STATUTORY INSTRUMENTS

1975 No. 838 (S. 145)

LOCAL GOVERNMENT, SCOTLAND

The Police (Compensation for Chief Constables) (Scotland) Regulations 1975

Made - - - -	*7th May* 1975
Laid before Parliament	*22nd May* 1975
Coming into Operation	*16th August* 1975

In exercise of the powers conferred on me by section 219 of the Local Government (Scotland) Act 1973(**a**), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Police (Compensation for Chief Constables) (Scotland) Regulations 1975, and shall come into operation on 16th August 1975.

Interpretation

2.—(1) In these regulations the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"the Act" means the Local Government (Scotland) Act 1973;

"the Act of 1956" means the Police (Scotland) Act 1956(**b**);

"the Act of 1967" means the Police (Scotland) Act 1967(**c**) as amended(**a**);

and references to section 23 of that Act shall be construed as references to that section as substituted by section 146(8) of the Act;

"the Police Pensions Regulations" means the Police Pensions Regulations 1973(**d**) as amended(**e**).

(2) Other expressions which have meanings assigned to them by the Act of 1967 or by the Police Pensions Regulations shall, unless the context otherwise requires, have the same respective meanings for the purposes of these regulations.

(3) The Interpretation Act 1889(**f**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(**a**) 1973 c. 65. (**b**) 1956 c. 26. (**c**) 1967 c. 77. (**d**) S.I. 1973/428 (1973 I, p. 1401).
(**e**) The amending Regulations are not relevant to the subject matter of these Regulations.
(**f**) 1889 c. 63.

Persons to whom the regulations apply

3. These regulations shall apply to a constable of a police force which ceases to exist in consequence of the Transfer of Constables, etc. (Scotland) Order 1975(**a**) who—

(*a*) immediately before the force ceased to exist held office as chief constable of that force;

(*b*) on the date on which the force ceased to exist became a constable of a new force by virtue only of section 23(1) of the Act of 1967;

(*c*) did not, within a period of three months of so becoming a constable of the new force, accept and take up an appointment in that force in a capacity other than that of chief constable;

(*d*) ceased, at the expiration of the said period of three months, to be a constable of that new force in terms of section 23(3) of the Act of 1967; and

(*e*) was the chief constable of a police force on 15th May 1975.

Compensation payable

4. A constable to whom these regulations apply shall be entitled by way of compensation to be treated for the purposes of the Police Pensions Regulations as if—

(*a*) the police force of which he was chief constable had on the date on which it ceased to exist in consequence of the Transfer of Constables, etc. (Scotland) Order 1975 been combined with another force by virtue of an amalgamation scheme made under the Act of 1956; and

(*b*) he had been deemed in terms of section 22(2) of the Act of 1956 to have retired from the force of which he was chief constable at the expiration of a period of three months beginning with the date on which the amalgamation scheme had come into operation.

Compensating authority

5. The authority responsible for the payment of compensation under these regulations shall in relation to any person to whom these regulations apply be the police authority having the functions conferred or imposed upon police authorities by the Act of 1967 in relation to the police force of which he became a member by virtue of section 23(1) of that Act.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh.
7th May 1975.

(**a**) S.I. 1975/60 (1975 I, p. 169).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide that a constable who, having been the chief constable of a police force on 15th May 1975 and having become a constable of another police force in consequence of the Transfer of Constables, etc. (Scotland) Order 1975, subsequently ceases to be a constable without having accepted and taken up an appointment in that force in a capacity other than that of chief constable, shall be entitled by way of compensation to be treated for the purposes of the Police Pensions Regulations 1973 as though he had been a chief constable who had been deemed to have retired under section 22(2) of the Police (Scotland) Act 1956.

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