STATUTORY INSTRUMENTS

# 1970 No. 66

# POLICE

## The Police (Amendment) Regulations 1970

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| *Made* - - - - | 19*th January* 1970 |
| *Laid before Parliament* | 29*th January* 1970 |
| *Coming into Operation* | 30*th January* 1970 |

In exercise of the powers conferred on me by section 33 of the Police Act 1964(a), and after consulting the Police Council for Great Britain in accordance with section 45(4) of that Act, I hereby make the following Regulations:—

### PART I

CITATION, OPERATION ETC.

**1.** These Regulations may be cited as the Police (Amendment) Regulations 1970.

**2.** These Regulations shall come into operation on 30th January 1970 but, for the purposes of authorising any increase in pay or allowances, they shall have effect as from 1st September 1969 except that—

(*a*) for the purposes of Regulation 4 thereof, they shall have effect as from 1st February 1968, and

(*b*) for the purposes of Regulation 5 thereof, they shall have effect as from 12th November 1965.

**3.** In these Regulations any references to the principal Regulations is a reference to the Police Regulations 1968(b), as amended(c).

### PART II

RECKONING OF SERVICE IN BRITISH SOUTH AFRICA POLICE

**4.**—(1) For paragraph (1) of Regulation 28 of the principal Regulations (which provides for the reckoning by constables of certain overseas police service) there shall be substituted the following paragraph:—

"(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 the following periods of service, that is to say, any period of—

(*a*) service in the Palestine Police Force;

(*b*) service in the Royal Ulster Constabulary;

(*c*) certified overseas police service such as is mentioned in paragraph (2);

(*d*) certified service in the British South Africa Police such as is mentioned in paragraph (4),

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(a) 1964 c. 48. (b) S.I. 1968/26 (1968 I, p. 38).
(c) The relevant amending instruments are S.I. 1968/766, 1761; 1969/137 (1968 II, p. 2142; III, p. 4774; 1969 I, p. 369).

notwithstanding that such service is not service in the rank of constable in a police force in Great Britain.".

(2) At the end of the said Regulation 28 there shall be added the following paragraph:—

"(4) The reference in paragraph (1) to certified service in the British South Africa Police is a reference to continuous service as a member thereof, for a period which included 11th November 1965, up to such time, on or after that date, as the person concerned ceased to perform duties therein, subject to it having been certified by or on behalf of the Secretary of State that in his opinion the person concerned so ceased to perform duties in circumstances which rendered him eligible for assistance as a loyal Rhodesian public servant under the scheme announced in the House of Commons on 22nd December 1965.".

**5.** Where for any period beginning after 11th November 1965 and ending before the revocation of the Police Regulations 1965**(a)**, as amended**(b)**, by the principal Regulations, that is to say, before 1st February 1968, the pay of a member of a police force holding the rank of constable was less than it would have been if—

(*a*) the amendments made by the preceding Regulation to Regulation 28 of the principal Regulations had been made to Regulation 31 of the said Regulations of 1965, and

(*b*) any certificate given by or on behalf of the Secretary of State for the purposes of the said Regulation 28, as so amended, had been given for the purposes of the said Regulation 31,

then, the member in question shall be entitled to the difference by way of an increase in pay for that period.

## PART III

### SUBSISTENCE, REFRESHMENT AND LODGING ALLOWANCES

**6.** In Schedule 5 to the principal Regulations (which relates to subsistence, refreshment and lodging allowances) for the Table in paragraph 1 there shall be substituted the following Table:—

"TABLE

| Description of Allowance | Superintendents | Inspectors, Sergeants and Constables |
|---|---|---|
| | s. d. | s. d. |
| Refreshment Allowance: | | |
| (i) for one meal ... ... ... ... ... ... | 8 3 | 7 6 |
| (ii) for two meals ... ... ... ... ... ... | 12 0 | 10 9 |
| Subsistence Allowance: | | |
| Period of retention or engagement on duty— | | |
| (i) over 5 hours and not exceeding 8 hours ... ... | 12 0 | 10 9 |
| (ii) over 8 hours and not exceeding 12 hours ... ... | 17 6 | 15 9 |
| (iii) over 12 hours and not exceeding 24 hours ... ... | 30 0 | 26 0 |
| (iv) over 24 hours—at the rate under (iii) above for each complete period of 24 hours' retention or engagement, together with whichever is the appropriate amount under the preceding provisions of this Table for any excess over the aggregate of such complete periods. | | |
| Lodging Allowance—for each night ... ... ... ... | 54 0 | 42 0" |

**(a)** S.I. 1965/538 (1965 I, p. 1555).

**(b)** The amending Regulations are not relevant to the subject matter of this Regulation.

## PART IV

### PERSONS NOMINATED FOR UNIVERSITY COURSES

**7.** At the end of Part II of the principal Regulations (which relates to duty, overtime and leave) there shall be added the following Regulation:—

"*University scholars*

24A. This Part of these Regulations shall have effect in relation to a university scholar within the meaning of Schedule 11 subject to the provisions of paragraph 2 thereof.".

**8.** At the end of Regulation 25 of the principal Regulations (which relates to pay) there shall be added the following paragraph:—

"(5) Paragraph (1) and Schedule 3 shall have effect in relation to a university scholar within the meaning of Schedule 11 subject to the provisions of paragraph 3 thereof.".

**9.** In Regulation 35(1)(*b*) of the principal Regulations (which relates to supplementary rent allowance) the words "or in Regulation 37(1)" shall be omitted.

**10.** Regulation 37 of the principal Regulations (which relates to the application of Regulation 34 to persons nominated by the Secretary of State for university courses) shall be omitted.

**11.** At the end of Part IV of the principal Regulations (which relates to allowances and other emoluments) there shall be added the following Regulation:—

"*University scholars*

57A. This Part of these Regulations shall have effect in relation to a university scholar within the meaning of Schedule 11 subject to the provisions of paragraph 4 thereof.".

**12.** After Schedule 10 to the principal Regulations there shall be added the following Schedule:—

## "SCHEDULE 11

### UNIVERSITY SCHOLARS

1. In this Schedule a reference to a university scholar is a reference to a member of a police force nominated for a course of university study by the Secretary of State or by the police authority maintaining the force of which he is a member in pursuance of arrangements in that behalf approved by the Secretary of State and, in relation to such a member, the expression "course" means the course for which he has been nominated and which he has undertaken and "study" means study for the purposes of that course.

2. Regulations 18, 19 and 20 shall not apply to a university scholar for the duration of his course except for such period or periods, if any, as he is engaged otherwise than in study.

3.—(1) This paragraph shall apply to a university scholar, not being a member of the City of London or of the metropolitan police force, who has undertaken a course of study given wholly or mainly at an institution within the City of London or the metropolitan police district.

(2) Where such a university scholar takes up residence within the City of London or the metropolitan police district and the taking up of such residence is, in the opinion of the police authority, due to his having undertaken his course, then, for the duration of the course (whether or not he is so resident throughout that period), he shall be entitled to supplementary pay at the rate of £50 a year and his rate of pay, determined in accordance with Regulation 25(1) and Schedule 3, shall be increased accordingly.

4.—(1) Where a university scholar moves his home and the removal is in the opinion of the police authority due to his having undertaken his course, then, notwithstanding the provisions of Regulation 34, the rent allowance to be paid to him shall be that which would be payable to him under that Regulation if he was a member of the force of the police area in which his home is for the time being situate.

(2) Where a university scholar does not move his home, then, Regulation 35 shall have effect in relation to him for the duration of his course—

(*a*) as if for paragraph (1)(*a*)(iii) there were substituted the following provision:—

'(iii) satisfies the police authority that the only reason why he is not so living is that he could not, without detriment to his studies, return daily to the family home;';

(*b*) as if for paragraph (1)(*b*) there were substituted the following provision:—

'(*b*) a member of a police force, other than such a member as is mentioned in sub-paragraph (*a*), who satisfies the police authority that the only reason why he is not living in his former accommodation is that he could not, without detriment to his studies, return daily thereto,';

(*c*) as if for paragraph (2)(*a*) and (*b*) there were substituted the following provision:—

'if he were living with his family or, as the case may be, in his former accommodation.';

(*d*) where he is a widower with a child or children or a married man and, if he were a member of the force of the police area in which he is for the time being living and entitled to a flat-rate rent allowance under Regulation 34, that allowance would be payable at a higher rate than 50s. 0d. a week, as if for the reference in paragraph (3)(*b*) to the rate of 50s. 0d. a week there were substituted a reference to that higher rate.

(3) Where a university scholar moves his home and the removal is, in the opinion of the police authority, due to his having undertaken or completed

his course of study and is, in their opinion, reasonable in all the circumstances of his case, Regulation 40 shall have effect in his case as if the removal were such as is mentioned in paragraph (1) thereof.".

*James Callaghan,*

One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.

19th January1970.

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## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations (with the exception of Regulation 5) amend the Police Regulations 1968. Except as mentioned in the following paragraph, for the purposes of authorising any increase in pay or allowances the present Regulations have effect from 1st September 1969 (Regulation 2—made in exercise of the power conferred by section 33(4) of the Police Act 1964).

Part II of the present Regulations provides that a member of a police force of the rank of constable shall be entitled to reckon for the purposes of his scale of pay previous service in the British South Africa Police (the Southern Rhodesian police force) where he was serving in that force on 11th November 1965 (the date of the illegal declaration of independence) and ceased to do duty therein in circumstances which, in the opinion of the Secretary of State, rendered him eligible for assistance as a loyal Rhodesian public servant. The provision made by the two Regulations contained in Part II, taken together, has effect from 12th November 1965 (Regulation 2).

Part III of the present Regulations increases the rate of subsistence, refreshment and lodging allowances.

Part IV of the present Regulations relates to a member of a police force nominated for a university course either by the Secretary of State or by his police authority in pursuance of arrangements approved by the Secretary of State. Regulation 12 inserts a new Schedule 11 in the Regulations of 1968; it modifies those Regulations in their application to such a member. Paragraph 2 of the new Schedule states expressly that the provisions of the 1968 Regulations relating to the normal daily period of duty, overtime and public holidays and rest days shall not apply to a member engaged in university study. Paragraph 3 provides that a member of a police force (other than the City of London or metropolitan police force) who resides in the City of London or the metropolitan police district for the purpose of study at an institution therein shall be entitled to supplementary pay at the rate of £50 p.a. Paragraph 4 modifies the provisions of the 1968 Regulations relating to rent allowances, supplementary rent allowances and removal allowances.

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