STATUTORY INSTRUMENTS

1975 No. 915

POLICE

The Police (Amendment) (No. 2) Regulations 1975

Made - - - -	*28th May* 1975
Laid before Parliament	*6th June* 1975
Coming into Operation	*27th June* 1975

In exercise of the powers conferred on 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)** and the Police Advisory Board for England and Wales in accordance with section 46(3) of the said Act of 1964 as amended by section 4(6) of the said Act of 1969, I hereby make the following Regulations:—

1. These Regulations may be cited as the Police (Amendment) (No. 2) Regulations 1975.

2. These Regulations shall come into operation on 27th June 1975 and shall have effect—

(*a*) for the purposes of Regulations 6, 9 and 11 thereof, as from 1st April 1974;

(*b*) for the purposes of Regulations 4, 8, 10, 12 and 13 thereof, as from 1st January 1975;

(*c*) for the purposes of Regulations 5 and 7 thereof, as from 27th June 1975.

3. In these Regulations any reference to the principal Regulations is a reference to the Police Regulations 1971**(c)**, as amended**(d)**.

4. At the end of Regulation 6 of the principal Regulations (interpretation) there shall be added the following provision:—

"(4) Nothing in these Regulations shall be construed as authorising pay or allowances payable to any person to be reduced restrospectively.".

(a) 1964 c. 48. **(b)** 1969 c. 63.
(c) S.I. 1971/156 (1971 I, p. 439).
(d) The relevant amending instruments are S.I. 1971/1141; 1972/1195; 1973/33, 1583; 1974/649, 1365, 1973; 1975/211 (1971 II, p. 3373; 1972 II, p. 3536; 1973 I, p. 261, III, p. 4960; 1974 I, p. 2605, II, p. 5234, III, p. 6795; 1975 I, p. 552).

5.—(1) In paragraph (1)(*b*) of Regulation 13 of the principal Regulations (qualifications for appointment to a police force) for the age "19 years" there shall be substituted the age "18 years 6 months".

(2) In paragraph (1)(*d*)(i) of the said Regulation 13 for the heights "5 feet 8 inches" and "5 feet 4 inches" there shall be substituted, respectively, the heights "172 cms." and "162 cms.".

6. In Regulation 32A of the principal Regulations (supplementary pay) for the word "lower" there shall be substituted the words "not higher".

7. For Regulation 35A of the principal Regulations (reckoning by constable of service in the Port of London police force) there shall be substituted the Regulation set out in Appendix 1 to these Regulations.

8. For Regulations 49, 49A and 50 of the principal Regulations (boot allowance, women's stockings allowance and plain clothes allowance) there shall be substituted the Regulations set out in Appendix 2 to these Regulations.

9. In Regulation 59A of the principal Regulations (London allowance) for the words "not higher" there shall be substituted the word "lower".

10.—(1) In Regulation 61(1) of the principal Regulations (temporary duty allowance) for the words "on annual leave" there shall be substituted the words "before 1st January 1975, on annual leave or, on or after that date, on a public holiday or monthly rest day".

(2) Where the amendment made by paragraph (1), above would be more favourable in relation to a particular member of a police force if it were modified as hereinafter provided, it shall have effect in his case as if the reference in the amendment to 1st January 1975 were a reference to 27th June 1975.

11.—(1) In paragraph 1 of Part II of Schedule 5 to the principal Regulations (supplementary pay) for the words "as hereinafter provided" there shall be substituted the words "as provided in paragraph 2".

(2) In paragraph 3 of the said Part II for the words "not higher" there shall be substituted the word "lower".

(3) At the end of the said Part II there shall be added the following provision:—

"4.—(1) This paragraph shall apply to a member of the City of London or metropolitan police force holding the rank of superintendent.

(2) The annual pay of such a member determined as mentioned in paragraph 1 shall be increased by £201.".

12. For paragraph 1 of Schedule 7 to the principal Regulations (subsistence, refreshment and lodging allowances) there shall be substituted the following provision:—

"1.—(1) Subject as hereafter in this Schedule provided, the amount of a subsistence, refreshment or lodging allowance payable under Regulation 53 shall be in accordance with such scale appropriate to the rank of the member of a police force concerned as shall be determined by the Secretary of State; and separate scales shall be determined for members of the rank of superintendent and for members below that rank.

(2) The scales of refreshment allowances shall provide for the allowance payable in respect of one meal and that payable in respect of two meals.

(3) The scales of subsistence allowances shall provide for the allowance payable in respect of a period of retention or engagement on duty of—

(*a*) over 5 hours but not exceeding 8 hours;

(*b*) over 8 hours but not exceeding 12 hours;

(*c*) over 12 hours but not exceeding 24 hours;

(*d*) over 24 hours.".

13.—(1) Tables A, B, C and D shall be omitted from Schedule 8 to the principal Regulations (motor vehicle allowances in respect of motor cars).

(2) In paragraph 1 of the said Schedule 8 the words "of the following Tables" shall be omitted.

(3) In paragraph 2(1)(*a*) of the said Schedule 8 the words "the following" shall be omitted.

(4) In paragraph 3 of the said Schedule 8 the words "the following" shall be omitted.

(5) In paragraph 5 of the said Schedule 8 there shall be added at the end of the following provision:—

"(2) For the purposes of this Schedule any reference to Table A, B, C or D is a reference to the Table so designated for those purposes as shall be determined hereunder by the Secretary of State or, as respects a period before 1st January 1975, as shall have been prescribed by him under section 33 of the Police Act 1964.".

(6) At the end of the said Schedule 8 there shall be added the following provision:—

"6.—(1) Where in any year a change is made in Tables A, B, C and D with effect from a date specified by the Secretary of State (hereinafter referred to as the "specified date") then, unless the specified date is 1st May, as respects that year a motor vehicle allowance shall be calculated subject to the provisions of this paragraph.

(2) So far as the allowance falls to be calculated by reference to completed months of authorised use ending, or mileage of authorised use performed, on or after the specified date, it shall be calculated by reference to the changed Tables but, save as aforesaid, the allowance shall be calculated as if the Tables had not been changed.".

Roy Jenkins,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
28th May 1975.

APPENDIX 1

REGULATION SUBSTITUTED FOR REGULATION 35A OF THE PRINCIPAL REGULATIONS

Reckoning by constable of service in certain constabularies

35A.—(1) A member of a police force of the rank of constable shall be entitled to reckon for the purposes of the scale of pay for that rank any period of service in a constabulary mentioned in paragraph (2).

(2) The constabularies referred to in paragraph (1) are—

(*a*) the Ministry of Defence Police, that is to say the force of constables appointed under section 3 of the Special Constables Act 1923**(a)**;

(*b*) the Port of London Authority's police force, that is to say the force of constables appointed under section 154 of the Port of London Act 1968**(b)**.

APPENDIX 2

REGULATIONS SUBSTITUTED FOR REGULATIONS 49, 49A AND 50 OF THE PRINCIPAL REGULATIONS

Boot allowance

49. A member of a police force who is not supplied with boots or, in the case of a woman member, shoes, by the police authority shall be paid in lieu a boot allowance at such weekly rate as shall be determined by the Secretary of State.

Women's stocking allowance

49A. A woman member of a police force who is not provided with stockings or tights by the police authority shall be paid in lieu an allowance at such annual rate as shall be determined by the Secretary of State unless she is being paid either a uniform allowance under Regulation 48 or a plain clothes allowance under Regulation 50(1).

Plain clothes allowances

50.—(1) A member of a police force who is required for a continuous period of not less than a week to do duty in plain clothes shall be paid a plain clothes allowance at such annual rate appropriate to his rank as shall be determined by the Secretary of State; and different rates shall be determined for the ranks of superintendent, inspector, sergeant and constable.

(a) 1923 c. 11. **(b)** 1968 c. xxxii.

(2) An inspector, sergeant or constable required to perform duties in plain clothes for not less than 40 hours in the aggregate in any period of 6 months shall, subject to paragraph (3), be paid a plain clothes allowance in respect of such duties at such hourly rate appropriate to his rank as shall be determined by the Secretary of State; and different rates shall be determined for the ranks of inspector, sergeant and constable.

(3) For the purposes of paragraph (2) and the calculation of the aggregate duration of the duties there referred to—

(*a*) where the duties were performed on an occasion falling within such a continuous period of plain clothes duty as is mentioned in paragraph (1), no account shall be taken of those duties;

(*b*) where the duties performed on any occasion lasted less than 4 complete hours, no account shall be taken of those duties;

(*c*) where the duties performed on any occasion lasted for a completed number of hours and a fraction of an hour, no account shall be taken of that fraction.

(4) Notwithstanding anything in paragraph (1) or (2), where a member of a police force is provided with overalls when doing duty in plain clothes or for any other reason is, in the opinion of the Secretary of State, put to substantially less or substantially more than the normal expense caused by wearing his own clothes, a plain clothes allowance payable to him under paragraph (1) or (2) shall be payable not at the rate determined under the paragraph in question but at such rate as may be approved by the Secretary of State having regard to the circumstances of the case.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Police Regulations 1971.

Regulations 6, 9 and 11 relate to the emoluments of superintendents in the City of London and metropolitan police forces. For the present London allowance payable at the rate of £201 per annum there is substituted, with effect from 1st April 1974, supplementary pay payable at the same rate (pay, but not an allowance, is pensionable under the Police Pensions Regulations 1973 (S.I. 1973/1773)).

Regulations 8, 12 and 13 relate to specified allowances payable in respect of certain expenditure which does not rank for reimbursement, namely, boot allowance, women's stockings allowance, plain clothes allowance, subsistence, refreshment and lodging allowances, and motor vehicle allowance; the conditions under which these allowances are payable are unchanged and remain specified in the 1971 Regulations but, with effect from 1st January 1975, the rates of these allowances are no longer so specified but fall to be determined by the Secretary of State under the Regulations (this provision is made in exercise of the power conferred by section 33(5) of the Police Act 1964). Regulation 4 provides that emoluments shall not be reduced retrospectively.

Regulation 10(1) relates to the temporary duty allowance payable to a superintendent who, for a continuous period exceeding 7 days, performs the duties of a policeman of a higher rank otherwise than as a result of the incidence of annual leave; with effect from 1st January 1975 this restriction is removed but the allowance is not payable as a result of the incidence of monthly rest days or public holidays. Regulation 10(2) contains a non-worsening provision in respect of the period before the coming into operation of the present Regulations.

Regulation 5 lowers the minimum age for recruitment, with effect from 27th June 1975, from 19 years down to 18 years and 6 months; it also restates the minimum height requirements in metric form.

Regulation 7 provides, with effect from the same date, that a constable may reckon for the purposes of his scale of pay any previous service in the Ministry of Defence Police.

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

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