than the normal daily period of duty, no account shall be taken of any overtime except so much as together with the tour or tours of duty exceeds the normal daily period of duty;

(*c*) no account shall be taken of any overtime for which the member receives—

(i) an allowance payable under Regulation 24 of the Royal Ulster Constabulary Allowances Regulations 1971, or

(ii) a commuted overtime allowance approved by the Ministry under Regulation 4(1) of the Royal Ulster Constabulary Allowances Regulations 1971, so, however, that this sub-paragraph shall not apply in respect of duty performed on rest days, public holidays or special occasions;

(*d*) where a member is recalled to duty, the period of overtime shall include the time occupied by the member in going from and returning to his home not exceeding such reasonable limit as may be fixed by the chief constable;

(*e*) where a member has completed a full tour of night duty which ends at any time after 2.00 a.m. and before 10.00 a.m. and is recalled to duty before 9½ hours have elapsed from the time when such tour of duty ended, he shall be deemed, if the period of overtime worked on that occasion amounts to less than 16 units of overtime, to have worked in respect of that period a period of overtime equal to 16 units of overtime.

(4) In respect of any overtime worked on any special occasion by an inspector, other than an inspector who is paid a detective-duty allowance, paragraph (2) shall apply as it applies to overtime worked by members below the rank of inspector.

(5) Where on any special occasion a member below the rank of superintendent who is paid a detective-duty allowance is required to do duty in connection with that special occasion, then, if he remains on such duty beyond the normal daily period of duty, he shall be entitled in respect of such overtime to time off in accordance with paragraph (1) or an allowance in lieu thereof in accordance with paragraph (2).

Public holidays and rest days for lower ranks

8.—(1) This Regulation shall apply to every member below the rank of superintendent.

(2) Such a member shall, so far as the exigencies of duty permit, be allowed a day's leave on each public holiday and be granted rest days at the rate of 2 rest days in respect of each week.

(3) Such a member who is required to do duty on a public holiday or on a day which would otherwise have been a rest day shall be granted, if and as soon as the exigencies of duty permit, an equal period of time off and in addition for each complete half-hour of duty on each such day an additional quarter hour off.