STATUTORY INSTRUMENTS

1986 No. 576 (S. 56)

POLICE

The Police (Scotland) Amendment Regulations 1986

Made - - - -	*19th March* 1986
Laid before Parliament	*2nd April* 1986
Coming into Operation	*23rd April* 1986

The Secretary of State, in exercise of the powers conferred upon him by section 26 of the Police (Scotland) Act 1967(**a**), and of all other powers enabling him in that behalf, and after taking into consideration the recommendations made by the Police Negotiating Board for the United Kingdom and furnishing the said Board with a draft of the regulations in accordance with section 2(1) of the Police Negotiating Board Act 1980(**b**), hereby makes the following regulations:-

Citation

1. These regulations may be cited as the Police (Scotland) Amendment Regulations 1986.

Commencement

2. These regulations shall come into operation on 23rd April 1986 and shall have effect for the purposes of regulation 4 as from 1st November 1985 and for the purposes of regulations 6 and 7 as from 1st July 1985.

Interpretation

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

Removal allowance

4. There shall be inserted after paragraph (7) of regulation 47 of the principal regulations (removal allowance) the following provision:-

"(7A) Where a constable has been requested by the chief constable, in the interests of the efficiency of the force, to move his home, and -

(a) the constable has, in consequence, in connection with the contemplated disposal of his home and acquisition of a new home, incurred any expenses; and

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(**a**) 1967 c.77; section 26(9) was amended by section 2(4) of the Police Negotiating Board Act 1980 (c.10); section 26(1A) and (10) were inserted by section 111 of the Police and Criminal Evidence Act 1984 (c.60).
(**b**) 1980 c.10.
(**c**) S.I. 1976/1073; relevant amending instruments are S.I. 1980/1050, 1981/67, 1985/1325.

(b) he would, if he had moved his home, have been reimbursed those expenses by the police authority in pursuance of paragraph (1)*(b)* or *(c)*,

but, in consequence of a subsequent decision of the chief constable, the constable does not in fact move his home, he shall be entitled, notwithstanding that he has not moved his home, to be reimbursed those expenses by the police authority.".

Annual leave

5. There shall be inserted after paragraph 3B of Schedule 2 to the principal regulations (annual leave) the following paragraph:-

"3C.—(1) Where a constable has been recalled to duty from a period of absence from duty to which this paragraph applies, he shall be granted, in compensation for being recalled to duty on any day during that period which is a day of annual leave or a day taken off in lieu of overtime -

(a) if he was so recalled to duty for one or two days (whether or not in the latter case those days formed a single period), an additional 2 days' annual leave in respect of each such day for which he was so recalled; or

(b) if he was so recalled to duty for 3 or more days (whether or not forming a single period), an additional 2 days' annual leave in respect of each of the first 2 such days for which he was so recalled, and an additional 1½ days' annual leave in respect of each such day for which he was so recalled thereafter:

Provided that this shall not apply to a recall prior to 1st April 1985.

(2) This paragraph applies to a period of absence from duty of 3 or more days, where at least one of those days is a day of annual leave and the other days, if not days of annual leave, are rostered rest days, days taken off in lieu of overtime, public holidays (or days taken off in lieu thereof) or monthly leave days, or any combination thereof.".

University scholars

6. In paragraph 3(2) of Schedule 9 to the principal regulations (university scholars), for the sum "£837" there shall be substituted the sum "£885".

Revocation

7. Regulation 13(2) of the Police (Scotland) Amendment (No. 2) Regulations 1985(**a**) (university scholars) is hereby revoked.

John J. MacKay,
Parliamentary Under Secretary of State,
Scottish Office.

New St Andrew's House,
Edinburgh.
19th March 1986.

(**a**) S.I. 1985/1325.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend the Police (Scotland) Regulations 1976. The regulations take effect, as provided by regulation 2, for the purposes of regulation 4 as from 1st November 1985, and for the purposes of regulations 6 and 7 as from 1st July 1985. Retrospection is authorised by section 26(3) of the Police (Scotland) Act 1967. Otherwise the regulations take effect as from 23rd April 1986.

Regulation 4 supplements the provisions made by regulation 47 of the 1976 Regulations for payment of removal allowance to police officers by police authorities. It provides that where a police officer has been requested to move by the chief constable, in the interests of the efficiency of the force, and the proposed move is cancelled as a result of a further decision of the chief constable, the police authority shall pay any expenses which the police officer has incurred in connection with the proposed removal and which would have qualified for payment by the police authority had he actually moved.

Regulation 5 provides for a police officer to be given additional compensatory annual leave where he has been recalled to duty in certain circumstances on a day of annual leave or a day taken off in lieu of overtime. The entitlement is 2 days compensatory leave for each of the first two such days recalled, and $1\frac{1}{2}$ days for every subsequent such day. This provision does not apply to recalls prior to 1st April 1985.

Regulation 6 increases from £837 to £885 the supplement payable to an officer of a Scottish police force who takes up residence as a university scholar in London, and regulation 7 makes a consequential revocation.

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