1971. No. 171 [C]

ROYAL ULSTER CONSTABULARY

Promotion Regulations

REGULATIONS, DATED 28TH MAY 1971, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 25 OF THE POLICE ACT (NORTHERN IRELAND) 1970.

The Ministry of Home Affairs, 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 and the Representative Bodies constituted by the Constabulary and Police (Ireland) Act 1919(**b**), hereby makes the following Regulations:—

Citation

1. These Regulations may be cited as the Royal Ulster Constabulary (Promotion) Regulations 1971.

Commencement

2. The Regulations shall come into operation on 1st June 1971.

Qualification for promotion

3.—(1) Save for the provisions of paragraph (2), a constable to be qualified for promotion to the rank of sergeant must have: —

(*a*) obtained a pass in the constables qualifying examination;

(*b*) completed two years' service; and

(*c*) attained the age of 21 years.

(2) A constable who on 1st June 1971 was serving in the Fingerprint or Photography Branch of the force and has continued so to serve shall, on completion of 9 years' service, at least 5 of which were in either of the said branches, be deemed to be qualified for promotion to sergeant provided that (*a*) the establishment of sergeants allowed for the branch is not exceeded and (*b*) in the chief constable's opinion he has given satisfactory service and is competent to carry out all the specialist duties of the branch to which he is assigned.

(3) A sergeant to be qualified for promotion to the rank of inspector must have—

(*a*) obtained a pass in the sergeants qualifying examination;

(*b*) completed 2 years' service in the rank of sergeant.

(4) For the purposes of this Regulation a pass in a qualifying police promotion examination in Great Britain shall be deemed to be a pass in the corresponding examination in the force.

Selection for promotion

4. Subject to Regulation 7(1), promotion from one rank to another rank shall be by selection.

(a) 1970, c. 9 (N.I.). (b) 9 & 10 Geo. 5, c. 68.

Period of probation for constable promoted sergeant

5. A member who is promoted to the rank of sergeant shall be on probation in that rank for a period of a year:

Provided that in calculating the said period of probation there shall be disregarded any period of temporary promotion by virtue of regulation 7(1) or of any corresponding provision contained in Regulations from time to time in force under Section 25 of the Police Act (Northern Ireland) 1970.

Temporary promotion

6.—(1) A member who is required to perform the duties of a higher rank may be promoted temporarily thereto, provided that, in the case of promotion to the rank of sergeant or inspector, he is qualified therefor under Regulation 3.

(2) This Regulation shall not apply to a deputy chief constable required to perform the duties of the chief constable.

Promotion of persons selected for Police College special course

7.—(1) Notwithstanding any provision of the foregoing Regulations but without prejudice to his promotion in accordance therewith, a member who has been selected for a course of training at a Police College designated by the Ministry for the purpose of this Regulation (hereafter in these Regulations referred to as the "special course") may be or, as the case may be, shall be promoted to the rank of sergeant or inspector in accordance with Regulation 8 or 9.

(2) A member may be or, as the case may be, shall be promoted as aforesaid whether or not there is a vacancy in the authorised establishment for the rank of sergeant or, as the case may be, inspector and, unless and until a member promoted as aforesaid is designated to fill any such vacancy as may from time to time occur, his promotion shall be without prejudice to the promotion of any other member to fill such a vacancy.

Constable promoted sergeant during and after Police College special course

8.—(1) A member holding the rank of constable who is qualified under Regulation 3 for promotion to the rank of sergeant shall be promoted temporarily, by virtue of this paragraph, to that rank—

(*a*) for the period from the commencement of the special course next held after his selection therefor (whether or not he is allotted a place on that particular course) until he has completed the special course:

Provided that a member shall not be promoted by virtue of this sub-paragraph or, as the case may be, shall revert to the rank of constable if, on account of ill-health or otherwise, he is not allotted a place on, or does not attend or attend throughout, one or other of the two special courses next held after his selection for the course and (without prejudice to his re-selection on a subsequent occasion) is notified that his selection is cancelled; and

(*b*) Where he completes the special course but no such certificate as is mentioned in paragraph (2) is issued, until it is decided under paragraph (3) whether or not he should be promoted to the rank of sergeant.

(2) Where such a member as is mentioned in paragraph (1) completes the special course and the Commandant or Deputy Commandant of the Police College issues a certificate that he has passed, he shall forthwith be promoted, by virtue of this paragraph, to the rank of sergeant.

(3) In the case of such a member of a police force to whom paragraph (1)(*b*) applies, the question whether or not he should be promoted to the rank of sergeant shall be considered and he may be so promoted.

Sergeant promoted inspector after Police College special course

9.—(1) A member holding the rank of sergeant (whether promoted thereto under Regulation 8 or otherwise)—

(*a*) in whose case the Commandant or Deputy Commandant of the Police College has issued a certificate that he has passed the special course; and

(*b*) who has completed a year's service in the rank of sergeant, otherwise than on temporary promotion under Regulation 8(1), to the satisfaction of the chief constable,

shall be promoted by the chief constable to the rank of inspector on completing the service so mentioned.

(2) A member who is promoted under this Regulation to the rank of inspector shall be on probation in that rank until he has completed a year's service in that rank in the performance of ordinary police duty.

Interpretation

10.—(1) In these Regulations, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"constables qualifying examination" and "sergeants qualifying examination" have the meanings respectively assigned to them by paragraph 1(1) of the schedule hereto;

"examination agency" means such body or persons as may be appointed by the Police Authority for the purposes of these Regulations;

"examination board" means the board appointed by the chief constable for the purposes of these Regulations;

"the force" means the Royal Ulster Constabulary;

"member" means a member of the force;

"special course" has the meaning assigned to it by Regulation 7(1).

(2) In reckoning service or a period in any rank for the purposes of these Regulations, there shall be disregarded, in the case of a university scholar whose course begins on or after 1st June 1971, his period of study, and for the purposes of this sub-paragraph the expressions "university scholar", "course" and "study" shall have the same meanings as in the Royal Ulster Constabulary Allowances Regulations 1971(**c**).

(3) Subject to paragraph (2) the expression "service" in a rank shall be in accordance with regulations 6, 7, 8 and 9 of the Royal Ulster Constabulary Pay (No. 2) Regulations 1971(**d**).

(4) Regulations 6(1) shall be construed as authorising a person's temporary promotion to a particular rank notwithstanding that there is no vacancy in the authorised establishment for that rank.

(c) S.R. & O. (N.I.) 1971, No. 142. (d) S.R. & O. (N.I.) 1971, No. 154.