EXPLANATORY NOTE

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

These Regulations, which relate to promotion from constable to sergeant and from sergeant to inspector, reproduce, with minor amendments, the provisions of the Police (Promotion) Regulations, 1952 (which are revoked by Regulation 6) except that they provide for the holding of qualifying examinations by a central examinations board and a central examination agency instead of by individual police forces. Special provisions relating to the metropolitan police force are made by Regulation 2 and paragraph 7 of the Schedule.

Regulation 7 provides that the Regulations shall come into operation on 1st January, 1958, save that for the purpose of making preparations for the holding of examinations on or after that date they shall come into operation forthwith.

SPECIAL CONSTABLES

1956 No. 1997 (S. 93)

The Police (Special Constables) (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 8, subsection (1) of section 9 and subsection (1) of 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:—

RANKS

Ranks

1. The ranks which may be held by special constables shall be as follows:—

Commandant.
Divisional Commandant.
Special Inspector.
Special Sergeant.
Special Constable.

APPOINTMENT

Qualifications for Appointment

2. No person shall be appointed to the office of special constable unless he has the following qualifications, that is to say—

(*a*) he has attained the age of eighteen years;

(*b*) he is a British subject;

(*c*) he is not less in height than five feet six inches:

Provided that paragraph (*c*) of this Regulation shall not apply in the case of a female person.

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

Declaration on Appointment

3. The declaration to be made under section 8 of the said Act of 1956 by a person appointed to the office of special constable shall be in the following terms:

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

RESIGNATION

Voluntary Resignation

4.—(1) A special constable who desires to resign his appointment voluntarily shall give to the chief constable of the police force to which he belongs notice in writing of his intention to do so.

(2) Without prejudice to Regulation 5 of these Regulations, a special constable may resign his appointment if—

(*a*) he has given notice in conformity with the preceding paragraph of his intention to do so, and

(*b*) a period of one month from the day on which the notice was given has expired,

but not otherwise:

Provided that a special constable who has undertaken to serve as such for a period specified in the undertaking shall not resign his appointment under this Regulation before the expiration of that period unless the chief constable consents.

Requirement to Resign otherwise than in respect of an offence against discipline

5. A special constable may be required by the chief constable of the police force to which he belongs to resign his appointment otherwise than in respect of an offence against discipline if the chief constable considers that such resignation is in the interests of the police force:

Provided that he shall not be so required without first being given an opportunity of being heard.

ALLOWANCES

Allowances

6.—(1) The allowances to be paid by a police authority to a special constable of the police force maintained by them may include—

(*a*) sums equal to any expenses necessarily incurred by the special constable in, or by reason of, the performance of his duty as such;

(*b*) sums not exceeding the amount of any wages lost by him by reason of his being required to perform duty as a special constable (including wages so lost by reason of his incapacity for following his ordinary employment caused by infirmity of body or mind occasioned by an injury received, or illness contracted, in the performance of his duties as a special constable and without his own default);

(*c*) such other allowances as may be approved from time to time, or in any particular case, by the Secretary of State.

(2) Except as provided by the preceding paragraph of this Regulation a special constable shall not be entitled to any remuneration in respect of his services as such.

SUPPLEMENTAL

Interpretation

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

Revocations

8.—(1) The Special Constables (Scotland) Order, 1923(**b**), the Special Constables (Scotland) Order, 1940(**c**), sub-paragraph (1) of Article 2 of the Special Constables (Scotland) Order, 1942(**d**), and the Special Constables (Scotland) Order, 1948(**e**), are 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 Orders revoked by these Regulations were Acts of Parliament repealed by an Act of Parliament.

Citation

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

(2) These Regulations shall 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.

EXPLANATORY NOTE

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

These Regulations consolidate, with amendments, the Special Constables (Scotland) Orders, 1923, 1940 and 1948 into a single code.

The principal changes are as follows:

(1) the ranks which may be held by special constables are prescribed in Regulation 1,

(2) a height qualification is prescribed in Regulation 2 (*c*).

(**a**) 52 & 53 Vict. c. 63.
(**b**) S.R. & O. 1923/1232 (Rev. XVIII, p. 254: 1923 p. 152).
(**c**) S.R. & O. 1940/858 (Rev. XVIII, p. 257: 1940 I, p. 199).
(**d**) S.R. & O. 1942/1975 (Rev. XVIII, p. 258: 1942 I, p. 77).
(**e**) S.I. 1948/1326 (Rev. XVIII, p. 254: 1948 I, p. 3552).