1973. No. 440 **[C]**

POLICE

Royal Ulster Constabulary (Amendment) Regulations

REGULATIONS, DATED 22ND OCTOBER 1973, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 25 OF THE POLICE ACT (NORTHERN IRELAND) 1970.

The Ministry of Home Affairs for Northern Ireland with the concurrence of the Ministry of Finance to the making of Regulations 5, 6, 7, 8 and 9, on behalf of the Secretary of State and in exercise of the powers conferred on it by section 25 of the Police Act (Northern Ireland) 1970(a) and of every other power enabling it in that behalf and after consulting, in accordance with section 34(2) of the said Act, the Police Authority and the Police Association and, in accordance with section 4 of the Police Act 1969(b), the Police Council for the United Kingdom, hereby makes the following Regulations:—

Citation and commencement

1.—(1) These Regulations may be cited as the Royal Ulster Constabulary (Amendment) (No. 3) Regulations 1973.

(2) These Regulations shall come into operation on 23rd October 1973 and shall have effect—

(*a*) for the purposes of Regulations 6 and 9, from 1st April 1973;

(*b*) for the purposes of Regulation 8, as provided therein in respect of the year beginning on 1st October 1972, and subject thereto, from 1st October 1973;

(*c*) for the purposes of Regulations 3, 4, 5 and 7, from 15th October 1973.

Interpretation

2. In these Regulations the expression "Principal Regulations" means the Royal Ulster Constabulary Regulations 1973(c).

Substitution of Regulation 7 of the Principal Regulations

3. For Regulation 7 of the Principal Regulations (business interests incompatible with membership of the force) there shall be substituted the Regulation set out in Appendix 1.

Amendment to Regulation 8 of the Principal Regulations

4. For paragraph (1) of Regulation 8 of the Principal Regulations (business interests precluding appointment to the force) there shall be substituted the following paragraph:—

"(1) Save in so far as the chief constable may allow at the request of the candidate concerned, a person shall not be eligible for appointment to the force if he or a relative included in his family has a business interest within the meaning of Regulation 7, and paragraphs (6) and (7) thereof shall apply for the purposes of the interpretation of this Regulation as they apply for that Regulation.".

(a) 1970. c. 9 (N.I.). (b) 1969. c. 63. (c) S.R. & O. (N.I.) 1973, No. 31.

Amendment to Regulation 29 of the Principal Regulations

5. For paragraph (1) of Regulation 29 of the Principal Regulations (reckoning of service in a police force in Great Britain) there shall be substituted the following paragraph:—

"(1) Where a member joined or rejoined the force having left a police force in Great Britain, on or after 29th June 1970, for that purpose or on exercising the right of reversion conferred by section 21(1) of the Police Act (Northern Ireland) 1970 then, for the purposes of his scale of pay, his service in any rank in the police force in Great Britain shall be treated as if it were service in the corresponding rank in the Royal Ulster Constabulary; but for the purposes hereof Regulation 28(5) shall have effect as if the words "on temporary promotion thereto" in each place where they occur and, in proviso (*b*), the words "subsequent to that promotion", were omitted.

Provided that in the case of a member of a rank higher than that of inspector this paragraph shall have effect subject to any contrary agreement.".

Amendments to Regulation 31 of the Principal Regulations

6.—(1) For paragraph (1) of Regulation 31 of the Principal Regulations (reckoning by constables of overseas police service) there shall be substituted the following paragraph:—

"(1) A member of the rank of constable shall be entitled to reckon for the purposes of the scale of pay for that rank the following periods of service, that is to say, any period of—

(*a*) service in the Palestine Police Force;

(*b*) certified overseas police service such as is mentioned in paragraph (2);

(*c*) certified service in the British South Africa Police such as is mentioned in paragraph (4);

(*d*) such service in a police force in the Channel Islands or the Isle of Man as is mentioned in paragraph (5),

notwithstanding that such service is not service in the rank of constable in the Royal Ulster Constabulary.".

(2) At the end of the said Regulation 31 there shall be added the following paragraph:—

"(5) The reference in paragraph (1) to service in a police force in the Channel Islands or the Isle of Man is a reference to service in—

(*a*) the Island police force maintained under the Guernsey Law of 1919 entitled Loi Ayant Rapport à La Police Salariée pour L'Ile Entiére;

(*b*) the States of Jersey police force maintained under the Jersey Laws entitled the Police Force (Jersey) Laws 1951 and 1960, or

(*c*) the Isle of Man Constabulary maintained under the Police (Isle of Man) Act 1962 (an Act of Tynwald).".

Substitution of Regulation 62 of the Principal Regulations

7. For Regulation 62 of the Principal Regulations (provision of stockings or tights to women members) there shall be substituted the following Regulation:—

"**62.**—(1) Where, in the case of a woman member, stockings or tights are provided by the Police Authority for the purposes of duty the issue shall be at the rate of 24 pairs annually.

(2) A woman member who is not supplied with stockings or tights by the Police Authority shall be paid in lieu an allowance at the rate of £12 a year unless she is being paid either a uniform allowance under Regulation 45 or a plain-clothes allowance under Regulation 47(1).".

Amendments to Schedule 7 to the Principal Regulations

8.—(1) For Tables A, B, C and D in Schedule 7 to the Principal Regulations (motor vehicle allowances in respect of motor-cars) there shall be substituted the Tables set out in Appendix 2.

(2) As respects the year beginning on 1st October 1972 a motor vehicle allowance in respect of a motor-car payable under Regulation 52 of the Principal Regulations shall be calculated as hereinafter in this Regulation provided.

(3) So far as the allowance falls to be calculated by reference to completed months of authorised use ending, or mileage of authorised use performed, on or after 1st April 1973 it shall be calculated in accordance with the Principal Regulations as amended by this Regulation, and the Principal Regulations shall have effect accordingly.

(4) Nothing in this Regulation shall affect the calculation of the allowance so far as it falls to be calculated by reference to completed months of authorised use ending, or mileage of authorised use performed, before 1st April 1973.

Substitution of Schedule 8 to the Principal Regulations

9. For Schedule 8 to the Principal Regulations (bicycle allowance) there shall be substituted the Schedule set out in Appendix 3.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 22nd day of October 1973.

(L.S.)

E. N. Barry,
Assistant Secretary.

The Ministry of Finance on behalf of the Secretary of State hereby concurs in Regulations 5 to 9.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 23rd day of October 1973.

(L.S.)

C. F. Darling,
Assistant Secretary,
Ministry of Finance.

APPENDIX 1

Regulation substituted for Regulation 7 of the Principal Regulations

Business interests incompatible with membership of the force

7.—(1) If a member or a relative included in his family proposes to have, or has, a business interest within the meaning of this Regulation, the member shall forthwith give written notice of that interest to the chief constable unless that business interest was disclosed at the time of his appointment as a member.

(2) On receipt of a notice given under paragraph (1), the chief constable shall determine whether or not the interest in question is compatible with the member concerned remaining a member and shall notify the member in writing of his decision.

(3) Within 10 days of being notified of the chief constable's decision as aforesaid, or within such longer period as the Police Authority may in all the circumstances allow, the member concerned may appeal to the Police Authority against that decision by sending written notice of his appeal to the Police Authority.

(4) Where a member has appealed to the Police Authority under paragraph (3) the Police Authority shall give him written notice of their determination of the appeal but, where they have upheld the decision of the chief constable and, within 10 days of being so notified or within such longer period as the Police Authority may in all the circumstances allow, the member makes written request to the Police Authority for the reference of the matter to the Ministry, the matter shall be so referred and, unless and until the determination of the Police Authority is confirmed by the Ministry, it shall be of no effect and in particular, no action in pursuance thereof shall be taken under paragraph (5).

(5) Where a member, or a relative included in his family, has a business interest within the meaning of this Regulation which the chief constable has determined, under paragraph (2), to be incompatible with his remaining a member and either the member has not appealed against that decision under paragraph (3) or, subject to paragraph (4), on such appeal, the Police Authority has upheld that decision, then the chief constable may, subject to the approval of the Police Authority, dispense with the services of that member; and before giving such approval the Police Authority shall give the member concerned an opportunity to make representations and shall consider any representations so made.

(6) For the purposes of this Regulation, a member or, as the case may be, a relative included in his family, shall have a business interest if—

(*a*) the member holds any office or employment for hire or gain (otherwise than as a member of the force) or carries on any business;

(*b*) a shop is kept or a like business carried on by the member's spouse (not being separated from him) at any premises in Northern Ireland or by any relative included in his family at the premises at which he resides, or

(*c*) the member, his spouse (not being separated from him) or any relative included in his family living with him holds, or possesses a pecuniary interest in, any such licence or permit as is mentioned in paragraph (7);

and a reference to a relative included in a member's family shall include a reference to his spouse, parent, son, daughter, brother or sister.

(7) The licence or permit referred to in paragraph (6)(*c*) is a licence or permit granted in pursuance of the law relating to liquor licensing or betting and gaming or regulating places of entertainment in Northern Ireland.

(8) If a member or a relative included in his family has a business interest within the meaning of this Regulation and, on that interest being notified or disclosed as mentioned in paragraph (1), the chief constable has, by written notice, required the member to furnish particulars of such changes in that interest, as respects its nature, extent or otherwise as may be mentioned in the notice then, in the event of any such change in that interest being proposed or occurring, this Regulation shall have effect as though the changed interest were a newly proposed, or newly acquired, interest which has not been notified or disclosed as aforesaid.

(9) In its application to a chief constable, deputy chief constable or assistant chief constable, this Regulation shall have effect as if—

(*a*) for any reference therein to the chief constable there were substituted a reference to the Police Authority;

(*b* for any reference in paragraphs (3), (4) or (5) to an appeal there were substituted a reference to a request for reconsideration, and

(*c*) the references in paragraph (5) to the approval of the Police Authority were omitted;

but the Police Authority shall not dispense with the services of a chief constable, deputy chief constable or assistant chief constable under this Regulation without giving him an opportunity of making representations and shall consider any representations so made.

APPENDIX 2

Tables substituted for Tables A, B, C and D in Schedule 7 to the Principal Regulations

TABLE A

Standard amount

Cylinder capacity	*Annual rate of fixed element*	*Mileage element*	
		Basic rate per mile	*Reduced rate per mile*
	£	£	£
1,200 c.c. or more but less than 1,700 c.c.	117	0.042	0.026
1.000 c.c. or more but less than 1,200 c.c.	105	0.037	0.023
Less than 1,000 c.c.	99	0.034	0.020

TABLE B

Abated amount

Cylinder capacity	*Annual rate of fixed element*	*Mileage element*	
		Basic rate per mile	*Reduced rate per mile*
	£	£	£
1,200 c.c. or more but less than 1,700 c.c.	102	0.040	0.026
1.000 c.c. or more but less than 1,200 c.c.	93	0.035	0.023
Less than 1,000 c.c.	87	0.032	0.020

TABLE C

Standard amount

Cylinder capacity	*Rate per mile*
	£
1,200 c.c. or more but less than 1,700 c.c.	0.078
1,000 c.c. or more but less than 1,200 c.c.	0.069
Less than 1,000 c.c.	0.064

TABLE D

Abated amount

Cylinder capacity	*Rate per mile*
	£
1,200 c.c. or more but less than 1,700 c.c.	0.072
1,000 c.c. or more but less than 1,200 c.c.	0.064
Less than 1,000 c.c.	0.059

APPENDIX 3

Schedule substituted for Schedule 8 to the Principal Regulations

SCHEDULE 8

Bicycle allowance

1. Subject as hereafter in this Schedule provided, the amount of a bicycle allowance shall be calculated by reference to the duration of the authority given for the purposes of Regulation 53 at the rate of £17 a year:

Provided that the amount of the allowance payable to a member in any year shall not be less than £4.250.

2. The allowance shall be payable quarterly or at such shorter intervals as the Police Authority may determine in advance or in arrears, as they may determine; but where payment is made in advance, any overpayment shall be recoverable.

EXPLANATORY NOTE

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

These Regulations amend the Royal Ulster Constabulary Regulations 1973 as follows:—

Regulation 3 makes fresh provision as respects business interests which are incompatible with membership of the force. In particular, it provides that a member shall have a right of appeal to the Ministry against a decision that a business interest is so incompatible. Regulation 4 contains a consequential amendment.

Regulation 5 broadens the reckoning, for pay purposes, of service in a rank in a police force in Great Britain as service in the corresponding rank in the Royal Ulster Constabulary.

Regulation 6, with effect from 1st April 1973, provides that previous service in a police force in the Channel Islands or the Isle of Man shall be reckonable for the purposes of the scale of pay for the rank of constable.

Regulation 7 increases the issue of stockings or tights, and the allowance payable as an alternative, to women members of the Force.

Regulation 8 increases the rates of motor car allowances; these allowances are payable on an annual basis and are calculated by reference to completed months of authorised use and mileage performed in the year in question. Transitory provision is made as respects the year beginning on 1st October 1972 and the increases take effect as from 1st April 1973 as respects the calculation of an allowance by reference to months of use completed, or mileage performed, on or after that date.

Regulation 9, with effect from 1st April 1973, increases the rate of bicycle allowances.