EXPLANATORY NOTE

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

The Valuation and Rating (Scotland) Act, 1956, (section 16 and the Third Schedule) provides that as from the local financial year 1957–58 owner's rates will cease to be payable and rents will be reduced by the amount of owner's rates payable in 1956–57. These regulations amend the Police (Scotland) Regulations, 1956, to provide that, for the purpose of calculating rent allowances, there shall be a corresponding reduction in the rateable value of a house owned and occupied by a member of a police force.

The regulations also remedy a defect in the rates of pay prescribed for male constables.

1957 No. 2039 (S. 102)

The Police (Scotland) Amendment (No. 4) Regulations, 1957

Made - - - -	*20th November,* 1957
Laid before Parliament	*29th November,* 1957
Coming into Operation	*1st December,* 1957

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, I hereby make the following regulations:—

1. These regulations may be cited as the Police (Scotland) Amendment (No. 4) Regulations, 1957, and shall come into operation on the first day of December, 1957.

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

3. Paragraph 2 of the Schedule to the Police (Scotland) Amendment (No. 3) Regulations, 1957(d), is hereby revoked.

Dated this twentieth day of November, 1957.

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

St. Andrew's House,
Edinburgh, 1.

SCHEDULE

1. For paragraphs (2) and (3) of Regulation 38 (which relates to rent allowance) there shall be substituted the following paragraphs:—

"(2) Without prejudice to Regulation 39 of these Regulations a rent allowance for—

(*a*) a married member of a police force not separated from his wife, and

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(a) 4 & 5 Eliz. 2. c. 26. (b) S.I. 1956/1999 (1956 II, p. 1766).
(c) S.I. 1957/336, 742, 1781 (pp. 1879, 1880, 1882 above). (d) S.I. 1957/1781 (p. 1882 above).

(*b*) a member of a police force (not being a member to whom the foregoing sub-paragraph applies) who has attained the age of thirty-five years, has served for five years as a member of a police force and who occupies as an owner or tenant the accommodation in which he resides,

shall be either the aggregate of—

(i) the relevant amount specified in relation to the member in the next following paragraph, and

(ii) the rates, if any, payable by him in respect of the accommodation in which he resides,

or the maximum limit fixed in relation to the member's rank under paragraph (4) of this Regulation, whichever is the less.

An allowance under this paragraph is hereinafter referred to as a "maximum limit allowance".

(3) The relevant amount for the purposes of the last foregoing paragraph shall be—

(*a*) in the case of a member of a police force who is the owner of the accommodation in which he resides, the amount which in the opinion of the district valuer would be paid as rent therefor if the accommodation were let unfurnished;

(*b*) in the case of a member of a police force who is the tenant of, or a lodger in, the accommodation in which he resides—

(i) if the accommodation is let to him unfurnished, an amount equal to the rent paid by him therefor; or

(ii) if the accommodation is let to him furnished, an amount equal to the rent which, in the opinion of the police authority, would be paid therefor if the accommodation had been let unfurnished;

less in each case any amount received by the member for the period in question by way of rent for any part of the accommodation let or sub-let by him to a tenant or lodger, as the case may be, who is not a member of a police force, or such proportion thereof as the police authority may determine.

(3A) The rent allowance for a member of a police force, not being a member to whom paragraph (2) of this Regulation applies, shall be the flat rate allowance fixed in relation to the member's rank under paragraph (4) of this Regulation:

Provided that—

(*a*) the police authority may, if they think fit, pay a maximum limit allowance to a member of a police force to whom this paragraph applies as if he were a member of a police force to whom paragraph (2) of this Regulation applies—

(i) in the case of a female member, if special circumstances exist which in the opinion of the police authority justify such payment;

(ii) in the case of a male member, if he is a widower, or has divorced or been divorced by his wife; or

(iii) in any case, if the member has a dependent relative living with him:

(*b*) the police authority may, if they think fit, pay to a male member of a police force who is married but separated from his wife, or who has divorced, or been divorced by, his wife, but regularly makes periodical payments to her for her benefit, and who is not receiving a maximum limit allowance under the foregoing sub-paragraph of this proviso, an addition to the rent allowance which apart from this sub-paragraph would be payable to him of an amount equal to whichever is the less of the two following amounts, that is to say—

(i) the amount by which his former allowance exceeds his present allowance, and

(ii) the amount paid by him to, or for the benefit of, his wife, or, as the case may be, his former wife.

A flat rate allowance under this paragraph shall be an amount to be fixed so as to cover the reasonable average cost of quarters for single men of the rank in question."

2.—(1) For paragraph (5) of Regulation 39 (which relates to supplementary allowance) there shall be substituted the following paragraph:—

"(5) This Regulation shall cease to have effect on the thirty-first day of December, 1960."

(2) For sub-paragraph (*a*) of paragraph (1) of the said Regulation there shall be substituted the following sub-paragraph:—

"(*a*) is a married man or a widower with a child or children who is being paid a maximum limit allowance under the last foregoing Regulation;"

3. For Regulation 41 (which relates to transfer allowance) there shall be substituted the following regulation:—

"41.—(1) Where a member of a police force moves his home otherwise than on transfer from one force to another and the removal is, in the opinion of the chief constable, due to the exigencies of police duty or is made at the request of the chief constable and is, in his opinion, in the interests of the efficiency of the force, the police authority shall either reimburse the reasonably incurred cost of removal or carry out the removal.

(2) In respect of expenditure incidental to such a move (other than the cost of removal) the member shall be paid the sum of £10, and, if the expenditure exceeds that sum, the member shall be reimbursed the excess, so however that the excess payment shall not exceed 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:—

TABLE

Rank	Amount
	£
Above the rank of Inspector	40
Inspector	30
Sergeant or Constable	20"

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, by providing—

(*a*) that additional classes of members of a police force shall be entitled, in certain circumstances, to a maximum limit rent allowance and for revising the method of calculating such an allowance in the case of a member who owns the house he occupies;

(*b*) for the continuance of supplementary rent allowance for a further three years; and

(*c*) further provision as to transfer allowance, including provision for increasing the amount of the allowance.