1956 No. 1983 (S. 90)

The Police (Scotland) Amendment (No. 3) Regulations, 1956

Made - - - - 5th December, 1956

In exercise of the powers conferred on me by section 4 of the Police Act, 1919(a), and section 1 of the Police, Fire and Probation Officers Remuneration Act, 1956(b), I hereby make the following regulations :—

1. The Police (Scotland) Amendment (No. 2) Regulations, 1955(c), (which amended the Police (Scotland) Regulations, 1952(d), by providing for increased rates of overtime allowance and detective duty allowance and increased scales of pay), shall be deemed to have taken effect from the 8th day of September, 1955, instead of the 16th day of December, 1955, and accordingly in Regulation 1 of the said amending Regulations for the words " shall come into operation on the 16th day of December, 1955 " there shall be substituted the words " shall take effect as from the 8th day of September, 1955 ".

2. These Regulations may be cited as the Police (Scotland) Amendment (No. 3) Regulations, 1956.

Dated this 5th day of December, 1956.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

EXPLANATORY NOTE

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

These Regulations make retrospective to 8th September, 1955, the increases in pay and allowances granted to certain members of police forces as from 16th December, 1955 by the Police (Scotland) Amendment (No. 2) Regulations, 1955.

1956 No. 1999 (S. 95)

The Police (Scotland) Regulations, 1956

Made - - - - 13th December, 1956
Laid before Parliament 20th December, 1956
Coming into Operation 1st January, 1957

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(c) S.I. 1955/2003 (1955 II, p. 1882). (d) S.I. 1952/1355 (1952 II, p. 2546).

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In exercise of the powers conferred on me by section eight, section nine and section eleven of the Police (Scotland) Act, 1956(a), and of all other powers enabling me in that behalf, I hereby make the following Regulations :—

ORGANISATION

Ranks

1. The ranks which may be held by members of a police force shall be known by the following designations :—

Chief Constable
Superintendent
Inspector
Sergeant
Constable :

Provided that in a police force where varying degrees of responsibility render intermediate ranks necessary any of the following ranks may be adopted subject to the approval of the Secretary of State :—

Assistant Chief Constable
Chief Superintendent
Chief Inspector.

APPOINTMENT AND PROBATION

Disqualifications for appointment

2.—(1) No person shall be qualified for appointment, or shall be retained, as a member of a police force if—

(*a*) without the consent of the chief constable he carries on any business or holds any other office or employment for hire or gain, or

(*b*) without the consent of the chief constable he resides at any premises where any member of his family keeps a shop or carries on any like business, or

(*c*) he holds, or any member of his family living with him holds, any licence granted in pursuance of the liquor licensing laws or the laws 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

(*d*) without the consent of the chief constable, his wife keeps a shop or carries on any like business in the area of the police force in which he seeks appointment or to which he has been appointed, as the case may be.

(2) For the purpose of this Regulation, the expression " member of his family " shall include parent, son or daughter, brother or sister, or wife.

(3) A woman member of a police force shall resign her appointment on marriage or remarriage.

Qualifications for appointment of constables

3. No person shall be qualified for appointment as a member of a police force other than a chief constable unless—

(*a*) in the case of a man he—

(i) has attained nineteen years of age and is under thirty years of age :

Provided that a man over the specified age limit may be appointed if

(a) 4 & 5 Eliz. 2 c. 26.

(*a*) he is immediately transferred from another police force, or

(*b*) there are other special circumstances approved by the Secretary of State upon the recommendation of the chief constable;

(ii) is not less in height than 5 feet 8 inches:

Provided that a man under that height may be appointed for special reasons approved by the Secretary of State;

(iii) satisfies the chief constable that he is sufficiently educated by passing a written or oral examination in reading, writing and simple arithmetic;

(*b*) in the case of a woman she—

(i) has attained twenty years of age and is under thirty years of age:

Provided that a woman over or under the specified age may be appointed if

(*a*) she is immediately transferred from another police force, or

(*b*) there are other special circumstances approved by the Secretary of State upon the recommendation of the chief constable;

(ii) is not less in height than 5 feet 4 inches:

Provided that a woman under that height may be appointed for special reasons approved by the Secretary of State;

(iii) is unmarried or a widow;

(*c*) in the case of a man or a woman he or she—

(i) has produced satisfactory references as to character, and, if he or she has served in any branch of Her Majesty's naval, military or air forces, or in the civil service of the State, or in any police force, has produced satisfactory proof of good conduct while in such service or force;

(ii) has been certified by a registered medical practitioner approved by the police authority to be in good health, of sound constitution and fitted both physically and mentally to perform the duties of the office of constable;

(iii) has given such information as may be required by the chief constable as to his or her previous history or employment.

Qualifications for appointment of chief constable

4. No person shall be qualified for appointment as the chief constable of a police force unless he—

(*a*) has had previous police experience of not less than five years;

(*b*) has produced satisfactory references as to character, and, if he has served in any branch of Her Majesty's naval, military or air forces, or in the civil service of the State, or in any police force, has produced satisfactory proof of good conduct while in such service or force;

(*c*) has given such information as may be required by the police authority as to his previous history and employment;

(*d*) is under 45 years of age;

Provided that a man over that age limit may be appointed, if immediately before the appointment—

(i) he was serving in another police force, and

(ii) either was so serving as chief constable of that force or was not more than 55 years of age;

(*e*) has been certified by a registered medical practitioner approved by the police authority to be in good health, of sound constitution and fitted both physically and mentally to perform the duties of the office of chief constable.

Qualifications for appointment of assistant chief constable, superintendent or chief inspector

5. No person shall be qualified for appointment as assistant chief constable, superintendent or chief inspector in a police force unless he has had previous police experience of not less than five years.

Notice to be given to candidates for appointment

6. A candidate for appointment as a member of a police force shall be given a notice in terms approved by the Secretary of State after consultation with the Police Council drawing attention to the conditions of service obtaining therein.

Making of false statement in application for appointment

7. If any candidate for appointment as a member of a police force makes in, or in connection with, his application for appointment any false statement and is subsequently appointed, the making of such false statement shall be deemed to be an offence against discipline within the meaning of paragraph (5) of the Discipline Code set out in the First Schedule to the Police (Discipline) (Scotland) Regulations, 1952(**a**), and shall be punishable accordingly.

Form of declaration to be made on appointment

8. The terms of the declaration to be made under section eight of the Police (Scotland) Act, 1956, by a person appointed as a member of a police force shall be as follows:—

"I hereby do solemnly and sincerely and truly declare and affirm that I will faithfully discharge the duties of the office of constable."

Probation

9. A person who is appointed as a member of a police force (other than the chief constable) shall be on probation for the period of the first two years beginning on the day on which he is so appointed, and the next following regulation shall apply to him accordingly:

Provided that the chief constable may at his discretion—

(*a*) reduce the period of probation to a period of not less than one year if the person has served for a period of not less than one year either in the same force on a previous appointment thereto or in any other police force;

(*b*) dispense with the period of probation if the person has transferred from another police force with the written consent of the chief constable of that force after having completed the required period of probation in that force; or

(*c*) dispense with the period of probation if the person has served as an auxiliary for a period of not less than two years.

Dismissal of probationer

10.—(1) Subject to the provisions of this Regulation the chief constable of a police force may at any time by notice given in accordance with the provisions of this Regulation discharge from his appointment a member

(**a**) S.I. 1952/1356 (1952 II, p. 2582).

of the force who is on probation, if the chief constable considers that the member is not fitted, physically or mentally, to perform the duties of his office or that he is not likely to become an efficient or well-conducted constable.

(2) Any notice given for the purposes of the foregoing paragraph—

(*a*) shall be in writing,

(*b*) shall contain a reference to this Regulation and an explanation of the provisions of paragraph (3) thereof,

(*c*) shall be given to the member of the police force to whom it relates, and

(*d*) shall not take effect until the expiration of a period of one month beginning on the day on which it is so given.

(3) If a member of a police force to whom a notice for the purposes of this Regulation has been given tenders his resignation to the chief constable of the force before the notice takes effect, the notice shall be deemed not to have been given, and the resignation shall be deemed to have been accepted so as to take effect on the day on which, but for this paragraph, the notice would have taken effect.

(4) Nothing in Regulation 30 of these Regulations shall prevent the chief constable of a police force from granting such leave of absence as he thinks fit to a member of the force to whom a notice for the purposes of this Regulation has been given.

(5) Where a notice is given to a member of a police force for the purposes of this Regulation during the last month of the period for which he is on probation in accordance with the provisions of Regulation 9 of these Regulations, the said period shall be deemed to continue until the expiration of a period of one month beginning on the day on which the notice is given.

PROMOTION

Promotion examinations

11.—(1) There shall be an elementary qualifying examination, consisting of an elementary examination in each of the subjects specified in paragraph 2 of the First Schedule to these Regulations, and an advanced qualifying examination, consisting of an advanced examination in each of the said subjects.

(2) A member of a police force shall be entitled to sit—

(*a*) for any of the qualifying examinations referred to in the preceding paragraph except the advanced qualifying examination in police duties at any time after he has completed four years' service; and

(*b*) for the advanced qualifying examination in police duties at any time after he has completed four years' service and has passed the elementary qualifying examination in these duties;

Provided that a member of a police force who has not completed four years' service may be permitted by the chief constable to sit for any of the said qualifying examinations if he is not otherwise unqualified to sit for the examination in question and if the chief constable is satisfied that he possesses special qualifications for the purpose of the particular duties on which he would be employed if he were promoted.

In this Regulation, the expression "service" includes service as an auxiliary but does not include service during which a member of a police force is below the age of 19.

(3) The qualifying examinations shall be conducted in accordance with the rules contained in the said First Schedule.

Result of examinations

12.—(1) After each examination a list giving the names of the candidates who have passed shall be published to the police force or forces concerned.

(2) Each candidate who has failed to pass the examination in either educational subjects or police duties shall be informed of the subject or subjects in which he has failed to pass, and failure to pass shall not disqualify him from sitting for a further examination.

List of members who have passed examinations

13. In every police force there shall be kept a list of all members thereof who have passed the respective qualifying examinations.

Effect of qualifying examination

14. The fact that a member of a police force has passed the qualifying examination shall not entitle him to promotion or to promotion before another member of the force who has passed the qualifying examinations at a later date.

Qualifications for promotion

15.—(1) Promotion up to the rank of inspector shall, subject to passing the appropriate qualifying examinations, be by selection.

(2) Subject to the provisions of this Regulation, no member of a police force shall be promoted to the rank of sergeant or to the rank of inspector unless—

(*a*) in the case of promotion to the rank of sergeant, he has completed five years' service and has for the two years immediately prior to his promotion been free from punishment other than reprimand or caution, or in the case of promotion to the rank of inspector, he has completed two years' service in the rank of sergeant free from punishment other than reprimand or caution;

(*b*) in the case of promotion to the rank of sergeant, he has had not less than two years' service in the performance of outside police duty;

(*c*) he has passed the appropriate qualifying examinations:

Provided that

(i) a member of a police force may be promoted to the rank of sergeant notwithstanding that he has not completed five years' service, or to the rank of inspector notwithstanding that he has not completed two years' service in the rank of sergeant, if the chief constable is satisfied that he possesses special qualifications for the purpose of the particular duties on which he is to be employed after promotion;

(ii) for the purposes of sub-paragraph (*c*) of this paragraph, a member of a police force who has passed the advanced qualifying examination in any educational subject shall be deemed to have passed the elementary qualifying examination in that subject;

(iii) a member of a police force suffering from disability sustained either during active service in Her Majesty's naval, military or air forces or during the time that he was a member of a police force may be promoted notwithstanding that the condition specified in sub-paragraph (*b*) of this paragraph is not satisfied in his case.

(3) In this Regulation—

the expression "appropriate qualifying examinations" in relation to promotion to the rank of sergeant shall mean all the elementary qualifying examinations referred to in paragraph (1) of Regulation 11 of these Regulations, and in relation to promotion to the rank of inspector shall mean all the advanced qualifying examinations there referred to;

the expression "member of a police force" shall be deemed to include a reversionary member of a home police force or a serviceman (1939-1945) as though he were a member of the police force in which he last served, or, if that force is a transferred force, of the new force;

the expression "outside police duty" in relation to a member of a police force includes indoor duty arising from his outdoor duty;

the expressions "reversionary member of a home police force" and "serviceman (1939-1945)" have the same meanings as they have for the purposes of the Police Pensions (Scotland) Regulations, 1955(**a**);

the expression "service" has the same meaning as in paragraph 2 of Regulation 11 of these Regulations;

the expressions "transferred force" and "new force" have the same meanings as they have for the purposes of the Second Schedule to the Police (Scotland) Act, 1956.

No promotion to be made after postponement of retirement

16. Where the retirement of any member of a police force has been postponed under paragraph (2) of Regulation 51 of the Police Pensions (Scotland) Regulations, 1949(**b**), or under paragraph (2) of Regulation 51 of the Police Pensions (Scotland) Regulations, 1955, such member shall not be promoted on or after the date on which he would have been required to retire under paragraph (1) of the said Regulation 51 had such postponement not taken place.

Period of probation for constable promoted to rank of sergeant

17. A member of a police force who is promoted to the rank of sergeant shall be on probation in that rank for a period of one year.

Temporary promotion

18.—(1) A member of a police force who is required to perform the duties of a higher rank may be promoted temporarily to that rank.

(2) This Regulation shall not apply to a member of a police force who, being the deputy chief constable, is required to perform the duties of the chief constable.

RESIGNATION

Period of notice required before resignation

19. A member of a police force may resign his appointment if he has given to the appropriate disciplinary authority, as defined by subsection (5) of section eleven of the Police (Scotland) Act, 1956, one month's written notice, or such shorter notice as that authority may accept, of his intention to do so, and not otherwise:

Provided that nothing in this Regulation shall affect the operation of any resignation tendered—

(*a*) in response to a request or requirement by the appropriate disciplinary authority, or

(**a**) S.I. 1955/485 (1955 II, p. 1959). (**b**) S.I. 1949/1240 (1949 I, p. 3401).

(*b*) in the circumstances specified in paragraph (3) of Regulation 10 of these Regulations.

PERSONAL RECORDS

Contents of personal records

20.—(1) The chief constable of every police force shall cause to be kept, in accordance with this Regulation, a personal record of each member of the force.

(2) The personal record shall contain—

(*a*) a photograph not more than ten years old of the member taken in accordance with the directions of the chief constable and at the expense of the police authority;

(*b*) a personal description of the member;

(*c*) particulars of the member's place and date of birth;

(*d*) particulars of his marriage (if any) and of his children (if any);

(*e*) a record of his service (if any) in any branch of Her Majesty's naval, military or air forces or in the civil service of the State;

(*f*) a record of his service (if any) in any other police force or as an auxiliary;

(*g*) a record of whether he passed or failed to pass any qualifying examination at which he was a candidate;

(*h*) a record of his service in the police force, including particulars of all promotions, changes of pay, postings, transfers, removals, injuries received, periods of illness, periods of leave or absence, commendations, rewards, punishments other than cautions, and the date of his ceasing to be a member of the police force with the reason, cause or manner thereof:

Provided that a punishment of a fine not exceeding two days' pay or of a reprimand shall be expunged after three years from the date on which the decision imposing the punishment took effect and any other punishment shall be expunged after seven years from the date on which the decision imposing the punishment took effect if in either case the member so requests and if during the said periods no punishment has been imposed on him other than a caution.

(3) Where a punishment is expunged from a member's personal record, so much of that personal record as relates to punishments shall be destroyed and a new part made out so as not to disclose that the expunged punishment has been imposed.

(4) A member of a police force shall, if he so requests, be permitted to inspect his personal record.

Transfer of personal records

21. Where a member of a police force transfers with the written consent of the chief constable to another police force his personal record shall be transferred to the chief constable of that other police force.

Personal record of member leaving force

22.—(1) Where a member of a police force ceases to be a member of that police force the member shall, unless he transfers with the written consent of the chief constable of that police force to another police force,

be given a certificate signed by or on behalf of the said chief constable stating—

(*a*) the rank last held by him in the first-mentioned force;

(*b*) the period of his service in that force and in any other police force;

(*c*) which, if any, of the circumstances specified in the next following paragraph was the reason for his ceasing to be employed in the first-mentioned force;

(*d*) particulars of his personal description.

(2) The circumstances referred to in the last preceding paragraph are the following:—

Pensioned on completion of service.

Pensioned in consequence of injury received on duty.

Pensioned on account of ill-health.

Discharged on gratuity on account of ill-health.

Discharged before completion of period of probation.

Resigned.

Required to resign.

Dismissed.

(3) The chief constable may append to the certificate any recommendation which he feels justified in giving.

(4) Where a member of a police force ceases to be a member of that police force, otherwise than by transferring with the written consent of the chief constable of that force to another police force, his personal record shall be kept for such time as the chief constable may think fit and shall then be destroyed.

Finger prints of members

23.—(1) Every member of a police force shall in accordance with the directions of the chief constable have his finger prints taken.

(2) Finger prints of members of a police force taken in pursuance of the foregoing paragraph shall be kept in a register separate from any register containing finger prints taken otherwise than in pursuance of that paragraph.

(3) The finger prints of a member of a police force taken in pursuance of paragraph (1) of this Regulation and all copies and records thereof shall be destroyed on his ceasing to be a member of that force.

Duty to carry out lawful orders

Duty to carry out lawful orders

24. Every member of a police force shall carry out all lawful orders and shall at all times punctually and promptly perform all appointed duties and attend to all matters within the scope of his office as a constable.

Hours of Duty

Normal daily period of duty

25.—(1) The normal daily period of duty (including the period for refreshment referred to in paragraph (2) of this Regulation) of a member of a police force to whom this Regulation applies shall be eight hours and in addition any time occupied in reporting at the appointed place for duty before a tour of duty begins:

Provided that in relation to a woman member whose duty is wholly or mainly patrol duty this paragraph shall, if the police authority so require, have effect with the substitution for the reference to eight hours of a reference to seven hours.

(2) Where the normal period of duty is performed in one tour of duty an interval of forty-five minutes shall normally be allowed for refreshment.

(3) This Regulation shall apply only to a member of a police force who is not—

(*a*) above the rank of chief inspector,

(*b*) an inspector in sole charge of a sub-division, or

(*c*) paid a detective duty allowance.

Overtime

26.—(1) Subject to the provisions of this Regulation, where a member of a police force to whom Regulation 25 of these Regulations applies remains on duty after his tour of duty ends or is recalled to duty between two 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 three units of overtime in any week an additional unit of time off.

(2) If in the case of a member being a sergeant or a constable time off in respect of his overtime during any week is not granted within such time (not exceeding three months) after the said week as the chief constable may fix, the member shall be granted for each four units of overtime worked during that week for which time off has not been granted an allowance of one-sixth of one day's pay, fractions of a penny being ignored, and after the time fixed as aforesaid the right of such member to time off in respect of that week shall cease.

(3) In computing any period of overtime for the purposes of this Regulation—

(*a*) where the member is engaged on casual escort duty, account shall be taken only of the time during which he is in charge of the prisoner and such other time during the period of the said escort duty as the chief constable may allow;

(*b*) where the tour or tours of duty does not or do not amount in the aggregate to more than the normal period of duty, no account shall be taken of any overtime except so much as together with the tour or tours of duty exceeds the normal period of duty;

(*c*) no account shall be taken of any overtime for which the member receives an allowance under Regulation 48 or 50 of these Regulations;

(*d*) where a member is recalled to duty, the period of overtime shall include the time occupied by the member in going from and returning to his home not exceeding such reasonable limit as may be fixed by the chief constable;

(*e*) where a member who has completed a full tour of duty, which commenced at any time after 6 p.m. and ended at any time after 2 a.m. on the day next following, is recalled to duty before nine-and-a-half hours have elapsed from the time when such tour of duty ended, he shall be deemed, if the period of overtime thereby worked before the elapse of nine-and-a-half hours amounts to less than sixteen units of overtime,

to have worked in respect of that period a period of overtime equal to sixteen units of overtime, and for the purposes of this sub-paragraph, where a person does not complete a full tour of duty by reason only of having been granted time off in respect of overtime already worked, he shall nevertheless be treated as if he had, at the time at which he went off duty, completed a full tour of duty.

(4) For the purposes of this Regulation—

references to a member recalled to duty shall not include a reference to a member who is only warned to be in readiness for duty if required;

the expression "unit" means a complete quarter of an hour;

the expression "week" means that period of seven days beginning with such day as is fixed by the chief constable;

one day's pay shall be calculated at the weekly rate of pay divided by five and a half, fractions of a penny being ignored.

Rest days and public holidays

27.—(1) Every member of a police force below the rank of superintendent shall, so far as the exigencies of duty permit, be allowed at least fifty-two days in a year (hereinafter called "weekly rest days") on which he is not required to perform police duty, such days being distributed throughout the year with the object of securing so far as practicable to every such member one day's rest in every seven.

(2) Every member of a police force below the rank of superintendent shall, so far as the exigencies of duty permit, be allowed, in addition to his weekly rest days, one rest day in every fortnight (hereinafter called "an additional rest day") on which he is not required to perform police duty.

(3) Every member of a police force shall, so far as the exigencies of duty permit, be granted in each year a day's leave on New Year's Day and on each of five other days, being so far as is practicable local public holidays.

For the purposes of this Regulation, the expression "year" means that period of twelve months beginning on such date as may from time to time be determined by the chief constable.

Duty on public holidays and rest days

28.—(1) Where a member of a police force below the rank of superintendent is required to do duty—

(*a*) on any of the days mentioned in paragraph (3) of the preceding Regulation, or

(*b*) on a day which would otherwise have been a rest day,

then he shall be granted, if and as soon as the exigencies of duty permit, time off equal to one-and-a-half times the period of completed quarters of an hour of duty on each such day.

(2) If in the opinion of the chief constable the exigencies of duty do not permit the granting of time off under the last preceding paragraph within such time (not exceeding three months) as he may fix, the member shall be granted in lieu of time off an allowance at the rate of three-sixtyfourths of one day's pay for each quarter of an hour of duty on each such day, fractions of a penny being ignored.

(3) Every member of a police force of or above the rank of superintendent who is required to do duty on any of the days mentioned in paragraph (3) of the preceding Regulation shall within the next three months be granted

a day's leave in lieu of each such day unless the exigencies of duty do not permit such a grant.

(4) For the purposes of this Regulation—

(*a*) a member of a police force who is paid a detective duty allowance in respect of duty on a particular day shall be deemed to be required to do duty on such day only if he has been specifically so ordered;

(*b*) a period of duty of less than eight completed quarters of an hour on a public holiday or on a day which would otherwise have been a rest day shall be treated as though it were a period of eight completed quarters of an hour of duty;

(*c*) one day's pay shall be calculated at the weekly rate of pay divided by five-and-a-half, fractions of a penny being ignored;

(*d*) a reference to a day which would otherwise have been a rest day is to be construed as a reference to a day which according to the roster of rest days was to have been a rest day for the member concerned, and for the purpose of determining what would have been such a day any alteration in the roster made less than eight days before that day shall be ignored except where the alteration is made at the request of the member concerned;

(*e*) the expression "rest day" means a weekly rest day or an additional rest day;

(*f*) the expression "fortnight" means that period of fourteen days beginning with such day as is fixed by the chief constable;

(*g*) where a member is recalled to duty after completing a tour of duty, his period of duty shall include the time occupied by him in going from and returning to his home on and after his recall, not exceeding such reasonable limit as may be fixed by the chief constable.

Application of Regulations 25 to 28 to emergencies

29. On any occasion or occasions of emergency the Secretary of State may direct that the provisions of Regulations 25, 26, 27 and 28 of these Regulations shall apply only to such extent and under such conditions as he may determine.

ANNUAL LEAVE OF ABSENCE

Annual leave for lower ranks

30.—(1) Every member of a police force below the rank of superintendent shall, so far as the exigencies of duty permit and in addition to the days upon which he is not required to perform police duties under Regulation 27 of these Regulations, be granted leave of absence (hereinafter referred to as "annual leave") in accordance with the following table—

	Days
Chief Inspectors	25
Inspectors	22
Sergeants	19
Constables	17

Provided that in the year in which the member is appointed and in that in which he retires he shall, so far as the exigencies of duty permit, be granted annual leave at the rate of one-twelfth of the period hereinbefore specified for his rank for each complete month of service in that year, a fraction of a day being reckoned as one day.

For the purposes of this Regulation the expression "year" means that period of twelve months beginning on such date as may from time to time be determined by the chief constable.

(2) Annual leave shall be additional to any leave specially authorised by the Secretary of State.

Annual leave for higher ranks

31. Every member of a police force of or above the rank of superintendent shall, in addition to the days on which he is not required to do duty under Regulation 27 of these Regulations, be granted in each year, so far as the exigencies of duty permit,—

(*a*) annual leave of not less than forty-two days, with an additional six days after completing ten years' service in any such rank or ranks, and

(*b*) leave off from duty for one day and a half in each month:

Provided that in the year in which the member retires he shall be granted so far as the exigencies of duty permit annual leave at the rate of one-twelfth of the annual leave to which he would be entitled under this Regulation for each complete month of service in that year, a fraction of a day being reckoned as a day.

For the purposes of this Regulation the expression "year" means that period of twelve months beginning on such date as may from time to time be determined by the chief constable.

Annual leave and rest days

32. Inspectors, sergeants and constables shall, if the exigencies of duty permit, be allowed to take their annual leave in one period continuous with the rest days within the meaning of paragraph (4) of Regulation 28 of these Regulations appropriate to the period of that leave.

PAY

Rates of pay

33.—(1) The rate of pay of a member of a police force holding—

(*a*) the rank of chief inspector, inspector, sergeant or constable shall be in accordance with the scale of pay for his or her rank set out in Part I or Part II of the Second Schedule hereto, as the case may be;

(*b*) any other rank shall be in accordance with such scale of pay as shall be determined by the Secretary of State.

(2) In calculating service for any of the aforesaid scales of pay—

(*a*) there shall be included any period which is included in the member's pensionable service by virtue of the fact that he has served in Her Majesty's Forces;

(*b*) there shall be included any previous period or periods of service in the rank which he holds during a temporary promotion thereto;

(*c*) where the member at the end of a period of temporary promotion reverts to the rank that he held immediately before that period he shall thereafter be deemed to have held during that period the rank to which he so reverts;

(*d*) in the case of a constable there shall be included any period of service as an auxiliary, any period of service in Her Majesty's forces following a period of service as an auxiliary, any period of service in the Palestine police force, any period of wholetime service in Orkney or Zetland before the fifteenth day of January, 1938, or the twenty-ninth day of

May, 1940, respectively and any period of service in the Royal Ulster Constabulary;

(*e*) subject to the foregoing provisions of this paragraph, the expression "service" in this Regulation means service since the member's last appointment as a constable or service since the member's last promotion to the rank that he holds, as the case may be.

(3) Notwithstanding sub-paragraph (*b*) of paragraph (2) of this Regulation, in the case of a member of a police force who has been reduced in rank as a punishment there shall not be included any period of temporary promotion before the date of the said punishment.

(4) No pensionable payments except those above referred to and pensionable payments approved by the Secretary of State to members of a police force for acting as deputy chief constable shall be made.

Pay day

34.—(1) Members of a police force shall be paid at such intervals as the police authority may fix, and the police authority may fix different intervals for different classes.

(2) In fixing the interval for any class the police authority shall have regard to the wishes of the members of that class.

Calculation of monthly, weekly and daily pay

35.—(1) One month's pay shall be calculated for all purposes at the annual rate of pay divided by twelve, fractions of a penny being ignored.

(2) One week's pay shall be calculated for all purposes at the annual rate of pay divided by fifty-two and one-sixth, fractions of a penny being ignored.

(3) One day's pay shall be calculated, except for the purposes of Regulation 26 or 28 of these Regulations, at the weekly rate of pay divided by seven, fractions of a penny being ignored.

Transfers

36.—(1) A member of a police force above the rank of constable who transfers or has transferred with the written consent of the chief constable (or, in the case of transfer of a chief constable, with the sanction of the police authority) to the same rank in another police force, shall be entitled to count, for the purpose of reckoning his pay in the police force to which he transfers or transferred, service which he was entitled to count for that purpose in the police force from which he transfers or transferred (unless otherwise agreed upon) as follows:—

(*a*) if he transfers or has transferred to a police force with the same or lower scale of pay for his rank, all previous service in that rank;

(*b*) if he transfers or has transferred to a police force with a higher scale of pay for his rank, such service in that rank as will bring his pay up to the rate of pay that he was receiving in the police force from which he transfers or has transferred.

(2) A constable who transfers or transferred with the written consent of the chief constable or who, having resigned from a police force, joins or joined after the twenty-eighth day of June, 1948, the same or any other police force shall be entitled to count for the purpose of reckoning his pay in the police force to which he transfers or transferred or which he joins or joined all service which he was entitled to count for that purpose in the police force from which he transfers or transferred or resigned.

ALLOWANCES

General

37. All allowances shall be non-pensionable and the amounts and conditions of payment shall be subject to the approval of the Secretary of State, and no allowances shall be paid except such as are prescribed in these Regulations or approved by the Secretary of State.

Rent allowance

38.—(1) A police authority shall either provide every member of the police force with a house or quarters free of rent and rates or pay him a rent allowance in lieu:

Provided that a member to whom Regulation 39 of these Regulations applies who is provided with quarters shall be paid a rent allowance in addition.

(2) Subject to the provisions of Regulation 39 of these Regulations, any allowance granted in lieu of a house or quarters to a married member of a police force not separated from his wife (in this Regulation referred to as a "maximum limit" allowance) shall be the aggregate of the amount paid in rates and—

(*a*) where the member owns the house that he occupies, an amount equal to the rateable value of the said house, or

(*b*) where the member is living in unfurnished accommodation, an amount equal to the rent paid therefor, or

(*c*) where the member is living in furnished accommodation, an amount equal to the rent which in the opinion of the police authority would have been paid therefor had the accommodation been unfurnished,

subject in each case to a maximum limit for married members of the rank in which he is serving;

Provided that—

(i) where part of the said house or part of the said accommodation is let to or occupied by a tenant or lodger, as the case may be, who is not a member of a police force, the police authority may make a deduction from the said aggregate in respect of such part;

(ii) if the police authority think fit, a maximum limit allowance may be paid to a married member of the police force separated from his wife, to a single member of the police force who has a dependent relative living with him and, whether or not he has a dependent relative living with him, to a member of the police force who has divorced, or been divorced by, his wife, or is a widower;

(iii) a police authority may, in special circumstances, authorise payment to a woman member of a rent allowance at the rate provided for married men who are members of the same police force and of the same rank; and

(iv) a married member of the police force separated from his wife or a member of the police force who has divorced, or been divorced by, his wife, and who regularly makes periodic payments to her for her benefit may be granted an addition to his rent allowance equal to whichever is the lesser of the two following amounts, namely, the amount by which his former allowance exceeds his present allowance or the amount paid by him to or for the benefit of his wife or former wife.

(3) Subject to the provisions of paragraph (2) of this Regulation, any allowance granted in lieu of a house or quarters to a single member of a

police force (in this Regulation referred to as a "flat rate" allowance) 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.

(4) The maximum limit referred to in paragraph (2) of this Regulation and the flat rate allowance referred to in paragraph (3) thereof shall from time to time be fixed for each rank by the police authority with the approval of the Secretary of State or by the Secretary of State after consultation with the police authority.

(5) For the purpose of this Regulation—

(*a*) the expression "rates" means the occupier's proportion of any assessment or rate the proceeds of which are applicable to public local purposes and which is leviable on lands and heritages, and includes any occupier's rate in respect of water supply payable according to the gross annual value of the house or quarters independently of the quantity of water consumed;

(*b*) the expression "his former allowance" means:—

(i) in relation to a man who, immediately before his wife commenced to live apart from him, was being provided with a house or quarters free of rent and rates, a sum fixed as the value for the time being of that house or those quarters; and

(ii) in relation to any other man, the maximum limit allowance which would for the time being be payable to him if he were still entitled to a maximum limit allowance and he were paying the aggregate calculated in accordance with paragraph (2) of this Regulation which he was paying immediately before his wife commenced to live apart from him;

(*c*) the expression "his present allowance" means the rent allowance which is being paid to the member of the police force, or, as the case may be, the sum fixed as the value for the time being of the house or quarters with which under this Regulation he is provided.

Supplementary allowance

39.—(1) This Regulation shall apply to a member of a police force other than a woman member, who—

(*a*) is a married man or a widower with a child or children to whom the police authority have decided under the last foregoing Regulation to pay a maximum limit allowance;

(*b*) is not living with his family; and

(*c*) satisfies the police authority that the only reason why he is not so living is that he is unable to find suitable accommodation for his family at a reasonable cost within a reasonable distance of his place of duty.

(2) Notwithstanding the provisions of Regulation 38 of these Regulations, the rent allowance to be paid to a man to whom this Regulation applies shall be that which would be payable to him under the said Regulation 38 if he were a member of the force of the police area in which his family are for the time being and he were living with his family.

(3) A man to whom this Regulation applies shall be paid a supplementary rent allowance at the following rate—

(*a*) if he is provided by the police authority with quarters free of rent and rates, 17s. 6d. a week;

(*b*) if he is not so provided, 25s. a week.

(4) A supplementary rent allowance payable under paragraph (3) of this Regulation may be reduced or withdrawn by the police authority in respect of any period consisting of one or more complete weeks throughout which the member in question is absent from his usual place of duty and is either—

(*a*) on leave of absence, or

(*b*) provided with board and lodging free of charge or an allowance in lieu.

(5) This Regulation shall cease to have effect on the thirty-first day of December, 1957.

Compensatory grant

40.—(1) In the year commencing on the sixth day of April, 1947, and in each subsequent year, a member of a police force who has during the preceding year paid income tax in respect of a rent allowance or any compensatory grant mentioned in this paragraph paid to him in respect of his service in the force shall be paid a compensatory grant.

(2) The amount of the compensatory grant shall be equal to the amount by which the income tax in fact deducted during the preceding year according to the tax tables prepared or prescribed by the Commissioners of Inland Revenue from the member's emoluments in respect of his service in the force is increased by virtue of the inclusion in such emoluments of a rent allowance or any compensatory grant mentioned in this Regulation paid to him.

(3) The compensatory grant may, except in the circumstances described in paragraph (4) of this Regulation, be paid by such instalments throughout the year in which it is payable as the police authority may determine.

(4) Where a member of a police force leaves the force or dies whilst serving in the force he or his personal representatives, as the case may be, shall be paid the whole of the compensatory grant due to the member during that year and, in addition, shall be paid a further compensatory grant equal to the amount by which the income tax in fact deducted between the beginning of the year and the date on which he leaves the force or dies, according to the tax tables prepared or prescribed by the Commissioners of Inland Revenue, from the member's emoluments in respect of his service in the force during that period is increased by virtue of the inclusion in such emoluments of a rent allowance or any compensatory grant mentioned in this Regulation paid to him.

(5) For the purposes of this Regulation—

(*a*) the word "year" means the year commencing on the sixth day of April and ending on the following fifth day of April; and

(*b*) where a member of a police force has served more than once in the same force, references in this Regulation to service in the force shall be construed as references to his service therein since his last appointment thereto.

Transfer allowance

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 re-imburse the reasonably incurred removal expenses of the member or carry out the removal.

(2) Where, as a result of such a move, the member finds it necessary to incur expenditure on adapting or replacing existing household furnishings, he shall be entitled to receive from the police authority a sum of £5 and, if the expenditure actually and necessarily so incurred exceeds that sum, to receive, in addition to that sum, a further payment in reimbursement of the expenditure so incurred in so far as it exceeds that sum, so, however, that such further payment shall in no case exceed the amount set out in the following Table opposite to the rank that he holds:

TABLE

Rank	Amount
	£
Above the rank of Chief Superintendent	35
Superintendent	25
Inspector	20
Sergeant or Constable	15

Boot allowance

42. A member of a police force who is not supplied with boots by the police authority shall be paid in lieu thereof a boot allowance at the rate of 3s. weekly.

Plain clothes allowance

43. A member of a police force who is required to do duty in plain clothes for a period of not less than one week shall be paid a plain clothes allowance at the rate set out in the following Table opposite to the rank that he holds:—

TABLE

Rank	Amount
	£
Superintendent	35 a year
Inspector	32 a year
	s. d.
Sergeant	11 0 a week
Constable	10 0 a week

Provided that—

(i) a sergeant or constable who is required to do duty in plain clothes for not less than six days in any period of three months shall be paid a plain clothes allowance in respect of each day at a rate equal to two-elevenths of the weekly rate;

(ii) a sergeant or constable who is provided with overalls when doing duty in plain clothes or who for any other reason is, in the opinion of the Secretary of State, put to substantially less or substantially more than the normal expense caused by wearing his own clothes on duty may be paid a plain clothes allowance at a rate approved by the Secretary of State.

Detective allowances

44.—(1) If the chief constable is satisfied that a member of a police force while engaged in detective duties is normally engaged in outside duty, that member shall 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	Amount	
	Men	Women
Chief Inspector	£85 a year	£76 a year
Inspector	£75 a year	£68 a year
Sergeant	£64 a year	£57 a year
Constable	£51 a year	£45 a year

Provided that the allowance shall not be paid for a period of detective duty of less than one week.

(2) A member of a police force in receipt of an allowance under the foregoing paragraph shall be paid also a detective expenses allowance at the rate of 10s. 0d. a week.

(3) If immediately before the first day of July, 1949, the chief constable was satisfied that a member of a police force below the rank of superintendent was normally engaged in detective duty other than outside duty, that member shall, if he applied to the chief constable before the first day of August, 1949, continue to receive the detective allowance which he was receiving immediately before the first day of July, 1949, until the chief constable is satisfied that he is no longer so engaged or until he is promoted and, so long as he receives the said allowance, he shall be treated for the purposes of these Regulations, other than Regulation 28 and paragraph (2) of this Regulation, as if he were paid a detective duty allowance.

Refreshment, subsistence and lodging allowances

45.—(1) A member of a police force of or below the rank of superintendent who, being retained on duty beyond his normal period of duty or being engaged on duty away from his usual place of duty, necessarily incurs additional expense to obtain food or lodging, shall—

(*a*) if the period for which he is so retained or engaged exceeds one hour but does not exceed five hours, be paid a refreshment allowance;

(*b*) if the period for which he is so retained or engaged exceeds five hours, be paid a subsistence allowance;

(*c*) if the said expense includes the expense of obtaining lodging, be paid a lodging allowance.

(2) Notwithstanding anything in the preceding paragraph a member of a police force of or below the rank of superintendent who satisfies the chief constable that during his normal period of duty he was, although not away from his usual place of duty, unable by reason of the exigencies of duty to obtain his meals in his usual way and that he necessarily incurred additional expense for the purpose may be paid a refreshment allowance.

(3) The amount of the said allowances shall be according to the following scale :—

Description of Allowance	Superintendents	Inspectors	Sergeants and Constables
	s. d.	s. d.	s. d.
Refreshment Allowance—			
(*a*) for one meal	5 0	4 6	3 9
(*b*) for two meals	7 0	6 6	5 9
Subsistence Allowance: Period of retention or engagement—			
(*a*) over 5 hours and not exceeding 8 hours	7 0	6 6	5 9
(*b*) over 8 hours and not exceeding 12 hours	10 6	9 6	8 0
(*c*) over 12 hours and not exceeding 24 hours	17 0	14 6	13 0
(*d*) over 24 hours—at the rate under (*c*) above for each complete period of 24 hours' retention or engagement, together with whichever is the appropriate amount under the preceding provisions of this scale for any excess over the aggregate of such complete periods.			
Lodging Allowance—			
For each night	27 6	21 0	18 0

Provided that—

(i) if a lodging allowance is payable as well as a subsistence allowance in respect of a total period of retention or engagement of sixteen hours or less, the subsistence allowance shall be of the amount appropriate to a retention or engagement for a period exceeding eight hours and not exceeding twelve hours ;

(ii) if the chief constable is satisfied in any particular case that the amount of the allowances specified above is not sufficient to cover the actual expenses necessarily incurred, he may authorise payment of the difference ;

(iii) if the chief constable is satisfied in any particular case that the amount of the allowances specified above would be excessive having regard to the additional expenses necessarily incurred, he may direct that the amount of the allowances shall be reduced to such an amount as he determines, not being less than the amount of such expenses ;

(iv) if a member of a police force is so retained or engaged for a period exceeding one week, he may, if the chief constable is satisfied that the allowances specified above would be excessive, be granted in lieu thereof a weekly allowance at such lower rate as may be necessary to cover his reasonable expenses.

(4) Where the place of duty of a member of a police force has been temporarily changed, the expression in this Regulation "usual place of duty" shall, after such period from the date of change as the chief constable may determine, mean the temporary place of duty.

Advances to cover expenses when away on duty

46. Where a member of a police force of or below the rank of inspector is required to do duty away from his usual place of duty he shall be given an advance to cover, as far as practicable, any expenses which he will probably incur.

Allowances in respect of medical charges

47. The police authority shall reimburse a member of a police force any charges incurred in his case under section forty of the National Health Service (Scotland) Act, 1947(**a**) (as amended by section sixteen of the National Health Service (Amendment) Act, 1949(**b**)), under section one of the National Health Service Act, 1951(**c**), or under section one or section two of the National Health Service Act, 1952(**d**), (which sections relate to charges for certain drugs, medicines and appliances and for dental treatment).

Extra duty allowance

48.—(1) Where the police are required to undertake any of the following duties a member of the police force so engaged may receive an extra duty allowance, to be payable by the authority for which the duties are undertaken, if the police authority are satisfied that the performance of such extra duties causes, either regularly or on recurring occasions, a material addition to his normal hours of duty:—

(*a*) duties of inspector under the Diseases of Animals Act, 1950(**e**), and making of returns in relation thereto;

(*b*) inspection of weights and measures;

(*c*) inspection and procuring samples under the Food and Drugs Act, 1938(**f**), and the Fertilizers and Feeding Stuffs Act, 1926(**g**);

(*d*) inspection of premises for the purposes of the Explosives Acts, 1875 and 1923(**h**), and the Petroleum (Consolidation) Act, 1928(**i**);

(*e*) duties of inspector under the Shops Act, 1950(**j**).

(2) In respect of the following duties no allowance shall be payable other than the allowance or payment (if any) to which the member of the police force would normally be entitled in respect of overtime as provided in these Regulations:—

(*a*) enforcement of the Cinematograph Acts, 1909 and 1952(**k**), and the Celluloid and Cinematograph Film Act, 1922(**l**);

(*b*) enforcement of burgh byelaws;

(*c*) billeting;

(*d*) issue of pedlars' certificates;

nor in respect of any of the following duties where undertaken by the police:—

(i) inspection of domestic servants' registries;

(ii) inspection of common lodging houses;

(iii) inspection of hackney carriages;

(iv) inspection of licensed boats;

(**a**) 10 & 11 Geo. 6. c. 27. (**b**) 12, 13 & 14 Geo. 6. c. 93.
(**c**) 14 & 15 Geo. 6. c. 31. (**d**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 25.
(**e**) 14 Geo. 6. c. 36. (**f**) 1 & 2 Geo. 6. c. 56.
(**g**) 16 & 17 Geo. 5. c. 45. (**h**) 38 & 39 Vict. c. 17 and 13 & 14 Geo. 5. c. 17.
(**i**) 18 & 19 Geo. 5. c. 32. (**j**) 14 Geo. 6. c. 28.
(**k**) 9 Edw. 7. c. 30 and 15 & 16 Geo. 6 & 1 Eliz. 2. c. 68. (**l**) 12 & 13 Geo. 5. c. 35.

(v) inspection of beach trading;
(vi) inspection of markets;
(vii) inspection of fire appliances;
(viii) inspection of lighting;
(ix) inspection of cleansing.

(3) The following are duties which the police shall not be required to perform:—

(*a*) collection and recovery of monies due under decrees of affiliation and aliment or decrees for aliment;

(*b*) collection of market tolls;

(*c*) town crier;

(*d*) halberdier;

(*e*) theatre or public hall attendant.

Temporary duty allowance

49.—(1) A member of a police force who is required for a continuous period exceeding one week to perform the duties of another member of the force holding a higher rank than his own, either to fill a temporary vacancy or for some other special purpose, shall be granted in respect of such service after the said week an allowance in addition to his pay, at a rate equal to the difference between his pay and the lowest rate of pay for that higher rank. No such allowance shall, except with the approval of the Secretary of State, be payable for a longer period than three months.

(2) This Regulation shall not apply to a deputy chief constable who is required to perform the duties of a chief constable.

Allowance for recurring escort duty

50. An allowance may be paid, of such amount and under such conditions as may be approved by the Secretary of State on the recommendation of the police authority, in respect of recurring escort duty or other specific duties involving recurring detention on duty beyond the normal period and not covered by any other payment.

Private employment of police

51. A member of a police force who is engaged on duty at the request of any person who has agreed to pay the police authority for the member's services shall not be entitled to any payment for those services except as provided by these Regulations and any payments made in pursuance of that agreement shall be made by that person to the police authority.

Continuance of allowances when a member is ill

52. If a member of a police force who is regularly in receipt of a plain clothes allowance or detective duty allowance, detective expenses allowance or any allowance to meet an expense which ceases during his absence from duty is placed upon the sick list, the allowance shall be payable during his absence from duty up to a period of one month, but thereafter, during the remainder of his absence from duty, payment may be suspended at the discretion of the chief constable:

Provided that the boot allowance shall not cease to be payable while the member is on the sick list.

Uniform and Equipment

Issue of uniform and equipment

53. Uniform and equipment shall be issued by the police authority free of charge to members of the police force in accordance with the provisions of the Third Schedule hereto:

Provided that a chief constable and an assistant chief constable may be granted in lieu of uniform an allowance of an amount to be approved by the Secretary of State.

Ownership of uniform and equipment

54. The uniform and equipment issued by the police authority are for use in the performance of duty. Subject to Regulation 55 of these Regulations, such uniform and equipment shall not become the property of the member of the police force to whom they are issued and shall be handed back by him to the police authority on his leaving the force.

Replacement of uniform and equipment

55. On any article of uniform or equipment (except trousers) being replaced by the police authority the article shall be handed back to the police authority:

Provided that the member may, with the consent of the police authority, buy the article at a price to be fixed by the authority.

Re-issue of uniform and equipment

56. Uniform and equipment handed back to the police authority shall not be re-issued to another member of a police force until it has received any necessary cleaning or renovation and is in serviceable condition.

Boots

57. Every member of a police force shall be in possession of two pairs of boots, or in the case of women members shoes, suitable for duty.

Sick Leave and Deductions from Pay

Illness

58. A member of a police force shall not be entitled to be absent from duty on account of injury or illness unless a registered medical practitioner has certified him to be unfit for duty:

Provided that if, notwithstanding such certificate, a registered medical practitioner appointed or approved by the police authority has examined him and certified him to be fit for duty he shall no longer be entitled to be absent from duty.

Deductions from pay of injury or sickness benefits

59. There shall be deducted from the pay of a member of a police force the amount of any sickness benefit under the National Insurance Act, 1946(**a**), or injury benefit under the National Insurance (Industrial Injuries) Act, 1946(**b**), to which he may be entitled.

Miscellaneous Provisions Relating to Members of Police Forces

Service outside a burgh

60.—(1) Subject to the provisions of paragraph (3) of this Regulation, a member of a combined police force who, having been a member of the police force of a burgh comprised in the combined area, has been transferred to the

(a) 9 & 10 Geo. 6. c. 67. (b) 9 & 10 Geo. 6. c. 62.

combined police force by an amalgamation scheme made under the Police (Scotland) Act, 1946(a), or the Police (Scotland) Act, 1956, shall not be assigned without his consent to duties which in the opinion of the Secretary of State make it necessary for him to establish his home outside the burgh.

(2) This Regulation shall apply in relation to a member of a combined police force who reverts to the force under subsection (1) of section 2 of the Police (Overseas Service) Act, 1945(b), as applied by subsection (2) of section 9 of the Police (Scotland) Act, 1946, or subsection (2) of section 23 of the Police (Scotland) Act, 1956, or having been a person to whom section 1 of the Police and Firemen (War Service) Act, 1939(c), applied, became a member of the combined police force without having been deemed under subsection (2) of section 2 of the last named Act or under any regulations made under the Police Pensions Act, 1948(d), to have retired, in the same manner as it applies to a member of a combined police force who has been transferred thereto by an amalgamation scheme made under the Police (Scotland) Act, 1946 or the Police (Scotland) Act, 1956.

(3) This Regulation shall not apply to such a member of a combined police force as is described above if, since he became a member of the police force of the burgh,

(*a*) he has been a chief constable;

(*b*) he has retired, resigned or been dismissed from a police force, or has been deemed to have retired from a police force under subsection (2) of section 2 of the Police and Firemen (War Service) Act, 1939, or under any regulations made under the Police Pensions Act, 1948, or has engaged for a period of overseas service in such a manner that he has not acquired under subsection (1) of section 2 of the Police (Overseas Service) Act, 1945, a right of reversion or, having acquired the said right of reversion, has lost or not availed himself of the said right, or has removed, within the meaning of subsection (1) of section 8 of the Police Pensions Act, 1921(e), or under any regulations made under the Police Pensions Act, 1948, from one police force to another.

(4) Where a member of a combined police force has been a member of the police force of more than one burgh comprised in the combined area references in this Regulation to the police force of such a burgh shall, in relation to him, be construed as references to the police force of such a burgh of which he was last a member.

Restrictions on the private life of members

61. The provisions of the Fourth Schedule to these Regulations (which relate to restrictions on the private life of members of police forces) shall apply to all members of a police force; and no restrictions other than those designed to secure the proper exercise of the functions of a constable shall be imposed by the police authority or the chief constable on the private life of members of a police force except such as may temporarily be necessary or such as may be approved by the Secretary of State after consultation with the Police Council, and any such restriction temporarily imposed shall be reported forthwith to the Secretary of State.

Mutual Aid of Police Forces

Finger and palmar prints

62. On each occasion when an impression or a photograph of a finger print or of a palmar print is sent to New Scotland Yard for registration

(a) 9 & 10 Geo. 6. c. 71. (b) 9 & 10 Geo. 6. c. 17. (c) 2 & 3 Geo. 6. c. 103.
(d) 11 & 12 Geo. 6. c. 24. (e) 11 & 12 Geo. 5. c. 31.

or search, a copy of the impression or photograph, together with a copy of the relative particulars, shall be sent at the same time to the chief constable of Glasgow for registration or search in the Glasgow register of finger and palmar prints.

Scottish Police Gazette

63. Every chief constable shall, in addition to such other action as he may deem to be necessary or desirable in particular cases, make use of the Scottish Police Gazette for the purpose of the rapid circulation to all police forces in Scotland of information regarding persons wanted by the police or property stolen in his police area, and shall make arrangements for the supply of copies of each issue of the Gazette to police stations in his police area.

Use of apparatus in conjunction with neighbouring authorities

64. A police authority shall, if so required by the Secretary of State, cause any police station or police box or police vehicle in its police area to be equipped with apparatus suitable for use in conjunction with apparatus operated by the police force of another police area, and the chief constable shall co-operate with the chief constable of that other police area in securing the effective use of all such apparatus.

Joint upkeep of apparatus used by co-operating authorities

65. Where the Secretary of State is satisfied that it is desirable for the more efficient policing of any area that the police authority should co-operate with the police authority of another area in the provision and maintenance of apparatus for police purposes, or should utilise apparatus which has been provided by the police authority of another area for police purposes he may require it so to do upon such terms and conditions as the police authorities concerned may agree, or, failing agreement, as the Secretary of State may determine.

SUPPLEMENTAL

Definitions

66.—(1) In these Regulations unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them, that is to say,

" inspector " includes chief inspector ;

" overtime " has the meaning assigned to it in Regulation 26 of these Regulations :

" pensionable service " means pensionable service for the purpose of the Police Pensions (Scotland) Regulations, 1955 ;

" police authority " and " police force " have the like meanings respectively as in the Police (Scotland) Act, 1956 ;

" Police Council " has the like meaning as in the Police Act, 1919(**a**) ;

" superintendent " includes chief superintendent.

(2) In these Regulations any reference to a member of a police force is a reference to any regular constable of a police force (including the chief constable) ; any reference to the chief constable of a police force includes a reference to any other member of the force for the time being duly exercising the functions of the chief constable ; and, subject to the foregoing paragraph, references to a superintendent, an inspector, a sergeant or (except in this paragraph) a constable are references to members of police forces holding those ranks respectively.

(**a**) 9 & 10 Geo. 5. c. 46.

(3) (*a*) Any reference, in the case of a man, to service as an auxiliary is to be taken as a reference to all whole-time paid service after the third day of September, 1939, as a police war reservist, as a special constable whose pay was granted under the Special Constables (Scotland) Order, (No. 2), 1940(**a**), or, while the man in question was not in receipt of a pension under the Police Pensions Acts, 1921 and 1926(**b**), or under regulations made under the Police Pensions Act, 1948, as a member of the first class of the police reserve, including all leave with full pay and any period of leave without full pay not exceeding seven days in duration, but excluding any period of leave without full pay exceeding seven days in duration and any period of absence or suspension without full pay or the equivalent of full pay; and for the purpose of this paragraph leave shall not be taken to be leave without full pay by reason only that there was deducted from the man's pay the amount of benefits under the National Health Insurance Acts, 1936 to 1941, or the National Insurance Acts, 1946(**c**), of payments made under any scheme made by the Minister of Pensions under the Personal Injuries (Emergency Provisions) Act, 1939(**d**), or of any weekly payments under the Workmen's Compensation Acts, 1925 to 1945.

(*b*) Any reference, in the case of a woman, to service as an auxiliary is to be taken as a reference to all service as a member of Class A of the Women's Auxiliary Police Corps and, while the woman in question was not in receipt of a pension under the Police Pensions Acts, 1921 and 1926, or under regulations made under the Police Pensions Act, 1948, to all whole-time paid service after the third day of September, 1939, as a member of the first class of the police reserve and, while the woman in question was assigned to duties which were wholly or mainly street patrol duties, motor patrol duties or outside detective duties, to whole-time paid service as a member of the Women's Auxiliary Police Corps, after the third day of September, 1939, and before the first day of April, 1945;

Provided that for the purpose of reckoning the length of such whole-time paid service account shall be taken only of each complete month during the whole of which the woman in question was assigned to such duties.

In this sub-paragraph whole-time paid service includes all leave with full pay, any period of leave without full pay not exceeding seven days in duration and any period of absence or suspension with full pay or the equivalent of full pay, and for this purpose leave shall not be taken to be leave without full pay by reason only that there was deducted from the woman's pay the amount of benefits under the National Health Insurance Acts, 1936 to 1941, or the National Insurance Acts, 1946, of payments made under any scheme made by the Minister of Pensions under the Personal Injuries (Emergency Provisions) Act, 1939, or of any weekly payments under the Workmen's Compensation Acts, 1925 to 1945.

(4) The area to which a constable is assigned for duty either generally or for a particular period of hours shall be known as a beat; a number of beats grouped for supervision by a sergeant or an inspector shall be known as a section; a number of sections grouped for supervision by an inspector shall be known as a sub-division; a number of sections or sub-divisions grouped for supervision by a superintendent or by a member of a police force directly responsible to the chief constable shall be known as a division.

(5) For the purposes of these Regulations service in a police force from which a member of a police force is or has been transferred by or under the

(a) S.R. & O. 1940/1275 (1940 I, p. 200).
(b) 11 & 12 Geo. 5. c. 31 and 16 & 17 Geo. 5. c. 34.
(c) 9 & 10 Geo. 6. c. 62 and 9 & 10 Geo. 6. c. 67.
(d) 2 & 3 Geo. 6. c. 82.

Police (Scotland) Act, 1946, or the Police (Scotland) Act, 1956, and service in the police force to which he is or has been so transferred shall be treated as if it were service in the same police force.

(6) The Interpretation Act, 1889(a), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(7) References in these Regulations to any enactment or regulation shall unless the context otherwise requires be construed as references to that enactment or regulation as amended by any other enactment or regulation.

Revocations and transitional provisions

67.—(1) The regulations set out in the Fifth Schedule to these Regulations are, save in so far as not already revoked, hereby revoked.

(2) Section 38 of the Interpretation Act, 1889, shall apply as if these Regulations were an Act of Parliament and as if any regulations revoked by these Regulations were Acts of Parliament repealed by an Act of Parliament.

(3) Any appointment, deduction, application, grant, election or publication made, or approval, authorisation, direction, consent, certificate or notice given, or any record or list kept, or any examination passed, or any rank adopted, or any uniform or equipment issued, or any overtime worked or hours of duty worked on any public holiday or rest day, or other thing done under any regulation revoked by these Regulations shall not be invalidated by the revocation effected by paragraph (1) of this Regulation, but shall in so far as it could have been made, given, kept, passed, adopted, issued, worked or done under a provision of these Regulations have effect as if it had been made, given, kept, passed, adopted, issued, worked or done under that provision.

(4) Any reference in any document to any regulations made under section 4 of the Police Act, 1919 (relating to Scotland), or any provision thereof (other than a provision relating to discipline) shall unless the contrary intention appears be construed as a reference to these Regulations or the corresponding provision of these Regulations.

Citation and commencement

68.—(1) These Regulations may be cited as the Police (Scotland) Regulations, 1956, and shall come into force on the first day of January, 1957.

(2) These Regulations shall, except where the context otherwise requires, extend to Scotland only.

Dated this 13th day of December, 1956.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

FIRST SCHEDULE

Regulation 11

REGULATIONS FOR THE CONDUCT OF QUALIFYING EXAMINATIONS

1. The object of the qualifying examinations is to test the education and professional knowledge of the members of police forces who are candidates.

2. The qualifying examinations shall be conducted by means of written papers upon the following subjects:—

(*a*) Educational subjects, including

(i) English, including handwriting, spelling, punctuation, comprehension and composition;

(a) 52 & 53 Vict. c. 63.

(ii) arithmetic ;
(iii) geography, especially the geography of the British Isles ;
(iv) General knowledge and intelligence ;

(*b*) police duties, including
(i) criminal law ;
(ii) evidence and procedure ;
(iii) structure of local and central government ;
(iv) general statutes, regulations and orders ;
(v) local regulations and byelaws ;
(vi) extra duties performed by the particular force concerned.

3. A Board, designated the Police (Scotland) Examinations Board and hereinafter referred to as the Board, shall be appointed to conduct the examinations.

4.—(1) The Board shall consist of two members to be nominated by the Chief Constables' (Scotland) Association, two members to be nominated by the Scottish Superintendents' Council, two inspectors to be nominated by the Joint Central Committee of the Scottish Police Federation, a member to be nominated by the Scottish Education Department and a member who shall be chairman to be nominated by the Secretary of State. The present members shall hold office until the 31st December, 1958 ; subsequent nominations shall take place in the years in which members demit office and the members nominated shall hold office for three years. Any casual vacancy in the office of chairman shall be filled by the Secretary of State and any other casual vacancy shall be filled by the body or Department by which the member who ceases to hold office was nominated. The Board may form committees and delegate to such committees all or any of their powers and duties under these Regulations.

(2) Three members of the Board present at any meeting shall form a quorum.

5.—(1) The elementary qualifying examination shall be held annually in February on such day and at such centres as the Board may appoint.

(2) The advanced qualifying examination shall be held annually in February on such day and at such centres as the Board may appoint.

(3) The Board may in any year, for special reasons and with the sanction of the Secretary of State, direct that the elementary qualifying examination or the advanced qualifying examination, or any part thereof, be held on a day subsequent to the day originally appointed for that examination.

6.—(1) The Scottish Education Department shall prepare, or arrange for the preparation of, examination papers in the subjects specified in sub-paragraph (*a*) of paragraph 2 of this Schedule.

(2) The Board shall prepare, or arrange for the preparation of, examination papers in the subjects (i), (ii), (iii) and (iv) in sub-paragraph (*b*) of paragraph 2 of this Schedule.

(3) The chief constable of each force with candidates for the examination shall prepare and submit for the approval of the Board papers in the subjects (v) and (vi) in sub-paragraph (*b*) of paragraph 2 of this Schedule.

7. On or before the first day of November in each year chief constables shall submit to the Board lists of all candidates desirous of presenting themselves for examination, and no candidate shall be accepted whose name has not been so submitted.

8. The Board shall forward to the Scottish Education Department not later than the fifteenth day of November in each year a list of the centres at which the qualifying examinations will be held together with a list of candidates shewing the subjects and grades in which each is to be examined.

9. Not less than fourteen days before the day fixed for the opening of each qualifying examination the Scottish Education Department shall forward to the Board the examination papers prepared for that examination under their direction

and the Board shall transmit to chief constables who have sent in lists of candidates the requisite number of those papers and of the examination papers which have been prepared for that examination under the direction of the Board and of the examination papers which have been submitted for that examination in terms of sub-paragraph (3) of paragraph 6 of this Schedule and approved by the Board.

10. The qualifying examinations shall be conducted, under rules to be made by the Board, by the chief constable or an officer of rank not below inspector or, in special cases with the approval of the Board, by a person who is not a member of a police force.

11. Candidates' scripts in subjects (v) and (vi) in sub-paragraph (*b*) of paragraph 2 of this Schedule shall be marked by the chief constable or other officer who conducts the examination, and the marks awarded shall be reported by him to the Board. Candidates' other scripts shall be sent by the chief constable or other officer to the Board, who shall mark or arrange for the marking of the scripts in subjects (i) (ii), (iii) and (iv) of sub-paragraph (*b*) of paragraph 2 of this Schedule, and shall forward the scripts in educational subjects to the Scottish Education Department for the purpose of being marked. The Scottish Education Department shall, as soon as may be, return to the Board the scripts duly marked.

12. The Board shall determine the pass-mark in each subject, and shall thereafter intimate the results of the qualifying examinations to the chief constables concerned, stating in the case of each candidate whether he has passed or failed.

SECOND SCHEDULE

Regulation 33

Scales of Pay

Part I

Men

	Chief Inspector	Inspector	Sergeant	Constable
	£	£	£	£
On appointment as Constable or on promotion as the case may be ...	910 a year	800 a year	675 a year	475 a year
After 1 year of service in the rank	935 a year	820 a year	690 a year	475 a year
After 2 years of service in the rank	960 a year	840 a year	705 a year	535 a year
After 3 years of service in the rank	—	860 a year	720 a year	550 a year
After 4 years of service in the rank	—	—	735 a year	565 a year
After 5 years of service in the rank	—	—	—	580 a year
After 6 years of service in the rank	—	—	—	600 a year
After 10 years of service in the rank	—	—	—	620 a year
After 15 years of service in the rank	—	—	—	640 a year

PART II

Women

	Chief Inspector	Inspector	Sergeant	Constable
	£	£	£	£
On appointment as Constable or on promotion as the case may be ...	820 a year	720 a year	605 a year	425 a year
After 1 year of service in the rank	840 a year	740 a year	620 a year	425 a year
After 2 years of service in the rank	865 a year	755 a year	635 a year	480 a year
After 3 years of service in the rank	—	775 a year	650 a year	495 a year
After 4 years of service in the rank	—	—	660 a year	510 a year
After 5 years of service in the rank	—	—	—	525 a year
After 6 years of service in the rank	—	—	—	540 a year
After 10 years of service in the rank	—	—	—	555 a year
After 15 years of service in the rank	—	—	—	575 a year

THIRD SCHEDULE

Regulation 53

ISSUE OF UNIFORM, CLOTHING AND EQUIPMENT

1.—(1) The uniform specified in the following Table for men and women respectively shall be issued in accordance with that Table subject to any modifications approved by the Secretary of State:

Provided that—

(i) where particular duties or the duties of a particular member of a police force entail greater or less wear than normal the issue of any article of uniform may be made as required;

(ii) the chief constable's uniform shall be supplied on appointment and renewed on requisition:—

TABLE

Men

Article	Issue	Period of Wear	Number in Possession
Jacket ...	Annual	Four years	Four
Trousers ...	Two pairs annually...	Two years	Four pairs
Greatcoat ...	Every two years	Four years	Two
Raincoat ...	As required	—	Two
Cap ...	As required	—	Two
Shirts ...	Two annually, after initial issue of four	—	—
Collars ...	Six annually, after initial issue of twelve	—	—
Ties ...	Two annually	—	—

Provided that constables on appointment shall be supplied with two jackets, two pairs of trousers, four shirts, twelve collars, two ties and one of each of

the other articles above mentioned, and shall not in the case of any article be required to have the number specified in the last column in their possession until after the second (or in the case of jackets the third) issue of such articles.

Women

Article	Issue	Period of Wear	Number in Possession
Jacket ...	Annual	Four years	Four
Skirt ...	Two annually	Two years	Four
Greatcoat ...	Every two years	Four years	Two
Raincoat ...	As required	—	Two
Headdress ...	As required	—	Two
Shirts ...	Two annually, after initial issue of four	—	—
Collars ...	Six annually, after initial issue of twelve	—	—
Ties ...	Two annually	—	—
Stockings ...	Twelve pairs annually	—	—

Provided that constables on appointment shall be supplied with two jackets, two skirts, four shirts, twelve collars, two ties and twelve pairs of stockings and one of each of the other articles above mentioned, and shall not, in the case of any article, be required to have the number specified in the last column in their possession until after the second (or in the case of jackets the third) issue of such articles.

(2) Uniform or equipment issued by the police authority which is lost or damaged otherwise than owing to the member's default or is faulty or is ill-fitting shall be replaced or repaired by the police authority free of charge:

Provided that this paragraph shall not apply to minor repairs or alterations which can be satisfactorily carried out by the member.

(3) Clothing for particular duties such as mounted duty, cycling, driving of vehicles or stable duty shall be issued as required.

(4) Where boots or, in the case of women members, shoes are provided by the police authority for the purpose of duty, the issue shall be at the rate of two pairs annually or as may be approved by the Secretary of State.

2. Issues of equipment shall be made as circumstances require and may include the issue of the following articles:—

Baton
Breeches and puttees
Button brushes and button stick
Cape
Cape strap and sling
Detachable fleece or woollen raincoat lining
Electric lamp
Gloves
Handcuffs
Haversack or kit-bag
Leggings
Overalls
Pocket note-book
Waist-belt
Warrant card
Waterproof cape
Whistle and chain

FOURTH SCHEDULE Regulation 61

RESTRICTIONS ON THE PRIVATE LIFE OF MEMBERS OF POLICE FORCES

1. A member of a police force shall at all times abstain from any activity which is likely to interfere with the impartial discharge of his duties or which is likely to give rise to the impression amongst members of the public that it may so interfere; and in particular a member of a police force shall not take any active part in politics.

2. The place at which a member of a police force resides shall be subject to the approval of the chief constable.

3.—(1) A member of a police force shall not, without the previous consent of the chief constable, receive a lodger in a house or quarters with which he is provided by the police authority or sub-let any part of any such house or quarters.

(2) A member of a police force shall not, unless he has previously given written notice to the chief constable, receive a lodger in a house in which he resides and in respect of which he receives a rent allowance or sub-let any part of such a house.

4. A member of a police force shall not wilfully refuse or neglect to discharge any lawful debt.

FIFTH SCHEDULE Regulation 67

REGULATIONS REVOKED

The Police (Scotland) Regulations, 1952(a).

The Police (Scotland) (Amendment) Regulations, 1952(b).

The Police (Scotland) (Amendment) Regulations, 1953(c).

The Police (Scotland) (Amendment) (No. 2) Regulations, 1953.

The Police (Scotland) Amendment Regulations, 1954(d).

The Police (Scotland) Amendment (No. 2) Regulations, 1954(e).

The Police (Scotland) Amendment Regulations, 1955(f).

The Police (Scotland) Amendment (No. 2) Regulations, 1955(g).

The Police (Scotland) Amendment Regulations, 1956(h).

The Police (Scotland) Amendment (No. 2) Regulations, 1956(i).

The Police (Scotland) Amendment (No. 3) Regulations, 1956(j).

EXPLANATORY NOTE

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

The Regulations make provision as to the appointment, promotion and resignation of regular constables of police forces; as to their personal records; as to their hours of duty and leave; as to their pay and allowances; as to their clothing and equipment; and as to the mutual aid of police forces.

(a) S.I. 1952/1355 (1952 II, p. 2546).
(b) S.I. 1952/2261 (1952 II, p. 2580).
(c) S.I. 1953/697 (1953 II, p. 1592).
(d) S.I. 1954/75 (1954 II, p. 1790).
(e) S.I. 1954/1715 (1954 II, p. 1794).
(f) S.I. 1955/1046 (1955 II, p. 1880).
(g) S.I. 1955/2003 (1955 II, p. 1882).
(h) S.I. 1956/174.
(i) S.I. 1956/1534.
(j) S.I. 1956/1983.

The Regulations re-enact with certain amendments regulations made under the Police Act, 1919, which are revoked. The principal changes are as follows:—

(1) Regulation 8 prescribes the form of declaration to be made by persons appointed to the office of constable of a police force; this takes the place of the form of oath or declaration prescribed by Acts repealed by the Police (Scotland) Act, 1956.

(2) Regulation 19 makes provision as to the voluntary resignation of members of police forces.

(3) Regulation 27 makes provision for the granting of a weekly rest day to members of police forces not above the rank of chief inspector; this replaces similar provision made by an Act repealed by the Police (Scotland) Act, 1956.

1956 No. 1998 (S. 94)

The Police (Discipline) (Scotland) Regulations, 1956

Made - - - -	13*th December*, 1956
Laid before Parliament	20*th December*, 1956
Coming into Operation	1*st January*, 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.—(1) These Regulations may be cited as the Police (Discipline) (Scotland) Regulations, 1956, and shall come into operation on the first day of January, 1957.

(2) These Regulations shall extend to Scotland only.

2. For paragraph (2) of Regulation 6 of the Police (Discipline) (Scotland) Regulations, 1952(**b**), there shall be substituted the following paragraphs:—

"(2) Subject to the provisions of the next following paragraph, in any proceedings under these Regulations the chief constable shall hear the case unless he is interested otherwise than as chief constable or is a material witness.

(2A) Where the chief constable is interested as aforesaid or is a material witness, he or the accused may elect that, instead of the chief constable hearing the case, it shall be heard by that chief constable who shall be first available on a rota of all chief constables prepared and maintained for the purposes of this Regulation by the President for the time being of the Chief Constables' (Scotland) Association; and any reference to the chief constable in relation to the hearing of a case shall be construed accordingly.

(**a**) 4 & 5 Eliz. 2. c. 26. (**b**) S.I. 1952/1356 (1952 II, p. 2582).