1969. No. 258 **[C]**

ROYAL ULSTER CONSTABULARY

Hours of Duty and Overtime

ORDER, DATED 26TH AUGUST 1969, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 4 OF THE CONSTABULARY AND POLICE (IRELAND) ACT 1919 AND SECTION 2 OF THE CONSTABULARY ACT (NORTHERN IRELAND) 1922.

I, the Right Honourable Robert Wilson Porter, Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by Section 4 of the Constabulary and Police (Ireland) Act 1919(**a**) and Section 2 of the Constabulary Act (Northern Ireland) 1922(**b**) and of all other powers enabling me in that behalf and after considering representations made by the Representative Bodies constituted by the said Act of 1919, as required by Section 4 of that Act, do hereby order as follows:—

Citation and Commencement

1. This Order may be cited as the Royal Ulster Constabulary (Hours of Duty and Overtime) Order 1969 and shall have effect from 1st September 1969.

Revocation

2. The Royal Ulster Constabulary (Overtime) Order 1968(**c**) is hereby revoked.

Definitions

3. In this Order:—

(*a*) the following expressions shall have the meanings hereby respectively assigned to them:—

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

(ii) "Ministry" means the Ministry of Home Affairs;

(iii) "Inspector General" means the Inspector General of the Royal Ulster Constabulary;

(iv) "hourly rate of pay" means annual rate of pay divided by 2,191;

(v) "special occasion" means an occasion designated as a special occasion for the purposes of this Order by the Ministry;

(vi) "detective-duty allowance" and "special duty driver's allowance" have the meanings respectively assigned to them in the Royal Ulster Constabulary (Miscellaneous) Allowances Order 1968(**d**);

(*b*) "member recalled for extra duty" does not include a member who is only warned to be in readiness for such duty.

Normal period of duty

4.—(1) This Article shall apply to every member below the rank of District Inspector who is not in receipt of a detective-duty allowance or a special duty driver's allowance.

(2) Subject to Article 5 the normal daily period of duty (including the period for refreshment referred to in paragraph (3)) of a member shall be

(a) 9 & 10 Geo. 5. c. 68.
(b) 12 & 13 Geo. 5. c. 8 (N.I.).
(c) S.R. & O. (N.I.) 1968, No. 266.
(d) S.R. & O. (N.I.) 1968, No. 119.

8¾ 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 Inspector General may substitute 7¼ hours or 7¾ hours for the said 8¾ hours.

(3) Where the normal 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 7¾ hours or more, the said interval shall normally be one hour.

Variation in normal period of duty

5. The Inspector General may, with the concurrence of the Ministry, vary for any member to whom Article 4 applies the normal daily period of duty and the normal period allowed for refreshment:

Provided that such a member shall work the same number of hours annually, exclusive of excess periods of duty (hereinafter referred to as "overtime") as a member to whom Article 4 applies.

Time off for overtime

6.—(1) This Article shall apply to every member below the rank of District Inspector not in receipt of any of the allowances specified in Article 4(1).

(2) Subject to the provisions of Article 10, where, on a day other than is mentioned in Article 9(2), a member is required to remain 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, the District Inspector shall ensure that he is granted, if and as soon as the exigencies of duty permit, in respect of such overtime an equal period of time off and in addition for each three quarter-hours of overtime an addditional quarter-hour of time off:

Provided that any right to time off in respect of overtime shall cease after a period of three months has elapsed from the beginning of the month in which the overtime occurred.

Grant of allowance for overtime

7.—(1) This Article shall apply to every member below the rank of Head Constable not in receipt of any of the allowances specified in Article 4(1).

(2) (*a*) Subject to the provisions of Articles 8, 10 and 14, if in respect of all or part of such overtime as is mentioned in Article 6 which occurred in any calendar month time off is not granted within a period of three months from the beginning of that month a member shall be granted, for each complete hour of the overtime for which time off has not been granted, an allowance equal to 1½ times the hourly rate of pay earned on the last day of the month in which the overtime occurred.

(*b*) An allowance in respect of a residual period of overtime of less than one hour in any calendar month shall be granted pro rata.

Computation of overtime

8.—(1) Where a member is recalled to his station for extra duty the period of overtime shall include the time occupied in going from and returning to his home, not exceeding a total limit of one hour.

(2) Where a member is recalled for extra duty but is authorised to go direct to the place of duty and return direct to his home the period of overtime shall include the time occupied in going to and returning from his place of duty. If on the journey to or from the place of duty the member necessarily reports to his station the period of overtime shall include the time occupied in travelling between his home and station not exceeding a limit of a half-hour.

(3) Where a member not in receipt of any of the allowances specified in Article 4(1) is engaged on casual escort duty the computation of any period of overtime shall take account of:—

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

(*b*) such other time as is necessarily spent on travelling to or from the place where he is to take charge or share the charge or hand over the person under escort; and

(*c*) any other time, including waiting time, that may be allowed by the Inspector General, so, however, that if the member is so engaged and has sleeping accommodation, whether on a ship, train or otherwise, the Inspector General may exclude such period, not exceeding 8 hours in any period of 24 hours, as he considers appropriate in the circumstances, during which the member is not in charge or sharing the charge of the person under escort.

(4) Where a member has completed a tour of duty which ends at any time after 2 a.m. and before 8 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 in that occasion amounts to less than four hours of overtime, to have worked in respect of that period a period of overtime equal to four hours of overtime.

Duty on rest days

9.—(1) This Article shall apply to every member below the rank of District Inspector.

(2) Subject to the provisions of Article 10, where a member is required to do duty on a day which would otherwise have been a rest day the duty shall be regarded as overtime and the District Inspector shall ensure that he is granted, if and as soon as the exigencies of duty permit, in respect of such overtime an equal period of time off and in addition, for each complete half-hour of the overtime, an additional quarter-hour of time off.

(3) (*a*) If in respect of all or part of such overtime as is referred to in paragraph (2) which occurred in any calendar month time off is not granted within a period of three months from the beginning of that month a member shall be granted, for each complete hour of overtime for which time off has not been granted, an allowance equal to 1½ times the hourly rate of pay earned on the last day of the month in which the overtime occurred.

(*b*) An allowance in respect of a residual period of overtime of less than one hour in any calendar month shall be granted pro rata.

(4) For the purposes of this Article:—

(*a*) a member who is in receipt of any of the allowances set out in Article 4(1) shall, in respect of duty performed on such a day as is specified in paragraph (2), be deemed to be required to do duty on such day only if he has been specifically ordered to do that duty;