STATUTORY INSTRUMENTS

1973 No. 356

POLICE

The Police (Amendment) (No. 2) Regulations 1973

Made - - -	28*th February* 1973
Laid before Parliament	9*th March* 1973
Coming into Operation	1*st April* 1973

In exercise of the powers conferred upon me by section 33 of the Police Act 1964(**a**) and after consulting the Police Council for the United Kingdom in accordance with section 4(4) of the Police Act 1969(**b**), I hereby make the following Regulations:—

PART I

CITATION, OPERATION ETC.

1. These Regulations may be cited as the Police (Amendment) (No. 2) Regulations 1973.

2. These Regulations shall come into operation on 1st April 1973 and shall have effect—

(*a*) for the purposes of Part II thereof, as from 1st September 1972;

(*b*) for the purposes of Part III thereof, as from 1st April 1973; and

(*c*) for the purposes of Part IV thereof, as from 6th April 1973.

3. In these Regulations any reference to the principal Regulations is a reference to the Police Regulations 1971(**c**), as amended(**d**), except that such a reference in Part II of these Regulations is a reference to the said Regulations of 1971, as originally made.

PART II

PROVISIONS HAVING EFFECT FROM 1ST SEPTEMBER 1972

4.—(1) This Regulation shall apply in the case of a member of a police force below the rank of superintendent who on a date falling within the period

(**a**) 1964 c. 48. (**b**) 1969 c. 63.

(**c**) S.I. 1971/156 (1971 I, p. 439).

(**d**) The relevant amending instrument is S.I. 1972/339 (1972 I, p. 1399).

beginning with 1st September 1972 and ending immediately before 12th February 1973 completed a full tour of night duty which ended at any time after 2. a.m. and before 10 a.m., was recalled to duty before 9½ hours had elapsed from the time when such tour of duty ended and was entitled under Regulation 25 of the principal Regulations to be compensated for overtime worked on that occasion, where his period of overtime for the purposes of the said Regulation 25 was less than that period would have been had paragraph 3(*e*) of the said Regulation been amended as follows, that is to say—

(*a*) the words "disregarding any overtime reckonable by virtue of sub-paragraph (*d*)" had been inserted after the words "16 units of overtime" in the first place where they occurred, and

(*b*) the words "together with any units of overtime reckonable by virtue of sub-paragraph (*d*)" had been inserted after the words "16 units of overtime" in the second place where they occurred;

and, in this Regulation, the deficiency is referred to as the extra period of duty.

(2) Such a member shall be granted, if and as soon after 1st April 1973 as the exigencies of duty permit, time off equal to 1½ times the period of completed quarters of an hour included in his extra period of duty in respect of each such day.

(3) Where, in respect of overtime worked on such a day such a member was granted an allowance under the said Regulation 25 or would have been granted an allowance but for the grant of time off thereunder then, if in the opinion of the chief officer of police the exigencies of duty do not permit the grant of time off under the immediately preceding paragraph before 1st May 1973, the member shall be granted in lieu of time off an allowance at the rate of a twenty-fourth of a day's pay for each quarter of an hour included in his extra period of duty in respect of that day.

(4) This Regulation shall be construed as one with Regulation 25 of the principal Regulations.

5.—(1) This Regulation shall apply in the case of a member of a police force below the rank of superintendent who was required to do duty on a day falling within the period beginning with 1st September 1972 and ending immediately before 12th February 1973, being a day which was a public holiday or would otherwise have been a rest day, where his period of duty on that day for the purposes of Regulation 26 of the principal Regulations, was less than that period would have been had—

(*a*) the figure "16" been substituted for the figure "8" in both places where it occurred in paragraph (5)(*e*) of the said Regulation and

(*b*) the figure "6" been substituted for the figure "4" in paragraph (5)(*g*) of the said Regulation;

and, in this Regulation, the deficiency is referred to as the extra period of duty.

(2) Such a member shall be granted, if and as soon after 1st April 1973 as the exigencies of duty permit, time off equal to 1½ times the period of com-

pleted quarters of an hour included in his extra period of duty in respect of each such day.

(3) If in the opinion of the chief officer of police the exigencies of duty do not permit the grant of time off under the last preceding paragraph before 1st May 1973, such a member shall be granted in lieu of time off an allowance at the rate of 3 sixty-fourths of a day's pay for each quarter of an hour included in his extra period of duty in respect of each such day.

(4) This Regulation shall be construed as one with Regulation 26 of the principal Regulations.

PART III

PROVISIONS HAVING EFFECT FROM 1ST APRIL 1973

6.—(1) In paragraph (2)(*a*) of Regulation 27 of the principal Regulations (public holidays and monthly leave days for higher ranks) for the figure "4" there shall be substituted the figure "8".

(2) In paragraph (4) of the said Regulation 27 for the figure "4" there shall be substituted the figure "8".

(3) At the end of the said Regulation 27 there shall be added the following sub-paragraph:—

"(5) For the purposes of this Regulation the expression "month" means that period of 28 days beginning with such day as is fixed by the chief officer of police.".

7.—(1) In the Table in paragraph 1(1) of Schedule 3 to the principal Regulations (annual leave) for the entry relating to the rank of superintendent there shall be substituted the entry in the following Table:—

Rank	Annual leave		
	Under 10 years' relevant service	10 or more years' relevant service	17 or more years' relevant service
Superintendent	30 days	30 days	30 days

(2) For paragraph 1(2) of the said Schedule 3 there shall be substituted the following provisions:—

"(2) This paragraph shall have effect in relation to a member of a police force holding the rank of superintendent who, on 1st April 1973—

(*a*) held that rank, and

(*b*) had competed ten or more years' relevant service,

as if each of the periods of leave set out in the above Table were increased by 6 days.".

(3) In a leave year which falls in part before, and in part after, 1st April 1973, this paragraph shall have effect in relation to a member of a police force holding the rank of superintendent as if each of the periods set out in the above Table (as modified by sub-paragraph (2) where thas sub-paragraph applies) were increased by that proportion of a period of 12 days which is the proportion which the part of the leave year falling before 1st April 1973 bears to the whole year, a fraction of a day being reckoned as a day.

PART IV

PROVISIONS HAVING EFFECT FROM 6TH APRIL 1973

8.—(1) In paragraph (1) of Regulation 45 of the principal Regulations (compensatory grant) for the words "income tax or surtax" there shall be substituted the words "income tax for any year or surtax for any year ending before 6th April 1973".

(2) For paragraph (5)(*b*) of the said Regulation 45 there shall be substituted the following provision:—

"(*b*) the expression "income tax" means, for a year ending before 6th April 1973, income tax other than surtax but, for a year beginning on or after that date, includes all income tax whether payable at the basic rate or a higher rate;".

9.—(1) In paragraph (1) of Regulation 46 of the principal Regulations (discharge of tax liability in respect of police house or quarters) for the words "income tax or surtax" there shall be substituted the words "income tax for any year or surtax for any year ending before 6th April 1973".

(2) In paragraph (3) of the said Regulation 46 after the words "for any year" there shall be inserted the words "ending before 6th April 1973".

(3) For paragraph (5)(*a*) of the said Regulation 46 there shall be substituted the following provision:—

"(*a*) the expression "income tax" means, for a year ending before 6th April 1973, income tax other than surtax but, for a year beginning on or after that date, includes all income tax whether payable at the basic rate or a higher rate;".

Robert Carr,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
28th February 1973.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend, and make transitory provision supplemental to, the Police Regulations 1971.

Part II of the present Regulations makes transitory provision as respects compensation for duty performed by way of overtime or on a public holiday or day which would otherwise have been a rest day. It relates to such duty performed during the period beginning with 1st September 1972 and ending immediately before 12th February 1973 (the date on which the provisions of the Regulations of 1971 governing such compensation were amended by the Police (Amendment) Regulations 1973 (S.I. 1973/33)).

Part III of the present Regulations relates to the leave of superintendents. Their number of monthly leave days is increased from 4 to 8 a month but (subject to transitional provisions) their annual leave is reduced from 42 days (or 48 days after 10 years' service) to 30 days.

Part IV of the present Regulations contains amendments of provisions of the Regulations of 1971 which refer to surtax and takes account of the introduction of the unified tax system on 6th April 1973.

In so far as the Regulations have retrospective effect, this is authorised by section 33(4) of the Police Act 1964.

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