STATUTORY INSTRUMENTS

1963 No. 1420 (S. 63)

PROBATION OF OFFENDERS

The Probation (Scotland) Amendment (No. 2) Rules 1963

Made - - - -	16*th August* 1963
Coming into Operation	16*th August* 1963

The Secretary of State in exercise of the powers conferred on him by paragraph 7 of Schedule 3 to the Criminal Justice (Scotland) Act 1949(a), and by section 1 of the Police, Fire and Probation Officers Remuneration Act 1956(b), and of all other powers enabling him in that behalf, hereby makes the following rules :—

Citation, Commencement and Interpretation

1.—(1) These rules may be cited as the Probation (Scotland) Amendment (No. 2) Rules 1963.

(2) These rules shall come into operation forthwith.

(3) In these rules the expression " the principal rules " means the Probation (Scotland) Rules 1951(c), as amended(d).

(4) The Interpretation Act 1889(e) applies for the interpretation of these rules as it applies for the interpretation of an Act of Parliament.

Salaries of Senior Probation Officers

2. In respect of the period from 1st June 1962 to 31st December 1962 the schedule set out in Schedule 1 to these rules shall be substituted for Schedule 3 to the principal rules (which sets out the scales of annual salary for senior probation officers in probation areas where there is a principal probation officer or where the population is fewer than 175,000 persons) and the schedule set out in Schedule 2 to these rules shall be substituted for Schedule 4 to the principal rules (which sets out the scales of annual salary for senior probation officers in probation areas where there is no principal probation officer and the population is not fewer than 175,000 persons).

3.—(1) For paragraph (1) of Rule 46 of the principal rules (which relates to the annual salaries of senior probation officers) there shall be substituted, to have effect from 1st January 1963, the following paragraph: —

" (1) (*a*) A senior probation officer shall be paid an annual salary in accordance with the scale set out in columns 2 to 4 of the table in Schedule 3 to these rules by reference to his length of service as specified in column 1 of the said table.

(a) 12, 13 & 14 Geo. 6. c. 94. (b) 5 & 6 Eliz. 2. c. 1. (c) S.I. 1951/1261 (1951 II, p. 291). (d) The relevant amending instruments are S.I. 1953/1099, 1956/1053, 1958/331, 1959/1206, 1960/406, 2239 (1953 II, p. 1680; 1956 II, p. 1913; 1958 II, p. 2003; 1959 II, p. 2223; 1960 II, pp. 2789, 2792). (e) 52 & 53 Vict. c. 63.

(*b*) The service reckonable for the purpose of applying the said column 1 to any senior probation officer shall be his current period of continuous service as such, not including any period of leave without pay except in so far as the Secretary of State at the request of the probation committee approves the inclusion of any period of such leave other than sick leave.

(*c*) For the purposes of sub-paragraph (*b*) of this rule a senior probation officer's service shall be deemed to be continuous notwithstanding an interruption if—

(i) the interruption does not exceed three months in duration; or

(ii) the Secretary of State at the request of the probation committee approves the reckoning or a period of service before that interruption.

(*d*) For the purposes of the said sub-paragraph (*b*) any period of employment between two periods of service as a senior probation officer shall, if the Secretary of State, at the request of the probation committee employing the probation officer either immediately before or immediately after the said period of employment, so decides, be treated as part of his current period of continuous service.

(*e*) A senior probation officer who immediately before 1st January 1963 was entitled to a rate of annual salary appropriate to a length of service longer than he had in fact served as reckoned for the purpose of his salary, shall have the rate of salary in the scale set out in Schedule 3 to these rules attributable to that length of service to which his rate of annual salary immediately before that date was attributable."

(2) For Schedules 3 and 4 to the principal rules as set out in Schedules 1 and 2 of these rules there shall be substituted, to have effect from 1st January 1963, Schedule 3 to these rules.

Salaries of Principal Probation Officers

4. In respect of the period from 1st June 1962 to 31st December 1962, the table set out in Schedule 4 to these rules shall be substituted for the table subjoined to Rule 46(2) of the principal rules (which table sets out the scales of annual salary for male principal probation officers as substituted in Schedule 5 to the Probation (Scotland) Amendment (No. 2) Rules 1960(a)).

5. With effect from 1st January 1963, paragraphs (2) and (4) to (10) inclusive of Rule 46 of the principal rules shall cease to have effect and the following paragraph shall be substituted for paragraph (2): —

"(2) The salary of a principal probation officer shall be such as is determined in each case by the Secretary of State."

Salaries of Deputy Principal Probation Officers

6. For paragraph (3) of the said Rule 46 there shall be substituted, to have effect from 1st June 1962, the following paragraph:—

"(3) The salary of the deputy principal probation officer in Glasgow and that of any deputy principal probation officer who may be appointed in future shall be such as is determined in that and any other case by the Secretary of State."

(a) S.I. 1960/2239 (1960 II, p. 2792).

Salaries of Temporary Officers

7. In Rule 47 of the principal rules (which relates to the salaries of temporary probation officers) for the figure of "£9 : 10 : 0" there shall be substituted the figure "£13 : 0 : 0".

Given under the Seal of the Secretary of State for Scotland.

R. E. C. Johnson,
Secretary.

Scottish Home and Health Department,
St. Andrew's House.
Edinburgh, 1.
16th August 1963.

SCHEDULES

SCHEDULE 1 (Rule 2)

Schedule to be substituted for Schedule 3 to the principal rules:—

"SCHEDULE 3 (Rule 46(1))

Scales of Annual Salary for Senior Probation Officers in Probation Areas where there is a Principal Probation Officer or where the population is fewer than 175,000 persons for the period from 1st June, 1962 to 31st December, 1962.

Length of Service	Rate of Annual Salary
	£
Up to 1 year's service...	1,100
Over 1 and up to 2 years' service	1,130
Over 2 and up to 3 years' service	1,160
Over 3 and up to 4 years' service	1,190
Over 4 years' service	1,225"

SCHEDULE 2 (Rule 2)

Schedule to be substituted for Schedule 4 to the principal rules:—

"SCHEDULE 4 (Rule 46(1))

Scale of Annual Salary for Senior Probation Officers in Probation Areas where there is no Principal Officer and the population is not fewer than 175,000 persons, for the period from 1st June, 1962 to 31st December, 1962.

Length of Service	Rate of Annual Salary
	£
Up to 1 year's service...	1,160
Over 1 and up to 2 years' service	1,190
Over 2 and up to 3 years' service	1,220
Over 3 and up to 4 year's service	1,250
Over 4 years' service	1,285"

(Rule 3(2)) SCHEDULE 3

Schedule to be substituted for Schedules 3 and 4 to the principal rules as set out in Schedules 1 and 2 above.

(Rule 46(1)) " SCHEDULE 3

TABLE

Scales of Annual Salary for Senior Probation Officers:—

Column 1 Length of Service	Rate of Annual Salary Column 2 For the period 1st January to 31st December, 1963	Column.3 For the period 1st January to 30th November, 1964	Column 4 For any period after 30th November, 1964
	£	£	£
Up to 1 year's service ...	1,350	1,400	1,450
Over 1 and up to 2 years' service	1,390	1,450	1,500
Over 2 and up to 3 years' service	1,435	1,500	1,550
Over 3 and up to 4 years' service	1,480	1,550	1,600
Over 4 years' service ...	1,530	1,600	1,650 "

(Rule 4) SCHEDULE 4

Table to be substituted in respect of the period from 1st June, 1962 to 31st December, 1962 for the table subjoined to paragraph (2) of Rule 46 of the principal rules.

" TABLE

Post	Minimum Rate of Annual Salary	Annual Increment	Maximum Rate of Annual Salary
Group A	£1,480	£60 up to £1,540 and £65 up to £1,735	£1,735
Group B	£1,250	£55	£1,415 "

EXPLANATORY NOTE

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

These rules make provision (in some cases retrospectively) in regard to salaries for senior probation officers, principal probation officers and deputy principal probation officers. They raise the normal maximum salary payable to a temporary probation officer.