STATUTORY INSTRUMENTS

1982 No. 1628 (S.176)

POLICE

The Police (Scotland) Amendment (No. 3) Regulations 1982

Made - - -	10*th November* 1982
Laid before Parliament	26*th November* 1982
Coming into Operation	17*th December* 1982

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 Negotiating Board for the United Kingdom in accordance with section 2(1) of the Police Negotiating Board Act 1980(**b**), I hereby make the following regulations:—

Citation

1. These regulations may be cited as the Police (Scotland) Amendment (No. 3) Regulations 1982.

Interpretation

2. In these regulations any reference to the principal regulations is a reference to the Police (Scotland) Regulations 1976(**c**).

Operation and effect

3. These regulations shall come into operation on 17th December 1982 and shall have effect:—

(*a*) for the purposes of regulations 4, 5, 6, 7, 10 and 12 of these regulations, as from 17th May 1982;

(*b*) for the purposes of regulations 8, 9 and 11 of these regulations, as from 1st September 1982.

Amendments

4. In regulation 22(6) of the principal regulations (Overtime) for the words ' "a day's pay" means a week's pay divided by 5', there shall be substituted the words ' "a day's pay" means the constable's pay for the week in question divided by 5.'.

5. In regulation 23 of the principal regulations (Public holidays and rest days for lower ranks) for sub-paragraph (6)(b) there shall be substituted the following sub-paragraph:—

"(b) a day's pay means a week's pay at the rate at which the constable was paid on the day in question divided by 5;".

(**a**) 1967 c. 77. (**b**) 1980 c. 10.
(**c**) S.I. 1976/1073; the relevant amending instruments are S.I. 1978/1170, 1981/1679, 1982/681.

6. In regulation 30(2) of the principal regulations (Rate of pay) after sub-paragraph (c) of the proviso there shall be added the following sub-paragraph:—

"(d) no account shall be taken of any performance of the duties of that rank in respect of which a temporary salary is payable under regulation 30A,".

7. After regulation 30 of the principal regulations there shall be inserted the following regulation:—

"Temporary salary

30A.—(1) A constable of the rank of superintendent (other than a constable holding the office of deputy chief constable whose pay is for the time being increased under regulation 30(3)) who is required for a continuous period exceeding 7 days to perform duties normally performed by a constable of higher rank than his own, otherwise (subject to paragraph (2)) than as a direct or indirect result of the absence of any constable on a monthly or other leave day granted under regulation 25, shall be paid in respect of that period, other than the first 7 days thereof, at a rate equal to the lowest rate of pay for that higher rank.

(2) Where any constable is absent for a continuous period comprising both—

(a) monthly or other leave days granted under regulation 25, and

(b) one or more annual leave days granted under regulation 26,

paragraph (1) shall have effect as if the entire continuous period of absence were a period of annual leave.

(3) A constable below the rank of superintendent who, in any year, has been required to perform duties normally performed by a constable of a higher rank than his own for 14 complete days shall be paid, in respect of each further complete day in that year on which he is required to perform such duties, at a rate equal to the lowest rate of pay to which he would be entitled on promotion to that higher rank;

Provided that, where a constable is entitled to be paid under this paragraph and the higher rank is that of superintendent or above, there shall be no entitlement to an allowance, or time off, under regulation 22 or 23 in respect of such duties, but where in such a case the constable is required to do duty on a public holiday or rostered rest day, he shall be granted a day's leave for each such day.

(4) For the purpose of this regulation:—

(a) the expression "year" means a period of 12 months beginning on 1st April; and

(b) the expression "day" means, in relation to a constable below the rank of superintendent, his normal daily period of duty."

8. In Schedule 3 to the principal regulations (Scales of pay) for Tables A and B there shall be substituted, respectively, Tables A and B set out in the Schedule to these regulations.

9. In paragraph 1(1) of Schedule 10 to the principal regulations (Dog handler's allowance), for the sums "£393" and "£531" there shall be substituted respectively the sums "£432" and "£585".

Revocations

10. Regulation 61 of the principal regulations (Temporary duty allowance) is hereby revoked.

11. Regulations 6 and 8 of the Police (Scotland) Amendment (No.2) Regulations 1981(**a**) (relating respectively to scales of pay and to dog handler's allowance) are hereby revoked.

12. Regulation 3 of the Police (Scotland) Amendment Regulations 1982(**b**) (relating to temporary duty allowance) is hereby revoked.

New St. Andrew's House,
Edinburgh.
10th November 1982.

George Younger,
One of Her Majesty's Principal
Secretaries of State.

SCHEDULE

Regulation 8

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 3 years of service in the rank	After 4 years of service in the rank
	£ a year	£ a year	£ a year	£ a year	£ a year
Chief Inspector	12,204	12,549	12,888	13,233	13,578
Inspector	10,749	11,088	11,520	11,862	12,204
Sergeant	9,369	9,798	10,140	10,482	10,749

TABLE B

Reckonable Service	Annual Pay
	£
Before completing 1 year of service	6,189
After 1 year of service	6,618
After 2 years of service	7,389
After 3 years of service	7,563
After 4 years of service	7,815
After 5 years of service	8,082
After 6 years of service	8,340
After 7 years of service	8,598
After 8 years of service	8,853
After 12 years of service	9,369
After 15 years of service	9,798

(**a**) S.I. 1981/1679.

(**b**) S.I. 1982/681.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Police (Scotland) Regulations 1976 ("the principal regulations").

Regulation 7 provides for payment of a temporary salary as from 17th May 1982 in similar circumstances to those in which a temporary duty allowance would have been granted before that date under Regulation 61 of the principal regulations, that is where a constable is called upon to perform the duties of a higher rank. Regulations 4, 5, 6, 10 and 12 make amendments to and deletions in the principal regulations consequential upon Regulation 7.

Regulation 8 increases the rates of pay for police constables up to and including the rank of chief inspector. Regulation 9 increases the amount of dog handlers' allowances from £393 to £432 and from £531 to £585. Regulations 8, 9 and 11 have retrospective effect from 1st September1982.

The retrospective effect of the Regulations is authorised by section 26(3) of the Police (Scotland) Act 1967.

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