STATUTORY INSTRUMENTS

1977 No. 582

POLICE

The Police (Amendment) Regulations 1977

Made - - -	*28th March* 1977
Laid before Parliament	*6th April* 1977
Coming into Operation	*1st June* 1977

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**), I hereby make the following Regulations:—

1. These Regulations may be cited as the Police (Amendment) Regulations 1977 and shall come into operation on 1st June 1977.

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

3. For Regulation 32(5) of the principal Regulations (rate of pay) there shall be substituted the following provision:—

"(5) Nothing in this Regulation shall affect the operation of any provision of the Discipline Regulations and, in relation to a member of a police force suspended or fined thereunder the provisions of paragraphs 1 and 3 of Schedule 5A or of paragraph 4 thereof shall have effect.".

4. In Part V of the principal Regulations (allowances etc) after Regulation 64 there shall be inserted the following Regulation:—

"*Allowances in respect of periods of suspension*

64A. This Part of these Regulations shall have effect in relation to a member of a police force suspended under the Discipline Regulations, subject to the provisions of paragraphs 2 and 3 of Schedule 5A.".

5. After Schedule 5 to the principal Regulations (pay) there shall be inserted the Schedule set out in the Appendix to these Regulations.

Merlyn Rees,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
28th March 1977.

(**a**) 1964 c. 48. (**b**) 1969 c. 63. (**c**) S.I. 1971/156 (1971 I, p. 439).
(**d**) The amending instruments are not relevant to the subject matter of these Regulations.

APPENDIX

SCHEDULE INSERTED AFTER SCHEDULE 5 TO THE PRINCIPAL REGULATIONS

SCHEDULE 5A

AFFECT OF DISCIPLINARY ACTION ON PAY AND ALLOWANCES

1.—(1) Subject to paragraph 3, a member of a police force suspended under the Discipline Regulations who—

(*a*) is detained in pursuance of a sentence of a court in a prison or other institution to which the Prison Act 1952 applies, or is in custody (whether in prison or elsewhere) between conviction by a court and sentence, or

(*b*) has absented himself from duty and whose whereabouts are unknown to the chief officer of police (or the deputy chief officer acting as chief officer),

shall not, by virtue of Regulation 32, be entitled to pay in respect of his period in detention or custody or, as the case may be, in respect of the period during which his whereabouts are unknown as aforesaid.

(2) Where the member suspended is a chief constable or other senior officer within the meaning of the Police (Discipline) (Senior Officers) Regulations 1977(**a**), sub-paragraph (1) shall have effect as if for the reference therein to the chief officer of police (or the deputy chief officer acting as chief officer) there were substituted a reference to the police authority.

2. Subject to paragraph 3, a member of a police force suspended under the Discipline Regulations shall not, by virtue of Part V of these Regulations, be entitled to any allowance, other than a rent allowance, supplementary rent allowance, compensatory grant or special area undermanning allowance, in respect of the period of suspension.

3. Where a member of a police force returns to duty when the period of suspension comes to an end and—

(*a*) it has been decided that he shall not be charged with a disciplinary offence, or

(*b*) he has been so charged and all the charges have been dismissed, or

(*c*) he has been so charged and has been punished by a reduction in his rate of pay, fine, reprimand or caution,

he shall receive, as from the date of his suspension, the pay to which, but for paragraph 1, and the allowances to which, but for paragraph 2, he would have been entitled by virtue of these Regulations.

4. Where a member of a police force is fined under the Discipline Regulations, the fine shall, without prejudice to any other method of recovery, be recoverable by way of deductions from the member's pay during the period of 13 weeks following the imposition of the fine so, however, that the aggregate sum which may be deducted in pursuance of this paragraph in respect of any one week (whether on account of one or more fines) shall not exceed a seventh of his weekly pay:

Provided that in the event of the member leaving the police force, the whole amount of any fine unpaid may be deducted from any pay then due.

(a) S.I. 1977/581 (1977 I, p. 1862).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Police Regulations 1971 by including therein provisions relating to the emoluments of policemen suspended, and the recovery from pay of fines imposed, under regulations relating to discipline. The provisions correspond to those previously contained in the regulations revoked by the Police (Discipline) Regulations 1977 (S.I. 1977/580) and the Police (Discipline) (Senior Officers) Regulations 1977.

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