1993 No. 339

POLICE

Royal Ulster Constabulary (Promotion) (Amendment) Regulations 1993

Made . . . . . 29th July 1993

Coming into operation . . 1st September 1993

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, the Police Authority and the Police Association, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Royal Ulster Constabulary (Promotion) (Amendment) Regulations 1993 and shall come into operation on 1st September 1993.

Interpretation

2. In these regulations any reference to the principal regulations is a reference to the Royal Ulster Constabulary (Promotion) Regulations 1981(**b**).

Qualifying examinations

3.—(1) In paragraph 1 of Schedule 1 to the principal regulations, for sub-paragraph (1) there shall be substituted the following sub-paragraphs—

"(1) The qualifying examinations referred to in this Schedule are examinations in police subjects, held under arrangements approved by the examinations board, on syllabuses prepared by the examinations board in consultation with the examination agency.

(1A) Each of the qualifying examinations comprises—

(*a*) Part I consisting of a written paper, and

(*b*) Part II consisting of practical tests

and Part II of a qualifying examination may be taken only if a pass has been obtained in Part I.

(1B) There shall be held in 1994 and in each year thereafter—

(**a**) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670

(**b**) S.R. 1981 No. 19 as amended by S.R. 1983 No. 113, S.R. 1985 No. 42, S.R, 1985 No. 337 and S.R. 1992 No. 243

(*a*) each Part of the qualifying examination for promotion to the rank of inspector, and

(*b*) each Part of the qualifying examination for promotion to the rank of sergeant.''

(2) Paragraph 2 of Schedule 1 to the principal regulations shall be amended as follows—

(*a*) in sub-paragraph (*a*) for the words after ''obtain a pass'' shall be substituted the words ''in any Part of a qualifying examination,'' and

(*b*) in sub-paragraph (*b*) for the words after ''in which'' there shall be substituted the words ''a member who has failed in Part II of a qualifying examination may attempt it a second time without again obtaining a pass in Part I''.

(3) In paragraph 3 of Schedule 1 to the principal regulations there shall be inserted after the word ''papers'' the words ''and practical tests''.

(4) In paragraph 5 of Schedule 1 to the principal regulations there shall be substituted for sub-paragraphs (1) and (2) the following provisions—

''(1) Subject to sub-paragraph (2A), a constable who will on the date the examination is held in any year have completed 2 years' service and have either—

(*a*) completed his probationary service, or

(*b*) completed the required period of probation following a previous appointed in the Royal Ulster Constabulary or a police force or Constabulary specified in regulation 4A of the principal regulations,

is eligible to take Part 1 of the qualifying examination for promotion to the rank of sergeant in that year.

(2) Subject to sub-paragraph (2A), a member or member of any other police force or Constabulary specified in regulation 4A who on or before 1st November in the year preceding the year in which the examination is held holds the rank of sergeant, otherwise than on temporary promotion under regulation 7(1) of the principal regulations, is eligible to take Part I of the qualifying examination for promotion to the rank of inspector in that year.

(2A) A member or a member of any other police force or Constabulary specified in regulation 4A who has at any time, including a time before 1st September 1993, obtained a pass in an examination which at that time constituted—

(*a*) for the purposes of regulation 4(1)(*a*), the qualifying examination for promotion to the rank of sergeant, or

(*b*) for the purposes of regulation 4(3)(*a*), the qualifying examination for promotion to the rank of inspector.

is not eligible to take Part I of the qualifying examination for promotion to the rank in question.''

(5) In paragraph 6 of Schedule 1 to the principal regulations the words after ''agency'' shall be deleted.

Transitional provisions

4. The Schedule has effect with respect to transitional matters in connection with the coming into operation of these regulations.

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

Northern Ireland Office
29th July 1993

SCHEDULE Regulation 4

Transitional Provisions

1.—(1) Notwithstanding the replacement by virtue of regulation 3 of these regulations of qualifying examinations of the kind provided for in Schedule 1 to the principal regulations as it had effect immediately before 1st September 1993 eligible constables shall have the opportunity to resit a single paper of the qualifying examinations of that kind (''old-style qualifying examinations'') for promotion to the rank of sergeant.

(2) Such opportunity shall be provided within the next following two years—

(*a*) for any eligible constable who failed to obtain a pass in said qualifying examinations held in 1992; and

(*b*) for any eligible constable who failed to obtain a pass in said qualifying examinations held in 1993.

(3) For the purposes of the principal regulations a constable should be treated as having obtained a pass in the qualifying examination for promotion to the rank of sergeant if he obtains a pass in a paper taken as mentioned in sub-paragraph 2(*a*) or (*b*).

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Royal Ulster Constabulary (Promotion) Regulations 1981 (''the principal regulations'') so as to alter the form of the qualifying examinations for promotion to the ranks of sergeant and inspector.

The existing examinations which are wholly written are replaced by two-part examinations consisting of a written paper (Part I) and practical tests (Part II). Both parts of the new examinations for promotion to sergeant and inspector will be held in 1994 and in each year thereafter.

Related changes are made in provisions about pass standards and re-taking of examinations (regulation 3(2)). New eligibility rules are introduced by regulation 3(4); in particular, a person who is already qualified for promotion by a pass obtained at any time cannot take the examinations again.

Regulation 4, with the Schedule, makes transitional provision in connection with regulation 3. The ''old-style'' sergeants examination is thereby retained until 1995 (para 1(2) of the Schedule) to allow eligible but unsuccessful candidates to re-take a single paper.