1972 No. 136 (S.11)

POLICE

The Police (Scotland) Amendment Regulations 1972

Made - - -	3*rd February* 1972
Laid before Parliament	10*th February* 1972
Coming into Operation	1*st March* 1972

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 AND INTERPRETATION

1. These regulations may be cited as the Police (Scotland) Amendment Regulations 1972.

2. These regulations shall come into operation on 1st March 1972, and shall have effect as follows, that is to say—

(*a*) for the purposes of Part II thereof, as from 1st September 1971;

(*b*) for the purposes of Part III thereof, as from 1st October 1971;

(*c*) for the purposes of Part IV thereof, as respects the year beginning on 1st May 1971, as provided therein and, subject as aforesaid, as from 1st May 1972;

(*d*) for the purposes of Part V thereof, as from 1st January 1972; and

(*e*) for the purposes of Part VI thereof, as from 1st March 1972.

3. In these regulations any reference to the principal regulations is a reference to the Police (Scotland) Regulations 1968(**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.

(**a**) 1967 c. 77. (**b**) 1969 c. 63.
(**c**) S.I. 1968/716 (1968 II, p. 2024).
(**d**) The relevant amending instruments are S.I. 1968/1963, 1969/168, 927, 1970/425, 1463, 1971/196, 683, 1203, (1968 III, p. 5363; 1969 I, p. 429; II, p. 2805; 1970 I, p. 1462; III, p. 4796; 1971 I, p.p. 574, 1804; II, p. 3527).
(**e**) 1889 c. 63.

PART II

PROVISIONS TAKING EFFECT AS FROM 1ST SEPTEMBER 1971

5.—(1) For the Tables designated A and B in Part I of Schedule 3 to the principal regulations (scales of pay for men) there shall be substituted, respectively, the Tables so designated and set out in Part I of Appendix 1 to these regulations.

(2) For paragraph 2(6) of Part I of the said Schedule 3 there shall be substituted the following provision:—

"(6) The annual pay of a man to whom sub-paragraph (5) applies who, by virtue thereof, is treated as having completed 2 years of reckonable service shall be restricted until he in fact completes 2 years of such service—

(*a*) if he had not attained the age of 21 years on or before the date on which he first became a constable, to £1,221;

(*b*) subject as aforesaid, to £1,278.".

(3) For the Tables designated A and B in Part II of the said Schedule 3 (scales of pay for women) there shall be substituted, respectively, the Tables so designated and set out in Part II of the said Appendix 1.

(4) For paragraph 2(6) of Part II of the said Schedule 3 there shall be substituted the following provision:—

"(6) The annual pay of a woman to whom sub-paragraph (5) applies who, by virtue thereof, is treated as having completed 2 years of reckonable service shall be restricted until she in fact completes 2 years of such service—

(*a*) if she had not attained the age of 21 years on or before the date on which she first became a constable, to £1,098;

(*b*) subject as aforesaid, to £1,149.".

6. For the Tables designated A and B in Schedule 4 to the principal regulations (which relates to detective duty and supplementary detective allowances) there shall be substituted, respectively, the Tables so designated and set out in Appendix 2 to these regulations.

7. In regulation 44 of the principal regulations (which relates to footwear allowance) for the rate "£0·188 a week" there shall be substituted the rate "£0·240 a week".

PART III

PROVISIONS TAKING EFFECT AS FROM 1ST OCTOBER 1971

8. In regulation 57(1) and (2) of the principal regulations (which relates to promotion examination allowance) for the sum "£30", in both places where it occurs, there shall be substituted the sum "£45".

PART IV

PROVISIONS TAKING EFFECT AS FROM 1ST MAY 1971

9.—(1) For the Tables designated A, B, C and D in Schedule 6 to the principal regulations (which relates to motor vehicle allowances) there shall be substituted, respectively, the Tables so designated and set out in Appendix 3 to these regulations.

(2) As respects the year beginning on 1st May 1971 a motor vehicle allowance in respect of a motor car payable under regulation 50 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 October 1971, 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 October 1971.

PART V

PROVISIONS TAKING EFFECT AS FROM 1ST JANUARY 1972

10.—(1) For regulation 46 of the principal regulations (which relates to detective duty and detective expenses allowances) there shall be substituted the following regulation:—

"46.—(1) This regulation shall apply in the case of 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, normally engaged in outside duty.

(2) Such a constable shall be paid a detective duty allowance in accordance with Schedule 4 and, if he is below the rank of superintendent, a detective expenses allowance at the rate of £1 a week.".

(2) For Table A in Schedule 4 to the principal regulations, as amended by regulation 6 and Appendix 2 to these regulations, (which relates to detective duty and supplementary detective allowances) there shall be substituted the Table so designated and set out in Appendix 4 to these regulations.

11. In regulation 47(1) of the principal regulations (which relates to supplementary detective allowances) after the words "A constable" there shall be inserted the words "below the rank of superintendent".

PART VI

PROVISIONS TAKING EFFECT AS FROM 1ST MARCH 1972

12. For paragraph (1) of regulation 21 of the principal regulations (which relates to normal daily period of duty) there shall be substituted the following paragraph:—

"(1) This regulation shall apply to every constable who—

(*a*) is below the rank of superintendent; and

(*b*) is not assigned to duties which the Secretary of State has specifically excepted from the provisions of this regulation.".

13.—(1) For paragraph (1) of regulation 22 of the principal regulations (which relates to overtime) there shall be substituted the following paragraph:—

"(1) Subject to the provisions of this regulation, where a constable to whom regulation 21 applies, other than a constable who is paid a detective duty allowance, remains on duty after his tour of duty ends or is recalled to duty between 2 tours of duty, he shall be granted, if and as soon as the exigencies of duty in the opinion of the chief constable permit, in respect of each unit of time during which he so remains on duty after his tour of duty ends or after being so recalled (hereafter in these regulations referred to as "overtime") one unit of time off and in addition for each 3 units of overtime in any week an additional unit of time off.".

(2) For paragraph (6) of the said regulation 22 there shall be substituted the following paragraph:—

"(6) Where on any special occasion a constable below the rank of superintendent who is paid a detective duty allowance is required to do duty in connection with that special occasion, then, if he remains on such duty beyond the normal daily period of duty, he shall be entitled in respect of such overtime to time off in accordance with paragraph (1) or an allowance in lieu thereof in accordance with paragraph (2).".

14. For paragraph (3) of regulation 31 of the principal regulations (which relates to the reckoning by constables of overseas police service) there shall be substituted the following paragraph:—

"(3) The reference in paragraph (1) to certified service in the British South Africa Police is a reference to continuous service as a member thereof, for a period which included 11th November 1965, up to such time, on or after that date, as the person concerned ceased to perform duties therein, subject to his having ceased to perform those duties before 2nd March 1970 and subject to it having been certified by or on behalf of the Secretary of State that he approves the application of this regulation in the case of the person concerned; and a certificate given (or having effect as if it had been given) for the purposes of this paragraph as originally made shall be deemed to be such a certificate.".

15. For regulation 32 of the principal regulations (which relates to deductions from pay of sickness or injury benefits) there shall be substituted the following provision:—

"*Deductions from pay of national insurance benefits*

32.—(1) There shall be deducted from the pay of a constable the amount of any such national insurance benefit as is mentioned in paragraph (3) to which he is entitled.

(2) For the purposes of paragraph (1) a policewoman who, as a married woman or a widow, is excepted from liability to pay contributions under section 3 of the National Insurance Act 1965(**a**) shall be deemed to be entitled to any national insurance benefit mentioned in paragraph (3) to which she would have been entitled had she not been so excepted.

(3) The national insurance benefits referred to in this regulation are—

(*a*) any sickness benefit under the National Insurance Act 1965 together with any supplement thereto payable under section 2 of the National Insurance Act 1966(**b**);

(*b*) any invalidity pension or allowance payable under the said Act of 1965; and

(*c*) any injury benefit under the National Insurance (Industrial Injuries) Act 1965(**c**) together with any supplement thereto payable under section 2 of the said Act of 1966.".

16.—(1) In paragraph (1) of regulation 42 of the principal regulations (which relates to removal allowance) for the words "otherwise than on voluntary transfer from one force to another" there shall be substituted the words "except as a consequence of joining the force otherwise than on being statutorily transferred thereto".

(2) In paragraph (2) of the said regulation 42 for the words "on voluntary transfer" there shall be substituted the words "in consequence of his voluntarily transferring".

Gordon Campbell,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
3rd February 1972.

APPENDIX 1

PART I

TABLES SUBSTITUTED FOR TABLES IN PART I OF SCHEDULE 3 TO THE PRINCIPAL REGULATIONS (SCALES OF PAY FOR MEN) WITH EFFECT FROM 1ST SEPTEMBER 1971

"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
	£	£	£	£
	a year	a year	a year	a year
Chief Inspector	2,460	2,541	2,619	2,700
Inspector	2,151	2,229	2,310	2,391
Sergeant	1,827	1,899	1,968	2,037

(**a**) 1965 c. 51.
(**b**) 1966 c. 6.
(**c**) 1965 c. 52.

TABLE B

Reckonable or adjusted service	Standard scale of annual pay	Transitional scales of annual pay			
		Aged 19 on entry	Aged 20 on entry	Aged 21 on entry	Aged 22 or over on entry
	£	£	£	£	£
Before completing 1 year of service	1,089	1,089	1,116	1,161	1,215
After 1 year of service	1,149	1,149	1,167	1,221	1,275
After 2 years of service	1,272	1,272	1,272	1,332	1,371
After 3 years of service	1,332	1,332	1,332	1,392	1,431
After 4 years of service	1,392	1,392	1,392	1,473	1,491
After 5 years of service	1,473	1,473	1,473	1,473	1,554
After 6 years of service	1,554	1,554	1,554	1,554	1,632
After 7 years of service	1,554	1,554	1,554	1 632	1,632
After 8 years of service	1,554	1,554	1,632	1,632	1,632
After 9 years of service	1,632	1,632	1,632	1,632	1,632
After 13 years of service ...	1,713	1,713	1,713	1,713	1,713
After 17 years of service ...	1,791	1,791	1,791	1,791	1,791

"

PART II

TABLES SUBSTITUTED FOR TABLES IN PART II OF SCHEDULE 3 TO THE PRINCIPAL REGULATIONS (SCALES OF PAY FOR WOMEN) WITH EFFECT FROM 1ST SEPTEMBER 1971

"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
	£ a year	£ a year	£ a year	£ a year
Chief Inspector	2,214	2,286	2,358	2,430
Inspector	1,935	2,007	2,079	2,151
Sergeant	1,644	1,710	1,770	1,833

TABLE B

Reckonable or adjusted service	Standard scale of annual pay	Transitional scales of annual pay			
		Aged 19 on entry	Aged 20 on entry	Aged 21 on entry	Aged 22 or over on entry
	£	£	£	£	£
Before completing 1 year of service	981	981	1,005	1,044	1,095
After 1 year of service	1,035	1,035	1,050	1,098	1,149
After 2 years of service	1,146	1,146	1,146	1,200	1,233
After 3 years of service	1,200	1,200	1,200	1,254	1,287
After 4 years of service	1,254	1,254	1,254	1,326	1,341
After 5 years of service	1,326	1,326	1,326	1,326	1,398
After 6 years of service	1,398	1,398	1,398	1,398	1,470
After 7 years of service	1,398	1,398	1,398	1,470	1,470
After 8 years of service	1,398	1,398	1,470	1,470	1,470
After 9 years of service	1,470	1,470	1,470	1,470	1,470
After 13 years of service ...	1,542	1,542	1,542	1,542	1,542
After 17 years of service ...	1,611	1,611	1,611	1,611	1,611

"

APPENDIX 2

TABLES SUBSTITUTED FOR TABLES IN SCHEDULE 4 TO THE PRINCIPAL REGULATIONS (DETECTIVE DUTY AND SUPPLEMENTARY DETECTIVE ALLOWANCES) WITH EFFECT FROM 1ST SEPTEMBER 1971

"TABLE A

Rank	Men	Women
	£	£
Chief Inspector	258	231
Inspector	228	204
Sergeant	192	174
Constable	144	129

TABLE B

Rank	8 to 12 hours qualifying overtime		12 or more hours qualifying overtime	
	Men	Women	Men	Women
	£	£	£	£
Chief Inspector	213	192	384	345
Inspector	189	168	339	303
Sergeant	159	144	285	258
Constable	120	108	216	195

"

APPENDIX 3

TABLES SUBSTITUTED FOR TABLES IN SCHEDULE 6 TO THE PRINCIPAL REGULATIONS (MOTOR VEHICLE ALLOWANCES) WITH EFFECT FROM 1ST OCTOBER 1971

"TABLE A

STANDARD AMOUNT

Cylinder capacity	Annual rate of fixed element	Mileage element	
		Basic rate per mile	Reduced rate per mile
	£	£	£
1,200 c.c. or more but less than 1,700 c.c.	105·000	0·039	0·024
1,000 c.c. or more but less than 1,200 c.c.	99·000	0·035	0·021
Less than 1,000 c.c....	84·000	0·031	0·019

TABLE B

ABATED AMOUNT

Cylinder capacity	Annual rate of fixed element	Mileage element	
		Basic rate per mile	Reduced rate per mile
	£	£	£
1,200 c.c. or more but less than 1,700 c.c.	90·000	0·037	0·024
1,000 c.c. or more but less than 1,200 c.c.	87·000	0·033	0·021
Less than 1,000 c.c....	72·000	0·029	0·019

TABLE C

STANDARD AMOUNT

Cylinder capacity	Rate per mile
	£
1,200 c.c. or more but less than 1,700 c.c.	0·070
1,000 c.c. or more but less than 1,200 c.c.	0·064
Less than 1,000 c.c.	0·057

TABLE D

ABATED AMOUNT

Cylinder capacity	Rate per mile
	£
1,200 c.c. or more but less than 1,700 c.c.	0·064
1,000 c.c. or more but less than 1,200 c.c.	0·059
Less than 1,000 c.c.	0·052

"

APPENDIX 4

TABLE SUBSTITUTED FOR TABLE A IN SCHEDULE 4 TO THE PRINCIPAL REGULATIONS (DETECTIVE DUTY ALLOWANCE) WITH EFFECT FROM 1ST JANUARY 1972

"TABLE A

Rank	Men	Women
	£	£
Superintendent	300	270
Chief Inspector	258	231
Inspector	228	204
Sergeant	192	174
Constable	144	129

"

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Police (Scotland) Regulations 1968.

Regulation 5 provides for increases in pay.

Regulation 6 provides for increases in detective duty and supplementary detective allowances. Regulation 10 provides for the payment of detective duty allowances to constables of the rank of superintendent as well as to constables of a lower rank. Regulation 11 is consequential on Regulation 10.

Regulation 7 increases the rate of footwear allowance.

Regulation 8 increases the rate of promotion examination allowance.

Regulation 9 increases the rates 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 1971 and the increases take effect as from 1st October 1971 as respects the calculation of an allowance by reference to months of use completed, or mileage performed on or after that date.

Regulation 12 provides for the inclusion of detectives amongst those for whom a normal daily period of duty is prescribed. Regulation 13 is consequential on Regulation 12.

Regulation 14 amends the provisions governing the reckoning of previous service for the purposes of pay by making fresh provision for the certification of previous service in the British South Africa Police.

Regulation 15 amends the provision relating to the deduction from pay of national insurance benefits by including invalidity benefits.

Regulation 16 amends the provisions relating to removal allowance to ensure that a constable does not receive removal allowance in respect of any removal which was the direct consequence of his first posting to a normal place of duty after the completion of initial training.

The provision that Regulations 5 to 11 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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