STATUTORY INSTRUMENTS

1975 No. 1286 (S.190)

POLICE

The Police (Scotland) Amendment (No. 3) Regulations 1975

Made - - - -	31*st July* 1975
Laid before Parliament	11*th August* 1975
Coming into Operation	1*st September* 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 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:—

PART I

Citation, Commencement, Operation and Interpretation

1. These regulations may be cited as the Police (Scotland) Amendment (No. 3) Regulations 1975.

2. These regulations shall come into operation on 1st September 1975 and shall have effect—

(*a*) for the purposes of Part II thereof as from 1st September 1972;
(*b*) for the purposes of Part III thereof as from 1st April 1974;
(*c*) for the purposes of Part IV thereof as from 1st January 1975;
(*d*) for the purposes of Part V thereof from 1st September 1975;
(*e*) for the purposes of Part VI thereof from 1st December 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 September 1972

5.—(1) In paragraph 2(2)(*b*) of Schedule 12 to the principal regulations as amended**(f)** (dog handler's allowance) the words "or 61" shall be omitted.

(2) Nothing in this regulation shall affect the operation of paragraph 3 of the said Schedule 12 so far as it applies to the calculation of a dog handler's allowance in respect of a period falling before 1st September 1975.

PART III

Provision having effect as from 1st April 1974

6. In paragraph 3(2) of Schedule 10 to the principal regulations as

(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, 983 (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; II, p. 3404).
(e) 1889 c. 63. **(f)** S.I. 1974/1348 (1974 II, p. 5142).

amended(a) (university scholars) for the annual rate "£74" there shall be substituted the annual rate "£275".

PART IV

Provisions having effect as from 1st January 1975

7.—(1) In paragraphs 2(1) and 3 of Schedule 6 to the principal regulations (motor vehicle allowances) for the cylinder capacity "1700 cc", in each place when it occurs, there shall be substituted the cylinder capacity "1750 cc".

(2) In paragraph 4 of the said Schedule 6 after the words "cylinder capacity" there shall be inserted the words "not being less than 1000 cc".

PART V

Provisions having effect from 1st September 1975

8. For Schedule 3 to the principal regulations (scales of pay) there shall be substituted the Schedule set out in the Appendix to these regulations.

9. In regulation 22 of the principal regulations as amended(b) (overtime) in paragraph (2) the words "and who is not paid a detective duty allowance" shall be omitted and paragraph (4) shall be omitted. In paragraph (9) of the said regulation 22 the definition of the expression "special occasion" shall be omitted.

10.—(1) For paragraphs (3) and (4) of regulation 23 of the principal regulations as amended(c) (public holidays and rest days for lower ranks) there shall be substituted the following provisions:—

"(3) Such a constable who is required to do duty on a public holiday or a day which would otherwise have been a rest day shall, subject to paragraph (4), be granted an allowance in the former case of 1/16th of a day's pay and in the latter case of 3/64th of a day's pay for each quarter of an hour of duty on each such day so, however, that in making any payment by way of such allowance a fraction of a penny shall be treated as a whole penny except that a fraction less than a half-penny shall be ignored.

(4) Such a constable who is required to do duty on a public holiday or a day which would otherwise have been a rest day and is given less than 29 days' notice of the requirement may, within 28 days of the day in question, elect to receive time off equal, in the case of a public holiday to twice, and in the case of a day which would otherwise have been a rest day, to $1\frac{1}{2}$ times, the period of completed quarters of an hour of duty on the day in question and, in such case—(*a*) subject to the exigencies of duty, the chief constable shall grant such time off within such time (not exceeding 3 months) as he may fix, and (*b*) subject to such time off being granted, no allowance in respect of the day in question shall be payable under paragraph (3).".

(2) In paragraph (5) sub-paragraph (*a*) shall be omitted.

11. In regulation 29A of the principal regulations as amended(d) supplementary pay) for the words "as increased in accordance with regulation 5 of the Police (Scotland) Amendment (No. 2) Regulations 1974 shall be further" there shall be substituted the words "shall be".

12. Regulation 46 of the principal regulations (footwear allowance) is hereby revoked.

13. For regulation 49 of the principal regulations as amended(c) (detective

(a) S.I. 1974/1515 (1974 III, p. 5786).
(b) S.I. 1973/119, 1974/1348 (1973 I, p. 516; 1974 II, p. 5142).
(c) S.I. 1973/119 (1973 I, p. 516). (d) S.I. 1974/1515 (1974 III, p. 5786).

duty and detective expenses allowances) there shall be substituted the following regulation:—

"Detective duty and detective expenses allowances

49.—(1) This regulation shall apply to a constable of or below the rank of superintendent who is assigned, for a period of not less than a week, to detective duty and, while so assigned, is, in the opinion of the chief constable, usually engaged in outside duty.

(2) Such a constable of the rank of superintendent shall be paid a detective duty allowance at the rate of £471 a year.

(3) Such a constable below the rank of superintendent shall be paid a detective expenses allowance at the rate of £1 a week.".

14. For the purposes of determining under regulation 50 of the principal regulations whether a constable is entitled to a supplementary detective allowance in respect of any period beginning on or after 1st September 1975 and ending before 1st December 1975 (on which date the said regulation is revoked by regulation 20 of these regulations), the said regulation 50 shall have effect as if regulations 9, 13 and 16 of these regulations (which take effect on 1st September 1975) had not been made and as if the quarter for the purposes of the said regulation 50 which includes 1st September 1975 extended until 1st December 1975.

15. In regulation 62 of the principal regulations (continuance of allowances when a constable is ill) the words "supplementary detective allowance" and the proviso to that regulation shall be omitted.

16. Paragraph 1 of Schedule 4 of the principal regulations as amended**(a)(b)** which relates to detective duty allowance is hereby revoked.

17. Paragraph 7 of Schedule 9 to the principal regulations (issue of boots or shoes) is hereby revoked.

18. In paragraph 1(1) of Schedule 12 to the principal regulations as amended**(b)(c)** (dog handler's allowance) for the annual rates of "£192" and "£258" there shall be substituted respectively the annual rates of "£231" and "£309".

19. Regulation 5 of the Police (Scotland) Amendment (No. 2) Regulations 1974**(d)** as amended**(b)** (threshold pay increases) is hereby revoked.

PART VI

Provisions having effect from 1st December 1975

20. Regulation 50 of the principal regulations (supplementary detective allowances) is hereby revoked.

21. Schedule 4 to the principal regulations is hereby revoked to the extent that it has not been revoked by regulation 16 of these regulations and, accordingly, the provisions of the said Schedule 4 relating to supplementary detective allowances are hereby revoked.

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

New St. Andrew's House,
Edinburgh.
31st July 1975.

(a) S.I. 1973/119 (1973 I, p. 516).
(b) S.I. 1974/1515 (1974 III, p. 5786).
(c) S.I. 1974/1348 (1974 II, p. 5142).
(d) S.I. 1974/1348 (1974 II, p. 5142).

APPENDIX

SCHEDULE SUBSTITUTED FOR SCHEDULE 3 (SCALES OF PAY) TO THE PRINCIPAL REGULATIONS WITH EFFECT FROM 1ST SEPTEMBER 1975

SCHEDULE 3

SCALES OF PAY

PART I

1.—(1) The annual pay of a man or woman holding a rank referred to in the following Table shall, subject to regulation 29A (supplementary pay), be determined in accordance with the scale set out in Table A:—

TABLE A

Rank	Before completing 1 year of service in the rank	After 1 year of service in the rank	After 2 years of service in the rank	After 5 years of service in the rank	After 6 years of service in the rank
	a year £	a year £	a year £	a year £	a year £
Chief Inspector ..	4,341	4,551	4,761	4,974	4,974
Inspector	3,678	3,879	4,083	4,287	4,287
Sergeant	3,138	3,309	3,480	3,480	3,651

(2) Where a member holding the rank of chief inspector, inspector or sergeant was promoted to, or appointed in, that rank on a date ("the relevant date") falling on or after 1st September 1974 and—

(*a*) in the case of a chief inspector he last served before the relevant date in the rank of inspector and had 5 or more years' reckonable service therein;

(*b*) in the case of an inspector, he last served before the relevant date in the rank of sergeant and had 6 or more years' reckonable service therein;

(*c*) in the case of a sergeant, he last served before the relevant date in the rank of constable and had 15 or more years' reckonable service therein,

then his annual pay for the rank he holds shall be determined as if he had an additional year's service therein.

In this sub-paragraph any reference to a member's reckonable service in any rank is a reference to the service reckonable for the purposes of his scale of pay in the rank, including any additional service reckonable by virtue of this sub-paragraph, paragraph 2(5) or otherwise.

2.—(1) The annual pay of a man or woman holding the rank of constable shall, subject to regulation 29A and as hereinafter provided, be determined in accordance with the scales set out in the following Table B.

(2) The annual pay of a constable shall be determined by reference to his reckonable service in accordance with the standard scale set out in the second column of the Table except that this sub-paragraph shall not apply where he was serving as a constable immediately before 1st May 1971 and has so served continuously on or after that date; and in such case his annual pay shall be determined in accordance with sub-paragraph (3).

(3) Where sub-paragraph (2) does not apply, the annual pay of a constable shall be determined by reference to his reckonable service in accordance with the transitional scale, appropriate to his age on the date on which he became a constable, set out in the third, fourth, fifth or sixth column of the Table:

Provided that in a case in which the provisions of sub-paragraph (4) or of sub-paragraph (5) apply, this sub-paragraph shall have effect subject to the provisions in question.

(4) The provisions of this sub-paragraph shall apply in the case of a person who has not served continuously as a constable since he first became a constable and in such case the person shall be treated for the purposes of sub-paragraph (3) and the transitional scales set out in the Table as if he had become a constable on such date that, if he had served continuously as a constable, he would have the same reckonable service as he in fact has.

(5) The provisions of this sub-paragraph shall apply in the case of a person who has served continuously as a constable since he first became a constable unless his period of reckonable service began—

(*a*) on a birthday;

(*b*) after 1st March 1967, if he had attained the age of 22 years before his period of reckonable service began, or

(*c*) on or before 1st March 1967, if he had attained the age of 22 years on or before that date and—

(i) had not completed a year's, or 2 or 3 years', reckonable service on a day in the year ending immediately before that date, being a day falling after his birthday in that year, or

(ii) had not completed a year's reckonable service or had completed 4 or more years' reckonable service on or before 1st March 1967;

and a person to whom this sub-paragraph applies who has had one or more birthdays falling within his period of reckonable service shall be treated for the purposes of sub-paragraph (3) and the transitional scales set out in the Table as if he had completed a year of such service on the date of his first birthday falling within that period.

(6) For the purposes of this paragraph—

(*a*) any reference to a person's reckonable service is a reference to his service reckonable for the purposes of his scale of pay;

(*b*) any reference to a person's birthday is a reference to an anniversary of the day of his birth, and

(*c*) in determining whether or not a person has served continuously as a constable there shall be disregarded any break in service occurring on transfer from one police force to another or which ends with the person exercising a statutory right of reversion to his police force.

TABLE B

Reckonable or adjusted service	Standard scale of annual pay	Transitional scales of annual pay			
		Aged 18½ on entry	Aged 20 on entry	Aged 21 on entry	Aged 22 or over on entry
Before completing 1 year of service	2,202	2,202	2,256	2,343	2,442
After completing 1 year of service	2,316	2,316	2,355	2,451	2,535
After 2 years of service	2,544	2,544	2,544	2,661	2,727
After 3 years of service	2,661	2,661	2,661	2,772	2,772
After 4 years of service	2,772	2,772	2,772	2,772	2,772
After 6 years of service	2,772	2,772	2,772	2,772	2,889
After 7 years of service	2,772	2,772	2,772	2,889	2,889
After 8 years of service	2,889	2,889	2,889	2,889	2,889
After 12 years of service	3,003	3,003	3,003	3,003	3,003
After 15 years of service	3,120	3,120	3,120	3,120	3,120

PART II

SUPPLEMENTARY PAY

1. The annual pay of a man or woman holding a rank referred to in the first column of the following Table C, determined in accordance with Part I of this Schedule shall be increased as hereinafter provided.

2. The increase shall be determined by reference to the person's basic annual pay, that is to say by reference to his annual pay determined in accordance with Part I of this Schedule, and the amount of the increase shall be that specified in the third column of the following Table C opposite the amount of his basic annual pay.

TABLE C

Rank	Basic annual pay	Supplementary annual pay
	£	£
Chief Inspector..	4,341	273
	4,551	285
	4,761	300
	4,974	312
Inspector	3,678	282
	3,879	297
	4,083	312
	4,287	327
Sergeant..	3,138	264
	3,309	279
	3,480	294
	3,651	309
Constable	2,202	198
	2,256	204
	2,316	210
	2,343	213
	2,355	213
	2,442	222
	2,451	222
	2,535	231
	2,544	231
	2,661	240
	2,727	246
	2,772	252
	2,889	261
	3,003	273
	3,120	282

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Police (Scotland) Regulations 1972.

Part II of these regulations (regulation 5) relates to dog handler's allowance and removes the reference to escort duty. It has effect as from 1st September 1972.

Part III of these regulations (regulation 6) increases the supplementary pay for university scholars. It has effect as from 1st April 1974.

Part IV of these regulations (regulation 7) relates to motor vehicle allowances and revises cylinder capacities. It has effect as from 1st January 1975.

Part V of these regulations (regulations 8–19) relates to the pay and allowances of constables. It has effect [except where otherwise indicated] from 1st September 1975.

Regulation 8 provides for increases in pay.

Regulations 9 and 10 relate to overtime payments, including those for rest days and public holidays.

Regulation 11 relates to supplementary pay.

Regulation 12 abolishes the footwear allowance.

Regulations 13–16 abolish detective duty allowance (except for superintendents) and make a consequential amendment to the regulations for constables receiving allowances when ill.

Regulation 17 revokes the provision for the issue of boots and shoes.

Regulation 18 increases the rates of dog handler's allowance.

Regulation 19 abolishes threshold payments (which are now consolidated into the new scales).

Part VI of these regulations (regulations 20 and 21) abolishes supplementary detective allowances. It has effect from 1st December 1975.

The provision that parts II, III, and IV 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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