# 1964 No. 133

# POLICE

## ENGLAND AND WALES

# The Police (Amendment) Regulations 1964

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| *Made* - - - - | 31*st January* 1964 |
| *Coming into Operation:* | |
| Parts I and III - | 10*th February* 1964 |
| Part II - - - | 1*st July* 1964 |

I, the Right Honourable Henry Brooke, M.P., one of Her Majesty's Principal Secretaries of State, in pursuance of the powers conferred on me by section 4 of the Police Act 1919(a), hereby make the following Regulations:—

### PART I

**1.**—(1) For paragraph (1)(*c*) of Regulation 4 of the principal Regulations (which relates to disqualifications for membership of a police force) there shall be substituted the following provision:—

"(*c*) he or any member of his family living with him holds, or has a pecuniary interest in, any such licence or permit as is mentioned in paragraph (3) of this Regulation; or".

(2) At the end of the said Regulation 4 there shall be added the following paragraph:—

"(3) The licence or permit referred to in paragraph (1) of this Regulation is a licence or permit granted in pursuance of the law relating to liquor licensing or betting and gaming or regulating places of entertainment in the area of the police force in question.".

**2.** After Regulation 20 of the principal Regulations there shall be inserted the following Regulation:—

"*Annual leave for lower ranks taken after expiry of leave year*

20A.—(1) Notwithstanding anything in the preceding Regulation, where the chief officer of police is satisfied that the exigencies of duty have prevented the grant in any leave year to a member of a police force below the rank of superintendent of the full period of annual leave specified in his case in the preceding Regulation, then the chief officer may, in his discretion and subject to the exigencies of duty, grant to the member, during the first two months of the following leave year up to six days of the period not granted as additional days of annual leave.

(a) 9 & 10 Geo. 5. c. 46.

(2) For the purposes of this Regulation the expression 'leave year' means the period of twelve months beginning on such date as may from time to time be determined by the police authority.".

**3.** After Regulation 30 of the principal Regulations there shall be inserted the following Regulation:—

"*Discharge of tax liability in respect of police house or quarters*

30A. Where a member of a police force is provided with a house or quarters free of rent and rates under Regulation 28(1) of these Regulations and his liability to pay income tax is increased—

(*a*) in consequence thereof, by virtue of section 47 of the Finance Act 1963(a); or

(*b*) in consequence of any payment required to be made by this Regulation,

that liability, to the extent that it is so increased, shall be discharged by the police authority.".

**4.** For Regulation 31 of the principal Regulations (which relates to removal allowances) there shall be substituted the following Regulation:—

"*Removal allowance*

31.—(1) Where a member of a police force moves his home otherwise than on transfer from one force to another, and the removal is, in the opinion of the chief officer of police, due to the exigencies of police duty or is made at the request of the chief officer of police and is, in his opinion, in the interests of the efficiency of the force, the police authority shall either reimburse the reasonably incurred cost of removal or carry out the removal.

(2) Where a member of a police force moves his home on transfer from one force to another, the police authority of the force to which he transfers either may reimburse the reasonably incurred cost of removal or may carry out the removal.

(3) Where the cost of removal is reimbursed or the removal is carried out by the police authority under paragraph (1) or (2) of this Regulation, then, subject to paragraph (4), in respect of expenditure incidental to the move the police authority shall pay the member an allowance of the amount hereinafter provided.

(4) An allowance under paragraph (3) of this Regulation—

(*a*) shall not be payable, where a member who has never been married moves from furnished accommodation;

(*b*) shall only be payable if the chief officer of police so decides, where a member moves from unfurnished into furnished accommodation.

(5) In the case of a member who—

(*a*) moves into furnished accommodation; or

(a) 1963 c. 25.

(*b*) moves into unfurnished accommodation but has not previously, while a member of a police force, lived in such accommodation,

the amount of the allowance under paragraph (3) of this Regulation shall be £10.

(6) In the case of any other member the amount of the allowance under paragraph (3) of this Regulation shall be—

(*a*) where he holds, or is transferring to be appointed in, a rank higher than that of chief superintendent, such as may be determined by the police authority;

(*b*) where he holds, or is transferring to be appointed in, the rank of superintendent, £50;

(*c*) where he holds, or is transferring to be appointed in, the rank of inspector, £40;

(*d*) where he holds, or is transferring to be appointed in, any rank lower than that of inspector, £30.".

**5.** At the end of Regulation 55 of the principal Regulations (which defines certain police terms) there shall be added the following paragraph : —

" (4) In these Regulations, unless the context otherwise requires, a reference to a police force shall include a reference to a police force maintained under the Police (Scotland) Act 1956(a), so however that nothing in these Regulations shall be construed as relating to the government, administration or conditions of service of such a force.".

## PART II

**6.** For the purposes of Regulation 17 of the principal Regulations (which relates to overtime) a day's pay shall be calculated at the weekly rate of pay divided by five-and-a-quarter, fractions of a penny being ignored, and, accordingly, in paragraph (4) of the said Regulation for the words " five-and-a-half " there shall be substituted the words " five-and-a-quarter ".

**7.**—(1) For Regulation 18(2) of the principal Regulations (which relates to public holidays and rest days and duty thereon) there shall be substituted the following paragraph :—

" (2) So far as the exigencies of duty permit, every member of a police force below the rank of superintendent shall, in addition to his weekly rest days, be granted rest days (hereinafter called ' additional rest days ') at the rate of—

(*a*) one rest day in each fortnight, and

(*b*) one further rest day in each period of four weeks.".

(2) For the purposes of the said Regulation 18 a day's pay shall be calculated at the weekly rate of pay divided by five-and-a-quarter, fractions of a penny being ignored, and, accordingly, in paragraph (6)(*b*) of the said Regulation for the words " five-and-a-half " there shall be substituted the words " five-and-a-quarter ".

(a) 4 & 5 Eliz. 2. c. 26.

(3) At the end of the said Regulation 18 there shall be added the following paragraph :—

" (7) Where after consulting the chief officer of police the police authority are satisfied that the exigencies of duty preclude the granting of such further rest days as are mentioned in paragraph (2)(*b*) of this Regulation to the generality of the members of the police force maintained by them below the rank of superintendent, then such a member who is required to do duty during the transitional period on a day which would otherwise have been such a further rest day shall not in consequence thereof be granted time off under paragraph (3) or an allowance in lieu of time off under paragraph (4) of this Regulation, but shall be granted an allowance at the rate of one-thirty-second of a day's pay for each quarter of an hour of duty on any such day, fractions of a penny being ignored.

For the purposes of this paragraph the transitional period is the period ending with 31st December 1964 or, if the police authority cease to be satisfied as aforesaid, with such earlier date as, after consulting the chief officer of police, they may specify as the date after which further additional rest days may be granted to the generality of members of the force below the rank of superintendent.".

**8.** For Regulation 20 of the principal Regulations (which relates to annual leave for lower ranks) there shall be substituted the following Regulation : —

" *Annual leave for lower ranks*

20.—(1) Every member of a police force below the rank of superintendent shall, so far as the exigencies of duty permit, be granted annual leave in accordance with Schedule 5 hereto.

(2) The annual leave of such a member of a police force shall be additional to the days upon which he is not required to perform police duties in accordance with—

(*a*) Regulation 18, or

(*b*) the Police (Weekly Rest Day) Act 1910(a).".

**9.** In proviso (i) to Regulation 34 (which relates to plain clothes allowance) for the words " two-elevenths " there shall be substituted the words " four-twenty-firsts ".

**10.** For Regulation 35(1) of the principal Regulations (which relates to detective allowances) there shall be substituted the following provision : —

" (1) If the chief officer of police is satisfied that a member of the police force below the rank of superintendent while engaged on detective duties is usually engaged in outside duty, that member shall, in respect of a period of detective duty of not less than a week, be paid a detective duty allowance in accordance with Schedule 6 hereto.".

**11.** Regulation 54(*b*) of the principal Regulations (which, in relation to the metropolitan police force, modifies the provisions relating to annual leave contained in Regulation 20) shall be omitted.

(a) 10 Edw. 7 & 1 Geo. 5. c. 13.

**12.** After Schedule 4 to the principal Regulations there shall be added the following Schedules:—

Regulation 20 "SCHEDULE 5

ANNUAL LEAVE FOR LOWER RANKS

1. Subject to Regulation 20 of these Regulations and to paragraphs 2 and 3 of this Schedule, a member of a police force below the rank of superintendent shall be granted in each leave year the period of annual leave set out opposite the rank he holds in the second column of the following Table, or in the third column thereof where he has completed 10 years' relevant service:—

TABLE

| Rank | Annual Leave | |
|---|---|---|
| | Under 10 years' relevant service | 10 or more years' relevant service |
| Constable ... ... ... ... ... | 16 days | 18 days |
| Sergeant (other than, in the metropolitan police force, station sergeant or first class sergeant (C.I.D.)) | 18 „ | 20 „ |
| Station sergeant or first class sergeant (C.I.D.) in the metropolitan police force. | 20 „ | 22 „ |
| Inspector ... ... ... ... ... | 21 „ | 23 „ |
| Chief Inspector ... ... ... ... | 24 „ | 26 „ |

2. In the leave year in which a member of a police force is appointed to, or retires from, the force his annual leave shall be calculated at the rate of a twelfth of the period of annual leave appropriate, under paragraph 1, to the rank held by him for each complete month of service in that rank in the leave year in question, a fraction of a day being reckoned as a day.

3. In a leave year which began before 1st July 1964, paragraph 1 of this Schedule shall have effect as if each of the periods of annual leave set out in the Table therein were increased by a day.

4. For the purposes of this Schedule, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

'leave year' means that period of 12 months beginning on such date as may from time to time be determined by the police authority;

'relevant service' means any service which the member concerned is entitled to reckon for the purposes of his scale of pay together with any service which he was previously so entitled to reckon in any lower rank; except that relevant service shall not include any such service as is mentioned in Regulation 23(2)(*d*) of these Regulations.

## SCHEDULE 6 Regulation 35

### DETECTIVE DUTY ALLOWANCE

A detective duty allowance payable to a member of a police force under Regulation 35(1) shall be paid at the annual rate set out opposite the rank he holds in the second column of the following Table or, in the case of a woman member, in the third column thereof:

Provided that such an allowance payable to a first class sergeant (C.I.D.), inspector or chief inspector in the City of London police force or metropolitan police force shall be paid at such rate as shall be determined by the Secretary of State :—

TABLE

| Rank | Annual Rate | |
|---|---|---|
| | Men | Women |
| | £ | £ |
| Constable ... ... ... ... ... | 79 | 71 |
| Sergeant ... ... ... ... ... | 108 | 97 |
| Inspector ... ... ... ... ... | 126 | 114 |
| Chief Inspector ... ... ... ... | 141 | 127 " |

### PART III

**13.** In these Regulations any reference to the principal Regulations is a reference to the Police Regulations 1952(a), as amended(b).

**14.**—(1) Part I and this Part of these Regulations shall come into operation on 10th February 1964.

(2) Part II of these Regulations shall come into operation on 1st July 1964.

**15.** These Regulations may be cited as the Police (Amendment) Regulations 1964.

*Henry Brooke,*
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
31st January 1964.

(a) S.I. 1952/1704 (1952 II, p. 2480). (b) The relevant amending instruments are S.I. 1954/1686, 1955/882, 1956/1556, 1957/2004, 1959/726, 1904, 2274, 1960/1605, 1961/1283, 1962/823, 2738, 1963/2075 (1954 II, p. 1783; 1955 II, p. 1874; 1956 II, p. 1758; 1957 II, p. 1877; 1959 II, pp. 2090, 2092, 2094; 1960 II, p. 2747; 1961 II, p. 2476; 1962 I, p. 872; III, p. 3709; 1963 III, p. 4394).

## EXPLANATORY NOTE

*(This Note is not part of the Regulations, but is intended to indicate their general purport.)*

These Regulations amend the Police Regulations 1952.

The amendments contained in Part I take effect on 10th February 1964. Regulation 4 of the 1952 Regulations specifies the licences the holding of which disqualifies a person for membership of a police force; Regulation 1 of the present Regulations adds to the specified licences any licence or permit granted under the law relating to betting and gaming. Regulation 2 permits, in certain circumstances, leave not taken in one leave year to be taken at the beginning of the next leave year. Regulation 3 provides that any liability of a member of a police force to pay income tax in respect of his occupation of a police house or quarters shall be discharged by the police authority. Regulation 4 makes fresh provision for allowances in respect of expenditure incidental to a change of home and replaces the present maximum limits by flat rates. Regulation 5 makes it clear that except where the context otherwise requires a reference in the 1952 Regulations to a police force includes a reference to a Scottish force.

The amendments contained in Part II take effect on 1st July 1964. Regulation 7 provides that, subject to the exigencies of duty, a member of a police force below the rank of superintendent shall have seven instead of six rest days in each period of four weeks. The other Regulations in Part II contain amendments which are incidental to, or consequential on, this amendment.