1970. No. 189 **[C]**

ROYAL ULSTER CONSTABULARY

Appointment and Service

REGULATIONS, DATED 1ST JULY 1970, 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 vested in 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 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 (Appointment and Service) Regulations 1970.

Commencement

2. These Regulations shall come into operation on 1st July 1970.

Definitions

3. In these Regulations the following expressions have the meanings hereby assigned to them:—

"The force" means the Royal Ulster Constabulary.

"Member" means a member of the force.

"Ministry" means the Ministry of Home Affairs for Northern Ireland.

"Minister" means the Minister of Home Affairs for Northern Ireland.

Restrictions on the private life of members

4. The restrictions on private life contained in the Schedule shall apply to all members, and no restrictions other than those designed to secure the proper exercise of the functions of a constable shall be imposed by the police authority or the chief constable on the private life of members except such as may temporarily be necessary or such as may be approved by the Minister after consultation with the Police Advisory Board, and any such restriction temporarily imposed shall be reported forthwith to the Minister.

Business interests incompatible with membership of the police force

5.—(1) If a member or a relative included in his family proposes to have, or has, a business interest within the meaning of this regulation, the member shall forthwith give written notice of that interest to the chief constable unless that business interest was disclosed to the chief constable at the time of his appointment as a member.

(2) On receipt of a notice given under paragraph (1) the chief constable shall determine whether or not the interest in question is compatible with the member concerned remaining a member and shall notify the member in writing of his decision.

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

(3) Within 10 days of being notified of the chief constable's decision as aforesaid, or within such longer period as the police authority may in all the circumstances allow, the member concerned may appeal to the police authority against that decision by sending written notice of his appeal to the police authority.

(4) Where a member, or a relative included in his family, has a business interest within the meaning of this regulation, which the chief constable has determined, under paragrah (2) to be incompatible with his remaining a member and either the member has not appealed against that decision under paragraph (3) or, on such appeal, the police authority has upheld that decision, then the chief constable may, subject to the approval of the police authority, dispense with the services of that member, and before giving such approval the police authority shall give the member concerned an opportunity to make representations and shall consider any representations so made.

(5) For the purposes of this regulation a member or, as the case may be, a relative included in his family, shall have a business interest if—

(*a*) the member holds any office or employment for hire or gain (otherwise than as a member of the force) or carries on any business;

(*b*) a shop is kept or a like business is carried on by the member's spouse (not being separated from him) at any premises in Northern Ireland or by any relative included in his family at the premises at which he resides; or

(*c*) the member, his spouse (not being separated from him) or any relative included in his family living with him holds, or possess a pecuniary interest in any such licence or permit as is mentioned in paragraph (6).

(6) The licence or permit referred to in paragraph (5)(*c*) is a licence or permit granted in pursuance of the law relating to liquor licensing or betting and gaming or regulating places of entertainment.

(7) For the purposes of this regulation a reference to a relative included in a person's family shall include a reference to his spouse, parent, son, daughter, brother or sister.

(8) In its application to a chief constable, deputy chief constable or assistant chief constable, this regulation shall have effect as if—

(*a*) for any reference in paragraph (1), (2), (3) or (4) to the chief constable except in relation to such a disclosure as is mentioned in paragraph (1) made at the time of the person's appointment as a member of the force in a rank below that of assistant chief constable there were substituted a reference to the police authority;

(*b*) for any reference in paragraph (3) or (4) to an appeal there were substituted a reference to a request for reconsideration;

(*c*) the reference in paragraph (4) to the approval of the police authority were omitted;

but a police authority shall not dispense with the services of a chief constable, deputy chief constable or assistant chief constable under this regulation without giving him an opportunity of making representations and shall consider any representations made.

Business interests precluding appointment to the force

6.—(1) Save in so far as the chief constable may allow at the request of the candidate concerned, a person shall not be eligible for appointment to the force if he or a relative included in his family has a business interest within the meaning of regulation 5, and paragraphs (5), (6) and (7) thereof shall apply for the purposes of the interpretation of this regulation as they apply for that regulation.

(2) In its application to a candidate for appointment as chief constable, deputy chief constable or assistant chief constable paragraph (1) shall have effect as if for any reference to the chief constable there were substituted a reference to the police authority.

Qualifications for appointment to the force

7.—(1) A candidate for appointment to the force—

(*a*) must produce satisfactory references as to character, and, if he has served in any police force, in the armed forces, in the civil service or as a seaman, produce satisfactory proof of his good conduct while so serving;

(*b*) must have attained 18 years of age and not attained 30 years of age in the case of a man or, in the case of a woman, attained the age of 19 years and not have attained the age of 35 years:

Provided that a man or a woman who has attained 30 or 35 years of age as the case may be may be appointed—

(i) if he or she has had previous service in a police force in the United Kingdom otherwise than as an auxiliary policeman in Great Britain, or is otherwise entitled to reckon previous service as pensionable service;

(ii) if he or she has not attained 40 years of age and since attaining the age of 30 or 35 years of age has performed whole-time service in the armed forces or served as a seaman; or

(iii) in other special circumstances approved by the Minister of Home Affairs upon the recommendation of the appointing authority, that is to say, the chief constable or the police authority, as the case may be;

(*c*) must 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*) must, if a candidate for appointment in the rank of constable—

(i) unless the chief constable otherwise decides, be not less in height than, in the case of a man, 5 feet 8 inches, or in the case of a woman, 5 feet 4 inches; and

(ii) satisfy the chief constable that he is sufficiently educated by passing a written or oral examination in reading, writing and simple arithmetic, or an examination of a higher standard, as may be prescribed by the chief constable;

(*e*) must give such information as may be required as to his previous history or employment or any other matter relating to his appointment to the force;

(*f*) shall be given a notice in terms approved by the Ministry drawing attention to the conditions of service contained therein.

(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;

(*b*) the expression "seaman" has the same meaning as in the Merchant Shipping Act 1894(c).

(c) 1894. c. 60.