1994 No. 378

POLICE

Royal Ulster Constabulary (Amendment No. 4) Regulations 1994

Made . . . . . *5th October 1994*

Coming into operation . . *1st November 1994*

To be laid before Parliament

The Secretary of State, in pursuance of section 25 of the Police Act (Northern Ireland) 1970(**a**), and after consulting, in accordance with section 34(2) of that Act, the Police Authority and the Police Association, and after taking into account the recommendations of the Police Negotiating Board for the United Kingdom and furnishing that Board with a draft of the regulations in accordance with section 2(1) of the Police Negotiating Board Act 1980(**b**), hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Royal Ulster Constabulary (Amendment No. 4) Regulations 1994 and shall come into operation on 1st November 1994.

Pay during sick leave

2. The Royal Ulster Constabulary Regulations 1984(**c**) shall be amended by inserting after regulation 26 the following regulation—

"*Pay during sick leave*

26A.—(1) Subject to paragraphs (2), (3) and (4), if, on any relevant day, a member has, during the period of 12 months ending with that day, been on sick leave for 183 days, he ceases for the time being to be entitled to full pay, and becomes entitled to half pay, while on sick leave.

(2) Subject to paragraphs (3) and (4), if on any relevant day a member has been on sick leave for the whole of the period of 12 months ending with that day, he ceases for the time being to be entitled to any pay while on sick leave.

(3) The chief constable may in a particular case determine that for a specified period—

(*a*) a member who is entitled to half pay while on sick leave is to receive full pay, or

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(**a**) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670 and amended by 1994 c. 29
(**b**) 1980 c. 10
(**c**) S.R. 1984 No. 62; the relevant amending regulations are S.R. 1990 No. 74

(*b*) a member who is not entitled to any pay while on sick leave is to receive either full pay or half pay,

and may from time to time determine to extend the period.

(4) The chief constable, if he is satisfied after consultation with a registered medical practitioner appointed or approved by the Police Authority, that a particular case is exceptional, shall determine in consultation with the said medical practitioner that for a specified period—

(*a*) a member who is entitled to half pay while on sick leave is to receive full pay, or

(*b*) a member who is not entitled to any pay while on sick leave is to receive either full or half pay.

An exceptional case is a case in which the member's being on sick leave is directly attributable to an injury received in the execution of his duty, as defined in regulation A10 of the Royal Ulster Constabulary Pensions Regulations 1988(**a**).

(5) For the purpose of this regulation a relevant day is a day after 30th October 1995 on which a member is on sick leave, and in this regulation—

(*a*) references to a member's being on sick leave are references to his being absent from duty while entitled to be so, or with the consent of the Police Authority, under regulation 26,

(*b*) references to full pay are references to pay at the rate ascertained from regulation 29(1), and

(*c*) references to half pay are references to pay at half the rate of the member's full pay.".

P. B. B. Mayhew
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
5th October 1994

(**a**) S.R. 1988 No. 374 to which there are amendments not relevant to these regulations

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Royal Ulster Constabulary Regulations 1984 by inserting a new regulation 26A which introduces restrictions on entitlement to pay while on sick leave.