1988 No. 340

POLICE

Royal Ulster Constabulary (Amendment) Regulations 1988

Made . . . . . *8th September 1988*
Coming into operation . . *1st November 1988*
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 the said Act of 1970, the Police Authority and the Police Association, and after taking into account the recommendations made by 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 with the concurrence of the Treasury makes the following regulations:—

Citation, operation and effect

1.—(1) These regulations may be cited as the Royal Ulster Constabulary (Amendment) Regulations 1988.

(2) These regulations shall come into operation on 1st November 1988.

Interpretation

2. In these regulations any reference to the principal regulations is a reference to the Royal Ulster Constabulary Regulations 1984(**c**).

Meanings assigned to certain expressions, etc.

3. In regulation 4(1) of the principal regulations for the definition of the expression "public holiday" there shall be substituted the following provision:—

" ''public holiday'' means New Year's Day, St Patrick's Day, first Monday in May, last Monday in May, 12th July, last Monday in August, Christmas Day and 26th December; and, in addition, in any year where New Year's Day, Christmas Day or 26th December falls on a Saturday or Sunday, any substitute day;".

Public holidays and rest days for lower ranks

4. In regulation 21(7)(*g*) of the principal regulations there shall be substituted the following provision:—

(**a**) 1970 c.9 (N.I.) as modified by S.I. 1973/2163 and 1981/1670
(**b**) 1980 c.10
(**c**) S.R. 1984 No. 62 as amended by S.R. 1984 No. 380, S.R. 1985 No. 292, S.R. 1986 No. 118 and S.R. 1986 No. 284

"(*g*) where a member is required to do duty, or is recalled to duty, for a period or periods of less than four completed hours on a day which is a public holiday or a rostered rest day, such period or, as the case may be, each such period, shall be treated as though it were a period of 4 completed hours;".

Maternity leave

5. In regulation 27(2) of the principal regulations, after the words "as respects" there shall be inserted the words "the first".

Reckoning by constables of service in certain constabularies

6. In regulation 32(2)(*a*) there shall be substituted the following provision:—

"the Ministry of Defence Police, that is to say the force established by section 1 of the Ministry of Defence Police Act 1987(**a**) or, before the coming into force of that Act, comprising constables appointed under section 3 of the Special Constables Act 1923(**b**) on the nomination of the Defence Council or, before 1st April 1964, of the Admiralty, Army Council or Air Council;".

Subsistence, refreshment and lodging allowances

7.—(1) Regulation 48 of the principal regulations shall be amended as follows:—

(*a*) for paragraph (1) there shall be substituted the following provision:—

"(1) A member of or below the rank of superintendent who, having been retained on duty beyond his normal daily period of duty or engaged on duty away from his usual place of duty, certifies that, by reason of being so retained or engaged, he has been unable to obtain a meal in his usual way and that, as a consequence thereof, he has incurred additional expenditure to obtain food, shall —

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

(*b*) if the period for which he is so retained or engaged exceeds 5 hours, be paid a subsistence allowance.";

(*b*) after paragraph (1) there shall be inserted the following provision:—

"(1A) A member of or below the rank of superintendent who, having been retained on duty beyond his normal daily period of duty or engaged on duty away from his usual place of duty, certifies that he has incurred additional expense for the purpose of obtaining lodging which he would not have required if he had not been so retained or engaged shall be paid a lodging allowance.";

(*c*) for paragraph (2) there shall be substituted the following provision:—

(a) 1987 c. 4
(b) 1923 c. 11

"(2) A member of or below the rank of superintendent who satisfies the chief constable that during his normal daily period of duty he has, though not away from his usual place of duty, been prevented by the exigencies of duty from obtaining a meal in his usual way and that he has, as a consequence thereof, incurred additional expenditure to obtain food, may be paid a refreshment allowance.'';

(*d*) for paragraph (3) there shall be substituted the following provision:—

"(3) For the purposes of this regulation the expression "usual place of duty" means —

(*a*) in the case of a member below the rank of superintendent, the police station or other police establishment, or

(*b*) in the case of a member of the rank of superintendent, the divisional, sub-divisional headquarters or other police establishment,

in which the member is stationed or, where such place of duty has been temporarily changed and after such period from the date of change as the chief constable may determine, in which he is temporarily stationed, as the case may be.".

(2) In Schedule 7 to the principal regulations paragraphs 4 and 5 shall be omitted.

Deductions from pay of social security benefits and statutory sick pay

(8) In regulation 3 of the Royal Ulster Constabulary (Amendment No. 2) Regulations 1987(**a**) after the words "regulation 35(1)(*a*)" there shall be inserted the words "of the principal regulations".

Tom King
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
8th September 1988

Alan Howarth
David Lightbown
Two of the Lords Commissioners of Her Majesty's Treasury

We concur
20th September 1988

(a) S.R. 1987 No. 441

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Royal Ulster Constabulary Regulations 1984 (the principal regulations).

Regulation 3 designates as public holidays for the purposes of the 1984 Regulations any additional substitute day where New Year's Day, Christmas Day or 26th December falls on a Saturday or a Sunday.

Regulation 4 provides for a minimum of 4 hours' compensation at the appropriate rate when a member is recalled to duty on a rostered rest day or a public holiday, following an earlier period of duty on that day.

Regulation 5 defines the specific period of paid maternity leave for a woman member.

Regulation 6 amends minor defects in the principal regulations.

Regulation 7 amends the provisions relating to subsistence, refreshment and lodging allowances.

Regulation 8 rectifies a minor drafting error.