1964 No. 149 (S. 9)

POLICE

The Police (Scotland) Amendment Regulations 1964

Made - - - -	*4th February* 1964
Laid before Parliament	*7th February* 1964
Coming into Operation	
Parts I and II - -	*10th February* 1964
Part III - - -	*1st July* 1964

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 section 11(6) of the said Act, I hereby make the following regulations:—

PART I

1.—(1) These regulations may be cited as the Police (Scotland) Amendment Regulations 1964.

(2) Parts I and II of these regulations shall come into operation on 10th February 1964.

(3) Part III of these regulations shall come into operation on 1st July 1964.

2. The Police (Scotland) Regulations 1956(b) (hereinafter referred to as the principal regulations), as amended(c), shall have effect subject to the amendments specified in Parts II and III of these regulations.

PART II

3. For Regulation 2(1)(*c*) of the principal regulations (which relates to disqualifications for appointment), there shall be substituted the following:—

"(*c*) without the consent of the chief constable he holds, or any member of his family living with him holds, any licence or permit granted in pursuance of the laws relating to liquor licensing or betting and gaming or regulating places of public entertainment in the area of the police force in which he seeks appointment or to which he has been appointed, as the case may be, or has any pecuniary interest in such licence, or".

4. In Regulation 20(2)(*h*) of the principal regulations (which relates to the contents of personal records), for the words "periods of leave or absence" there shall be substituted the words "attendances at training courses".

5. After Regulation 30 of the principal regulations (which relates to annual leave for lower ranks), there shall be inserted the following regulation:—

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

(c) The relevant amending instruments are S.I. 1957/2039, 1959/747, 1917, 2257, 1960/1622, 1961/1311, 1962/874, 2741 (1957 II, p. 1883; 1959 II, pp. 2096, 2098, 2100; 1960 II, p. 2751; 1961 II, p. 2539; 1962 I, p. 994; III, p. 3718).

"*Annual leave for lower ranks taken after expiry of leave year*

30A.—(1) Notwithstanding anything in the preceding regulation, where the chief constable is satisfied that the exigencies of duty have prevented the grant in any leave year to a member of a police force below the rank of superintendent of the full period of annual leave specified in his case in the preceding regulation, then the chief constable may, in his discretion and subject to the exigencies of duty, grant to the member, during the first two months of the following leave year, up to 6 days of the period not granted as additional days of annual leave.

(2) For the purposes of this regulation the expression 'leave year' has the same meaning as in the preceding regulation.".

6. For Regulation 41(3) of the principal regulations (which relates to transfer allowance), there shall be substituted the following paragraphs:—

"(3) Where the cost of removal is reimbursed or the removal is carried out by the police authority under paragraph (1) or (2) of this regulation, then, subject to paragraph (4), in respect of expenditure incidental to the move the police authority shall pay the member an allowance of the amount hereinafter provided.

(4) An allowance under paragraph (3) of this regulation—

(*a*) shall not be payable where a member who has never been married moves from furnished accommodation;

(*b*) shall only be payable if the chief constable so decides, where a member moves from unfurnished into furnished accommodation.

(5) In the case of a member who—

(*a*) moves into furnished accommodation, or

(*b*) moves into unfurnished accommodation but has not previously, while a member of a police force, lived in such accommodation,

the amount of the allowance under paragraph (3) of this regulation shall be £10.

(6) In the case of any other member, the amount of the allowance under paragraph (3) of this regulation shall be:—

(*a*) where he holds, or is transferring to be appointed in, a rank higher than that of chief superintendent, such as may be determined by the police authority;

(*b*) where he holds, or is transferring to be appointed in, the rank of superintendent, £50;

(*c*) where he holds, or is transferring to be appointed in, the rank of inspector, £40;

(*d*) where he holds, or is transferring to be appointed in, any rank lower than that of inspector, £30.".

PART III

7. For the purposes of Regulation 26 of the principal regulations (which relates to overtime), a day's pay shall be calculated at the weekly rate of pay divided by 5¼, fractions of a penny being ignored, and, accordingly, in paragraph (4) of the said regulation for the words "five and a half" there shall be substituted the figures "5¼".

8. For Regulation 27(2) of the principal regulations (which relates to rest days and public holidays) there shall be substituted the following :—

" (2) Every member of a police force below the rank of superintendent shall, so far as the exigencies of duty permit and in addition to his weekly rest days, be allowed rest days (hereinafter called 'additional rest days') at the following rate on which he is not required to perform police duty :—

(*a*) one rest day in each fortnight, and

(*b*) one further rest day in each period of four weeks.".

9.—(1) For the purposes of Regulation 28 of the principal regulations (which relates to duty on public holidays and rest days), a day's pay shall be calculated at the weekly rate of pay divided by 5¼, fractions of a penny being ignored, and, accordingly, in paragraph (4)(*c*) of the said regulation for the words " five-and-a-half " there shall be substituted the figures " 5¼ ".

(2) At the end of the said Regulation 28, there shall be added the following :—

" (5) Where after consulting the chief constable the police authority are satisfied that the exigencies of duty preclude the granting of such further rest days as are mentioned in Regulation 27(2)(*b*) to the generality of the members of the police force maintained by them below the rank of superintendent, then such a member who is required to do duty during the transitional period on a day which would otherwise have been such a further rest day shall not in consequence thereof be granted time off under paragraph (1) or an allowance in lieu of time off under paragraph (2) of this regulation, but shall be granted an allowance at the rate of 1/32nd of a day's pay for each quarter of an hour of duty on any such day, fractions of a penny being ignored.

For the purposes of this paragraph, the transitional period is the period ending with 31st December 1964 or, if the police authority cease to be satisfied as aforesaid, with such earlier date as, after consulting the chief constable, they may specify as the date after which further additional rest days may be granted to the generality of the members of the force below the rank of superintendent.".

10.—(1) For the table in Regulation 30(1)(*a*) of the principal regulations (which relates to annual leave for lower ranks), there shall be substituted the following table :—

		Days
" (*a*)	Chief Inspector	24
	Inspector	21
	Sergeant	18
	Constable	16 ".

(2) At the end of the said Regulation 30, there shall be added the following :—

" (4) In a leave year which began before 1st July 1964 paragraph (1)(*a*) of this regulation shall have effect as if each of the periods of annual leave set out in the table were increased by a day.".

11. In proviso (i) to Regulation 43 of the principal regulations (which relates to plain clothes allowance), for the words " two-elevenths " there shall be substituted the figures " 4/21sts ".

12. For Regulation 44(1) of the principal regulations (which relates to detective allowances), there shall be substituted the following :—

" (1) If the chief constable is satisfied that a member of the police force below the rank of superintendent while engaged in detective duties is normally engaged in outside duty, that member shall, in respect of a period of detective duty of not less than a week, be paid a detective duty allowance at the rate set out in the following table opposite to the rank that he or she holds :—

TABLE

Rank	Rate	
	Men	Women
Chief Inspector	£141 a year	£127 a year
Inspector	£126 a year	£114 a year
Sergeant	£108 a year	£97 a year
Constable	£79 a year	£71 a year "

Michael Noble,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
4th February 1964.

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.

The amendments contained in Part II take effect on 10th February 1964. Regulation 3 adds to the licences, the holding of which disqualifies a person for membership of a police force, a licence or permit granted under the law relating to betting and gaming. Regulation 4 varies the contents of the personal record of a member of a police force. Regulation 5 permits, in certain circumstances and within certain limits, leave not taken in one leave year to be taken at the beginning of the next leave year. Regulation 6 makes fresh provision for allowances in respect of expenditure incidental to a change of house and replaces the present maximum limits by flat rates.

The amendments contained in Part III take effect on 1st July 1964. Regulation 7 provides that, subject to the exigencies of duty, a member of a police force below the rank of superintendent shall have seven instead of six rest days in each period of four weeks. The other regulations in Part III contain amendments which are incidental to, or consequential on, this amendment.