STATUTORY INSTRUMENTS

1967 No. 765

POLICE

ENGLAND AND WALES

The Police (Promotion) Regulations 1967

Made - - -	15*th May* 1967
Laid before Parliament	23*rd May* 1967
Coming into Operation	1*st June* 1967

In exercise of the powers conferred on me by section 33 of the Police Act 1964(a), and after consulting the Police Advisory Board for England and Wales in accordance with section 46(3) of that Act, I hereby make the following Regulations:—

Qualification for promotion

1.—(1) A constable to be qualified for promotion to the rank of sergeant must—

(*a*) not have had any punishment, other than a reprimand or caution, imposed on him for an offence against discipline during the two years immediately prior to his promotion;

(*b*) have obtained a pass in the constables qualifying examination;

(*c*) save for special reasons approved by the Secretary of State, have completed two years' service in the performance of ordinary outside police duty; and

(*d*) have completed four years' service unless the chief officer of police is satisfied that he possesses special qualifications for the performance of the particular duties on which he is to be employed after promotion.

(2) A sergeant to be qualified for promotion to the rank of inspector must—

(*a*) not have had any punishment, other than a reprimand or caution, imposed on him for an offence against discipline during the two years immediately prior to his promotion;

(*b*) have obtained a pass in the sergeants qualifying examination;

(*c*) save for special reasons approved by the Secretary of State, have completed a year's service in the rank of sergeant in the performance of ordinary outside police duty; and

(*d*) have completed two years' service in the rank of sergeant.

Selection for promotion

2. Subject to Regulations 3 and 6(1) and (2), promotion from one rank to another rank shall be by selection.

(a) 1964 c. 48.

Promotion in the metropolitan police force

3.—(1) Promotion from constable to sergeant and from sergeant to station sergeant in the metropolitan police force may be by competitive examination in accordance with provisions approved by the Secretary of State and published in the general orders of the force, and those provisions may lay down the number of times a candidate may sit for the competitive examination.

(2) A constable in the metropolitan police force who has passed the competitive examination for promotion to sergeant shall be deemed to have obtained a pass in the constables qualifying examination.

(3) A station sergeant in the metropolitan police force shall be deemed to have obtained a pass in the sergeants qualifying examination.

Period of probation for constable promoted sergeant

4. A member of a police force who is promoted to the rank of sergeant or of station sergeant shall be on probation in that rank for a period of a year:

Provided that in calculating the said period of probation there shall be disregarded any period of temporary promotion by virtue of Regulation 6(1) or of any corresponding provision contained in regulations from time to time in force under section 4 of the Police Act 1919(**a**) or section 33 of the Police Act 1964.

Temporary promotion

5.—(1) A member of a police force who is required to perform the duties of a higher rank may be promoted temporarily thereto, provided that, in the case of promotion to the rank of sergeant or inspector, he is qualified therefor under Regulation 1.

(2) This Regulation shall not apply to a deputy chief constable required to perform the duties of the chief constable.

Constable promoted sergeant during and after Police College special course

6.—(1) Notwithstanding any provision of the foregoing Regulations but without prejudice to his promotion in accordance therewith, a member of a police force holding the rank of constable who has been selected for a course of training at the Police College designated by the Secretary of State for the purpose of this Regulation and who at the commencement of the said course is qualified under Regulation 1 for promotion to the rank of sergeant or would be so qualified had he completed four years' service shall be promoted temporarily, by virtue of this paragraph, to the rank of sergeant—

(*a*) for the period that he is attending the course; and

(*b*) where he completes the course but no such certificate as is mentioned in paragraph (2) is issued, until it is decided under paragraph (3) whether or not he should be promoted to the rank of sergeant.

(2) Where such a member of a police force as is mentioned in paragraph (1) completes the course and the Commandant or Deputy Commandant of the Police College issues a certificate that he has passed, he shall forthwith be promoted, by virtue of this paragraph, to the rank of sergeant.

(3) In the case of such a member of a police force to whom paragraph (1)(*b*) applies, the question whether or not he should be promoted to the rank of sergeant shall be considered and he may be so promoted.

(**a**) 1919 c. 46.

(4) A member of a police force shall be promoted by virtue of paragraph (1) or (2), or may be promoted under paragraph (3), of this Regulation whether or not there is a vacancy in the authorised establishment for the rank of sergeant and, unless and until a member promoted as aforesaid is designated to fill any such vacancy as may from time to time occur, his promotion shall be without prejudice to the promotion of any other member to fill such a vacancy.

Promotion of persons nominated for university course

7.—(1) Notwithstanding any provision of the foregoing Regulations, where a member of a police force (being a force in which the rank of station sergeant has been adopted) has been nominated by the Secretary of State for a course of university study, he may, subject to the approval of the Secretary of State, be promoted temporarily from sergeant to station sergeant for the duration of that course.

(2) Notwithstanding any provision of the foregoing Regulations, where a member of a police force—

(*a*) has been nominated by the Secretary of State for a course of university study and has satisfactorily completed that course;

(*b*) holds a certificate issued under Regulation 6(2), and

(*c*) would be qualified under Regulation 1 for promotion to the rank of inspector had he passed the sergeants qualifying examination,

he may, subject to the approval of the Secretary of State, be promoted from the rank of sergeant or station sergeant to the rank of inspector notwithstanding that he has not passed the said examination.

Interpretation

8.—(1) In these Regulations, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

" central police officer " and " central service " have the same meanings as in the Police Pensions Regulations;

" constables qualifying examination " and " sergeants qualifying examination " have the meanings respectively assigned to them by paragraph 1(1) of the Schedule hereto;

" examination agency " means the Civil Service Commissioners or such other body or persons as may be appointed by the Secretary of State for the purposes of these Regulations;

" examinations board " means the board appointed by the Secretary of State for the purposes of these Regulations;

" ordinary outside police duty " includes outside detective duty but does not include duty as a reversionary member of a home police force or as a central police officer;

" Police Pensions Regulations " means the regulations from time to time in force under the Police Pensions Act 1948(**a**);

" reversionary member of a home police force " and " overseas service " have the same meanings as in the Police Pensions Regulations;

" sergeant " includes second class sergeant (C.I.D.);

" service " includes service as a reversionary member of a home police force or as a central police officer but does not include any period of unpaid maternity leave within the meaning of the Police Regulations 1965(**b**), as amended (**c**); and

(**a**) 1948 c. 24. (**b**) S.I. 1965/538 (1965 I, p. 1555).
(**c**) The amending Regulations are not relevant to the subject matter of this Regulation.

" station sergeant " includes a first class sergeant (C.I.D.).

(2) In these Regulations any reference to a member of a police force includes a reference to a reversionary member of a home police force or a central police officer and, in the case of such a person—

(*a*) any reference to a constable or sergeant shall be construed as a reference to a person who is, under section 2 of the Police (Overseas Service) Act 1945(a) or section 43(1) of the Police Act 1964 entitled at the end of his period of overseas or central service to revert to his home police force in the rank of constable or, as the case may be, of sergeant, and

(*b*) any reference to a police force shall be construed as a reference to the home police force to which he is entitled to revert as aforesaid.

(3) Regulations 5(1) and 7(1) shall be construed as authorising a person's temporary promotion to a particular rank notwithstanding that there is no vacancy in the authorised establishment for that rank.

(4) In these Regulations, except where the context otherwise requires, a reference to a Regulation shall be construed as a reference to a Regulation contained in these Regulations and a reference to a paragraph shall be construed as a reference to a paragraph in the same Regulation.

(5) In these Regulations a reference to any enactment includes a reference to that enactment as amended, extended or applied by any other enactment.

(6) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Revocations and transitional provisions

9.—(1) The Police (Promotion) Regulations 1966(c) are hereby revoked.

(2) Any appointment made, syllabus prepared, notice given, certificate issued or other thing done for the purposes of any provision of —

(*a*) the said Regulations of 1966, or

(*b*) the Regulations set out in Schedule 2 to the said Regulations of 1966 and revoked thereby, or

(*c*) Regulations 12 and 13 of the Police Regulations 1965 (which were revoked as from the coming into operation of the said Regulations of 1966, by the Police (Amendment) (No. 2) Regulations 1966(d)),

shall have effect as if it had been made, prepared, given, issued or done for the purposes of the corresponding provision of these Regulations.

(3) Without prejudice to the generality of the preceding paragraph, a member of a police force who—

(*a*) has passed a qualifying examination in police subjects for promotion from constable to sergeant or from sergeant to inspector for the purposes of the Regulations revoked by this Regulation, or

(*b*) would, if those Regulations had not been revoked, be deemed to have passed such an examination for the purposes thereof,

shall be deemed to have obtained a pass in the constables qualifying examination or, as the case may be, in the sergeants qualifying examination for the purposes of these Regulations.

(a) 9 & 10 Geo. 6. c. 17.
(b) 1889 c. 63.
(c) S.I. 1966/636 (1966 II, p. 1417).
(d) S.I. 1966/635 (1966 II, p. 1412).

Citation and commencement

10. These Regulations may be cited as the Police (Promotion) Regulations 1967 and shall come into operation on 1st June 1967.

Roy Jenkins,

One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.

15th May 1967.

SCHEDULE

Regulation 8(1)

QUALIFYING EXAMINATIONS

1.—(1) There shall be held at least once in each year, under arrangements approved by the examinations board, the following qualifying examinations on syllabuses prepared by the examinations board in consultation with the examination agency:—

(*a*) for promotion from constable to sergeant, an examination in police subjects (in these Regulations referred to as the constables qualifying examination);

(*b*) for promotion from sergeant to inspector, an examination in police subjects (in these Regulations referred to as the sergeants qualifying examination).

(2) In this paragraph the expression " police subjects " means the following subjects:—

(*a*) criminal law;

(*b*) evidence and procedure in criminal courts;

(*c*) public general statutes and statutory rules, orders and instruments;

(*d*) the structure of local and central government in relation to the administration of police forces;

(*e*) police powers and duties and procedure in relation thereto.

2. The examinations board shall determine in consultation with the examination agency—

(*a*) the standard to be achieved by a candidate in order to obtain a pass in any such examination or in any particular paper comprised in that examination; and

(*b*) the circumstances in which a candidate may obtain a pass in any such examination, notwithstanding that he has not obtained a pass in some paper comprised in that examination, by obtaining a pass in that paper in a subsequent examination.

3. The examination papers shall be set and marked, in accordance with arrangements made by the examination agency, by examiners appointed by them with the approval of the examinations board.

4. The examinations board shall secure that each chief officer of police is duly notified—

(*a*) of the dates on and places at which examinations are proposed to be held and the general arrangements for such examinations;

(*b*) of the closing dates for the submission to them of the names of candidates for those examinations;

(*c*) of the results of the examinations in so far as they affect members of the police force of which he is the chief officer.

5.—(1) Any constable who has completed not less than three years' service on the date the examination is held shall be eligible to take the constables qualifying examination.

(2) Any sergeant shall be eligible to take the sergeants qualifying examination.

6. Notwithstanding that a candidate is eligible to take a qualifying examination, the examinations board may exclude him from that examination or, in an appropriate case, may deem him to have withdrawn from that examination, if—

(*a*) his candidature for that examination has not been submitted to the examinations board before the closing date mentioned in paragraph 4(*b*) of this Schedule, or

(*b*) he fails to comply with the general or other arrangements made or approved by the examinations board or with the requirements of the examination agency.

7.—(1) In relation to a candidate whose police force is the metropolitan police force, the provisions of this Schedule relating to the constables or sergeants qualifying examination shall apply, with the necessary modifications, as if for any reference to the examinations board or the examination agency there were substituted a reference to the Commissioner of Police of the Metropolis.

(2) In the case of any such candidate whose duties in the metropolitan police force are wholly or mainly specialised duties of a technical character, paragraph 1 of this Schedule shall, subject to the approval of the Secretary of State, have effect notwithstanding sub-paragraph (2) thereof as if the expression " police subjects " meant subjects of the appropriate technical character.

EXPLANATORY NOTE

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

These Regulations supersede the Police (Promotion) Regulations 1966.

Subject to one change, the provisions of these Regulations correspond to those of the Regulations of 1966. The change relates to the qualifying examinations for promotion from constable to sergeant and from sergeant to inspector. These are now confined to examinations in police subjects and the examination in educational subjects is abolished.