STATUTORY INSTRUMENTS

1975 No. 269 (S. 32)

POLICE

The Police (Scotland) Amendment Regulations 1975

Made - - - -	*24th February* 1975
Laid before Parliament	*7th March* 1975
Coming into Operation	*28th March* 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 Regulations 1975.

2. These regulations shall come into operation on 28th March 1975 and shall have effect as follows, that is to say—

(*a*) for the purposes of Part II thereof, as from 4th September 1974;

(*b*) for the purposes of Part III thereof, as from 1st November 1974;

(*c*) for the purposes of Part IV thereof, as from 28th March 1975;

(*d*) for the purposes of Part V thereof, as respects the year beginning on 1st May 1974 as provided therein;

(*e*) for the purposes of Part VI thereof, as from 1st April 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 4th September 1974

5. After Regulation 31(1) of the principal regulations (reckoning of service in the Royal Ulster Constabulary) there shall be inserted the following provision:—

"(2) A constable of the rank of constable shall be entitled to reckon, for the purposes of the scale of pay for that rank, any period of service in the Royal Ulster Constabulary.".

(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 (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).
(e) 1889 c. 63.

PART III

Provisions having effect as from 1st November 1974

6. For the Table in paragraph 1 of Schedule 5 to the principal regulations (refreshment, subsistence and lodging allowances) there shall be substituted the Table set out in Schedule 1 to these regulations.

7. For regulation 40(3) of the principal regulations (supplementary rent allowance) there shall be substituted the following provision:—

"(3) A constable to whom this regulation applies shall be paid a supplementary rent allowance—

(*a*) if he is living in quarters provided free of rent and rates, at the weekly rate of £3·870;

(*b*) if he is not so living, at the weekly rate £3·870 higher than that of a flat-rate rent allowance payable under regulation 39 to a constable in the force of the police area in which he is for the time being serving.".

8. For regulation 41(3)(*e*) (application of regulation 40 to constables assigned to duty with the Scottish Crime Squad) there shall be substituted the following provision:—

"(*e*) as if in paragraph (3)(*b*) for the word "serving" there were substituted the word "living".".

PART IV

Provisions having effect as from 28th March 1975

9. After Regulation 23(4) of the principal regulations (public holidays and rest days for lower ranks) there shall be inserted the following provision:—

"(4A) 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 at least 29 days' notice of the requirement may, within 28 days of the day in question, elect to receive time off equal to one and a half times the period of completed quarters of an hour of duty by which his period of duty on the day in question exceeds 8 hours 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, the allowance in respect of the day in question payable under paragraph (3) shall be calculated as if his period of duty on that day had not exceeded 8 hours.".

10. For proviso (*b*) to Regulation 29(2) of the principal regulations (rate of pay) there shall be substituted the following provision:—

"(*b*) except where the police authority in the circumstances of a particular case otherwise determine with the approval of the Secretary of State, no account shall be taken of any previous service in that rank which terminated in his reduction in rank as a punishment but any previous service in a higher rank which so terminated shall be treated as if it had been service in the rank to which the constable was reduced;".

PART V

Provision having effect as from 1st May 1974

11.—(1) For the Tables designated A,B,C and D in Schedule 6 to the principal regulations (motor vehicle allowances) there shall be substituted, respectively, the Tables so designated and set out in Schedules 2 and 3 to these regulations. 1w

(2) As respects the year beginning on 1st May 1974 a motor vehicle allowance in respect of a motor car payable under regulation 53 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—

(*a*) on or after 1st July 1974;

(*b*) on or after 1st December 1974;

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 July 1974.

PART VI

Provisions having effect as from 1st April 1975

12. After paragraph 3 of regulation 1 of the principal regulations (citation, commencement and interpretation, there shall be inserted the following paragraph:—

"(3A) In these regulations a reference to an aerodrome constabulary is a reference to such a constabulary within the meaning of the Policing of Airports Act 1974**(a)**; and a reference to a rank in such a constabulary corresponding to a rank in a police force is a reference to a rank in that constabulary designated for the purposes hereof by the Secretary of State as the rank corresponding to the rank in question.".

13. At the end of regulation 11(4) of the principal regulations (probationary service in the rank of constable) there shall be added the following provision:—

"(*c*) in the case of a constable who has been transferred to a police force from an aerodrome constabulary by an order under section 6 of the Policing of Airports Act 1974, his service in that constabulary shall be treated as if it were service in that police force.".

14. After regulation 32A of the principal regulations there shall be inserted the following provision:—

"*Reckoning of service in an airport constabulary*

32B.—(1) Where a member of an aerodrome constabulary has been transferred to a police force by an order under section 6 of the Policing of Airports Act 1974 then, for the purposes of regulation 29, his service in any rank in that constabulary shall be treated as if it were service in the corresponding rank in a police force.".

15. At the end of paragraph 4 of Schedule 2 to the principal regulations (annual leave) there shall be added the following provision:—

"(2) Where a member of an aerodrome constabulary has been transferred to a police force by an order under section 6 of the Policing of Airports Act 1974 then, for the purposes of this paragraph his service in any rank in that constabulary shall be treated as if it were service in the corresponding rank in a police force.".

(a) 1974 c. 41.

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

St Andrew's House,
EDINBURGH.
24th February 1975.

SCHEDULE 1

TABLE SUBSTITUTED FOR TABLE IN SCHEDULE 5 TO THE PRINCIPAL REGULATIONS (REFRESHMENT, SUBSISTENCE AND LODGING ALLOWANCES) WITH EFFECT FROM 1ST NOVEMBER 1974

TABLE

Description of Allowance	Superintendents	Inspectors, Sergeants and Constables
	£	£
Refreshment allowance:		
(i) for one meal	0·800	0·740
(ii) for two meals	1·160	1·040
Subsistence Allowance:		
Period of retention or engagement on duty—		
(i) over 5 hours and not exceeding 8 hours ...	1·160	1·040
(ii) over 8 hours and not exceeding 12 hours ...	1·670	1·510
(iii) over 12 hours and not exceeding 24 hours ...	2·870	2·470
(iv) over 24 hours—at the rate under (iii) above for each complete period of 24 hours' retention or engagement, together with whichever is the appropriate amount under the preceding provisions of this Table for any excess over the aggregate of such complete periods		
Lodging Allowance—for each night	5·130	4·520

SCHEDULE 2

TABLES SUBSTITUTED FOR TABLES IN SCHEDULE 6 TO THE PRINCIPAL REGULATIONS (MOTOR VEHICLE ALLOWANCES) WITH EFFECT FROM 1ST JULY 1974

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.	129·000	0·052	0·034
1,000 c.c. or more but less than 1,200 c.c.	117·000	0·046	0·030
Less than 1,000 c.c.	108·000	0·041	0·026

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.	114·000	0·050	0·034
1,000 c.c. or more but less than 1,200 c.c.	105·000	0·044	0·030
Less than 1,000 c.c.	99·000	0·039	0·026

TABLE C

STANDARD AMOUNT

Cylinder capacity	Rate per mile
	£
1,200 c.c. or more but less than 1,700 c.c.	0·092
1,000 c.c. or more but less than 1,200 c.c.	0·081
Less than 1,000 c.c.	0·073

TABLE D

ABATED AMOUNT

Cylinder capciaty	Rate per mile
	£
1,200 c.c. or more but less than 1,700 c.c.	0·086
1,000 c.c. or more but less than 1,200 c.c.	0·076
Less than 1,000 c.c.	0·068

SCHEDULE 3

TABLES SUBSTITUTED FOR TABLES IN SCHEDULE 6 TO THE PRINCIPAL REGULATIONS (MOTOR VEHICLE ALLOWANCES) WITH EFFECT FROM 1ST DECEMBER 1974

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.	129·000	0·055	0·037
1,000 c.c. or more but less than 1,200 c.c.	117·000	0·049	0·033
Less than 1,000 c.c.	108·000	0·044	0·029

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.	114·000	0·053	0·037
1,000 c.c. or more but less than 1,200 c.c.	105·000	0·047	0·033
Less than 1,000 c.c.	99·000	0·042	0·029

TABLE C

STANDARD AMOUNT

Cylinder capacity	Rate per mile
	£
1,200 c.c. or more but less than 1,700 c.c.	0·095
1,000 c.c. or more but less than 1,200 c.c.	0·084
Less than 1,000 c.c.	0·076

TABLE D

ABATED AMOUNT

Cylinder capacity	Rate per mile
	£
1,200 c.c. or more but less than 1,700 c.c.	0·089
1,000 c.c. or more but less than 1,200 c.c.	0·079
Less than 1,000 c.c.	0·071

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 reckoning of previous service for pay purposes. It has effect as from 4th September 1974.

Regulation 5 reinstates the provision whereunder a constable of the rank of constable is entitled to reckon for the purposes of pay any previous service in the Royal Ulster Constabulary.

Part III of these Regulations (Regulations 6, 7 and 8) relates to refreshment, subsistence and lodging allowances and supplementary rent allowance. It has effect as from 1st November 1974.

Regulation 6 provides for increases in the rates of refreshment, subsistence and lodging allowances.

Regulation 7 increases the level of supplementary rent allowance, and provides that a constable not provided with quarters free of rent and rates be paid a supplementary rent allowance in addition to the appropriate flat rate rent allowance, instead of his receiving the former higher rate supplementary rent allowance which is now dispensed with.

Regulation 8 provides for similar changes to be made with regard to constables assigned to duty with the Scottish Crime Squad.

Part IV of these Regulations (Regulations 9 and 10) relates to duty on public holidays and rest days for lower ranks and rate of pay. It has effect as from 28th March 1975, the operative date of these Regulations.

Regulation 9 provides, that a constable required to do duty on a public holiday or rest day and given at least 29 days' notice of the requirement may elect to receive time off in lieu of an allowance so far as the hours of duty in excess of eight are concerned.

Under the Regulations of 1972 a constable who has been reduced from one rank to another as a punishment, but subsequently again attains his first rank, is precluded from reckoning his previous service therein as service in that rank for the purposes of pay. Regulation 10 of the present Regulations relaxes this provision by according a discretion to the police authority to permit the reckoning of the previous service in the circumstances of a particular case.

Part V of these Regulations (Regulation 11) relates to motor vehicle allowances.

Regulation 11 increases the rate 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 1974 and the increases take effect as from (*a*) 1st July 1974, and (*b*) 1st December 1974 as respects the calculation of an allowance by reference to months of use completed or mileage performed on or after that date.

Part VI of these Regulations (Regulations 12 to 15) relates to persons transferred by an Order under section 6 of the Policing of Airports Act 1974 from an aerodrome constabulary to a police force. It has effect as from 1st April 1975.

Regulation 12 adds the definition of an aerodrome constabulary to Regulation 1 of the principal Regulations.

Regulations 13 to 15 provide that in the case of a person who has transferred to a police force, previous service in an aerodrome constabulary is to be taken into account for the purposes of the period of probation in the rank of constable and for the purposes of pay and annual leave.

The provision that Parts II, III, and V 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).

SI 1975/269
ISBN 0-11-050269-8

