STATUTORY INSTRUMENTS

1961 No. 1311 (S. 82)

POLICE

The Police (Scotland) Amendment (No. 2) Regulations, 1961

Made - - - -	11*th July*, 1961
Laid before Parliament	13*th July*, 1961
Coming into Operation	14*th July*, 1961

In exercise of the powers conferred on me by section 11 of the Police (Scotland) Act, 1956(a), and of all other powers enabling me in that behalf, and no representations having been made to me in pursuance of subsection (6) of the said section 11, I hereby make the following regulations:—

1. These regulations may be cited as the Police (Scotland) Amendment (No. 2) Regulations, 1961, and shall come into operation on the 14th day of July, 1961.

2. The Police (Scotland) Regulations, 1956(b), as amended, shall have effect subject to the amendments specified in the Schedule to these regulations.

Dated this 11th day of July, 1961.

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

SCHEDULE

1. For paragraph (2) of Regulation 41, as amended(c) (which relates to transfer allowance), there shall be substituted the following paragraphs:—

"(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 this regulation, the member shall, in respect of expenditure incidental to the move (other than the said cost) be paid the sum of £10 and, if the expenditure exceeds that sum, be reimbursed the excess, so however that the excess payment shall not exceed, in the case of a member who holds a rank, or is transferring to be appointed to a rank, above that of chief superintendent, such amount as may be determined in his case by the police authority and, in the case of any other member, the amount set out in the following Table opposite to the rank he holds:

Provided that any such expenditure unreasonably incurred shall not be taken into account for the purpose of calculating the excess.

(a) 4 & 5 Eliz. 2. c. 26. (b) S.I. 1956/1999 (1956 II, p. 1766).
(c) S.I. 1957/2039 (1957 II, p. 1883).

TABLE

Rank	Amount
Superintendent	£40
Inspector	£30
Sergeant or Constable	£20"

2. For Regulation 49 (which relates to temporary duty allowance), there shall be substituted the following regulation:—

"49.—(1) A member of a police force of the rank of superintendent or chief superintendent who is required for a continuous period exceeding seven days to perform the duties of another member of the force holding a higher rank than his own, except when that other member is unable to perform those duties by reason of the absence on annual leave of himself or any other member, shall be granted in respect of the period after the said seven days during which he is performing those duties an allowance in addition to his pay equal to the difference between his rate of pay and the lowest rate of pay for that higher rank.

(2) A member of a police force of or below the rank of chief inspector who is required to perform the duties of another member of the force holding a higher rank than his own—

(*a*) if the member whose duties he is performing is unable, for a continuous period of seven or more days, to perform those duties, by reason of the absence of himself or any other member on account of injury or illness, or

(*b*) if the member whose duties he is performing is unable, for a continuous period consisting of two or more days, to perform those duties for any other reason, other than by reason of the absence of himself or any other member on annual leave, or on a public holiday, or on a weekly rest day or additional rest day within the meaning of Regulation 27 of these regulations, or on time-off granted under paragraph (1) or (3) of Regulation 28 of these regulations,

shall be granted, in respect of the whole of the period during which he is performing those duties, an allowance in addition to his pay equal to the difference between his rate of pay and the lowest rate of pay for that higher rank.

(3) No allowance under this regulation shall, except with the approval of the Secretary of State, be payable for a longer period than three months.

(4) For the purposes of this regulation a period of duty shall be deemed to be continuous if it would be continuous but for the inability of the member to perform the duties by reason of his absence on a public holiday, or on a weekly rest day or additional rest day within the meaning of Regulation 27 of these regulations, or on time-off granted under paragraph (1) or (3) of Regulation 28 of these regulations, or on time-off granted under paragraph (1) of Regulation 26 of these regulations.

(5) In this regulation the expression "day" means, in relation to a member of a police force of or below the rank of chief inspector, his normal daily period of duty.

(6) This regulation shall not apply to a deputy chief constable who is required to perform the duties of a chief constable."

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

These regulations amend the Police (Scotland) Regulations, 1956.

Paragraph 1 of the Schedule permits the payment of a transfer allowance where a member of a police force moves his home on transfer from one force to another; and paragraph 2 provides for an alteration in the arrangements for the payment of temporary duty allowance.