STATUTORY INSTRUMENTS

1975 No. 983 (S. 166)

POLICE

The Police (Scotland) Amendment (No. 2) Regulations 1975

Made - - - -	6*th June* 1975
Laid before Parliament	19*th June* 1975
Coming into Operation	1*st July* 1975

In exercise of the powers conferred on me by section 26 of the Police (Scotland) Act 1967(**a**), and of all other powers enabling me in that behalf, and after consulting (i) the Police Council for the United Kingdom in accordance with section 4(4) of the Police Act 1969(**b**) and (ii) the Police Advisory Board for Scotland in accordance with section 26(9) of the said Act of 1967 as amended by section 4(6) of the said Act of 1969, I hereby make the following regulations:—

PART I

Citation, commencement, operation and interpretation

1. These regulations may be cited as the Police (Scotland) Amendment (No. 2) Regulations 1975.

2. These regulations shall come into operation on 1st July 1975 and shall have effect as follows, that is to say—

(*a*) for the purposes of Part II thereof, as respects the year beginning on 1st May 1974 as provided therein and, subject as aforesaid, as from 1st May 1975;

(*b*) for the purposes of Part III thereof, as from 1st January 1975;

(*c*) for the purposes of Part IV thereof, as from 1st July 1975.

3. In these regulations any reference to the principal regulations is a reference to the Police (Scotland) Regulations 1972(**c**), as amended(**d**).

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

PART II

Provision having effect as from 1st May 1974

5.—(1) For the Tables designated A, B, C and D in Schedule 6 to the principal regulations (motor vehicle allowances) there shall be substituted, respectively, the Tables so designated and set out in the Schedule to these regulations.

(**a**) 1967 c. 77. (**b**) 1969 c. 63. (**c**) S.I. 1972/777 (1972 II, p. 2490).
(**d**) S.I. 1972/1206, 1973/119, 391, 1458, 1609, 1974/489, 1348, 1515, 1975/269 (1972 II, p. 3573; 1973 I, pp. 516; 1338; II, p. 4425; III, p. 5042; 1974 I, p. 1750; II, p. 5142; III, p. 5786; 1975 I, p. 672).
(**e**) 1889 c. 63.

(2) As respects the year beginning on 1st May 1974 a motor vehicle allowance in respect of a motor car payable under regulation 53 of the principal regulations shall be calculated as hereinafter provided.

(3) So far as the allowance falls to be calculated by reference to completed months of authorised use ending, or mileage of authorised use performed, on or after 1st January 1975, it shall be calculated in accordance with the principal regulations as amended by this regulation, and the principal regulations shall have effect accordingly.

(4) Nothing in this regulation shall affect the calculation of the allowance so far as it falls to be calculated by reference to completed months of authorised use ending, or mileage of authorised use performed, before 1st January 1975.

PART III

Provisions having effect as from 1st January 1975

6. In regulation 46 of the principal regulations (footwear allowance) for the rate "£0.290 a week.", there shall be substituted "£0.350 a week.".

7.—(1) For paragraph (2) of regulation 48 of the principal regulations (plain clothes allowance) there shall be substituted the following paragraph:—

"(2) A plain clothes allowance payable under paragraph (1) shall be payable at the rate of—

(*a*) £98 a year, in the case of a superintendent;
(*b*) £93 a year, in the case of an inspector;
(*c*) £83 a year, in the case of a sergeant;
(*d*) £77 a year, in the case of a constable of the rank of constable.".

(2) For paragraph (4) of the said regulation 48 there shall be substituted the following paragraph:—

"(4) A plain clothes allowance payable under paragraph (3) shall be payable at the rate of—

(*a*) £0.045 an hour, in the case of an inspector;
(*b*) £0.040 an hour, in the case of a sergeant;
(*c*) £0.037 an hour, in the case of a constable of the rank of constable.".

8.—(1) In regulation 59(1) of the principal regulations (temporary duty allowance) for the words "on annual leave" there shall be substituted the words "before 1st January 1975, on annual leave or, on or after that date, on a public holiday or monthly rest day".

(2) Where the amendment made by paragraph (1) above would be more favourable in relation to a particular constable if it were modified as hereinafter provided, it shall have effect in his case as if the reference in the amendment to 1st January 1975 were a reference to 1st July 1975.

PART IV

Provisions having effect as from 1st July 1975

9. In sub-paragraph (*a*) of regulation 6 of the principal regulations (qualifications for appointment of constables) for the age "19 years" there shall be substituted "18 years 6 months".

10. In sub-paragraph (*b*) of the said regulation 6 of the principal regulations for the heights "5 feet 8 inches" and "5 feet 4 inches" there shall be substituted, respectively, the heights "172 cms." and "162 cms.".

11. For regulation 32A of the principal regulations (reckoning by constables of service in the Port of London police force) there shall be substituted the following regulation:—

"*Reckoning by constables of service in certain constabularies*

32A.—(1) A constable of the rank of constable shall be entitled to reckon for the purposes of the scale of pay for that rank any period of service in a constabulary mentioned in paragraph (2).

(2) The constabularies referred to in paragraph (1) are—

(*a*) the Ministry of Defence Police, that is to say the force of constables appointed under section 3 of the Special Constables Act 1923(**a**);

(*b*) the Port of London Authority's police force, that is to say the force of constables appointed under section 154 of the Port of London Act 1968(**b**).".

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

New St Andrew's House,
Edinburgh.
6th June 1975.

(**a**) 1923 c. 11.

(**b**) 1968 c. xxxii.

SCHEDULE

TABLES SUBSTITUTED FOR TABLES IN SCHEDULE 6 TO THE PRINCIPAL REGULATIONS (MOTOR VEHICLE ALLOWANCES) WITH EFFECT FROM 1st JANUARY 1975

TABLE A

STANDARD AMOUNT

Cylinder capacity	Annual rate of fixed element	Mileage element	
		Basic rate per mile	Reduced rate per mile
	£	£	£
1,451 cc or more but less than 1,750 cc	177·000	0·068	0·043
1,200 cc or more but less than 1,451 cc	159·000	0·062	0·040
1,000 cc but less than 1,200 cc	135·000	0·056	0·037
Less than 1,000 cc	123·000	0·050	0·033

TABLE B

ABATED AMOUNT

Cylinder capacity	Annual rate of fixed element	Mileage element	
		Basic rate per mile	Reduced rate per mile
	£	£	£
1,451 cc or more but less than 1,750 cc	162·000	0·066	0·043
1,200 cc or more but less than 1,451 cc	144·000	0·060	0·040
1,000 cc but less than 1,200 cc	123·000	0·054	0·037
Less than 1,000 cc	114·000	0·048	0·033

TABLE C

STANDARD AMOUNT

Cylinder capacity	Rate per mile
	£
1,451 cc or more but less than 1,750 cc	0·122
1,200 cc or more but less than 1,451 cc	0·111
1,000 cc or more but less than 1,200 cc	0·097
Less than 1,000 cc	0·088

TABLE D

ABATED AMOUNT

Cylinder capacity	Rate per mile
	£
1,451 cc or more but less than 1,750 cc	0·116
1,200 cc or more but less than 1,451 cc	0·105
1,000 cc or more but less than 1,200 cc	0·092
Less than 1,000 cc	0·083

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Part II of these regulations (Regulation 5) relates to motor vehicle allowances. Regulation 5 increases the rate of motor vehicle allowances; these allowances are payable on an annual basis and are calculated by reference to completed months of authorised use and mileage performed in the year in question. Transitory provision is made as respects the year beginning on 1st May 1974 and the increases take effect as from 1st January 1975 as respects the calculation of an allowance by reference to months of use completed or mileage performed on or after that date.

Part III of these Regulations (Regulations 6, 7 and 8) relates to the allowances of constables. It has effect as from 1st January 1975. Regulations 6 and 7 provide for increases in the rates of footwear allowance and plain clothes allowance respectively. Regulation 8 provides for a change in the basis of qualification for temporary duty allowance by superintendents.

Part IV of these Regulations (Regulations 9, 10 and 11) relates to qualifications for appointment of constables and reckoning of previous service in certain constabularies. It has effect as from 1st July 1975. Regulation 9 provides that the minimum age for appointment as a constable shall be 18 years 6 months. Regulation 10 provides that the minimum height standards shall be expressed in metric units. Regulation 11 provides that, for the purposes of pay, a constable of the rank of constable may reckon previous service in the Ministry of Defence and the Port of London police forces.

The provision that Parts II and III shall have retrospective effect is contained in Regulation 2 (made in exercise of the power conferred by section 26(3) of the Police (Scotland) Act 1967).

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