1970. No. 82 [C]

ROYAL ULSTER CONSTABULARY

Separation and Subsistence Allowances

ORDER, DATED 24TH MARCH 1970, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 4 OF THE CONSTABULARY AND POLICE (IRELAND) ACT 1919 AND SECTION 2 OF THE CONSTABULARY ACT (NORTHERN IRELAND) 1922.

I, the Right Honourable Robert W. Porter, Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section 4 of the Constabulary and Police (Ireland) Act 1919(a) and section 2 of the Constabulary Act (Northern Ireland) 1922(b) and of all other powers enabling me in that behalf, and after considering representations made by the Representative Bodies constituted by the said Act of 1919, as required by section 4 of that Act, do hereby order as follows:—

Citation and Commencement

1. This Order may be cited as the Royal Ulster Constabulary (Separation and Subsistence) Allowance Order 1970 and shall have effect from 1st April 1969.

Revocation

2. The Royal Ulster Constabulary (Separation and Subsistence) Allowance Order 1968(c) is hereby revoked.

Definitions

3. In this Order the following expressions shall have the meanings hereby respectively assigned to them:—

"the Depot" means the Royal Ulster Constabulary Depot, Enniskillen;

"family" means the member's wife and/or any child of his under the age of sixteen years;

"Inspector General" means the Inspector General of the Royal Ulster Constabulary;

"member" means a member, including a woman member, of the Royal Ulster Constabulary;

"Ministry" means the Ministry of Home Affairs;

"Officer" means a member of the Royal Ulster Constabulary of a rank not below that of District Inspector.

Separation Allowance

4.—(1) For the purposes of this Article an unmarried member residing with a dependent relative and in receipt of rent allowance shall be treated as a married member and his dependent relative as his family.

(2) Subject to the provisions of this Article, a married member who is prevented from living with his family as the result of transfer or other action of his authorities, not being a recruit undergoing training at the Depot, shall be entitled to separation allowance at the appropriate rate shown in the following table:—

(a) 9 & 10 Geo. 5. c. 68.
(b) 12 & 13 Geo. 5. c. 8 (N.I.).
(c) S.R. & O. (N.I.) 1968, No. 117.

Rank	Where accommodation is provided at Government expense	Where accommodation is not provided at Government expense
	For each complete period of 24 hours	For each complete period of 24 hours
	£ s. d.	£ s. d.
Officer . . .	0 13 6	1 7 0
Head Constable, Sergeant or Constable . .	0 11 9	1 3 6

(3) Subject to the provisions of this Article, where a married member to whom paragraph (2) does not apply is unable to live with his family and—

(*a*) the Inspector General is satisfied that the only reason why he is unable to do so is that he cannot find suitable accommodation for his family at reasonable cost within a reasonable distance of his station, or

(*b*) he is undergoing training as a recruit at the Depot,

he shall be entitled to separation allowance at the rate of 5/- for each complete period of 24 hours.

(4) Separation allowance shall not be payable to a member in respect of any period during which he is in hospital or is provided with food and lodgings at Government expense.

(5) Separation allowance shall not be payable to any member for a continuous period of more than three months, temporary breaks being ignored, without the prior approval of the Ministry.

(6) Where a transferred member entitled to separation allowance at the higher rate specified for his rank in paragraph (2) is unable to find suitable accommodation for himself within reasonable distance of his station otherwise than in a hotel he may, in lieu of separation allowance, be paid Class 1 subsistence allowance for a period not exceeding 21 days.

Day Subsistence Allowance

5.—(1) Subject to the provisions of this Order a member who is absent from his station for a continuous period of duty of not less than five hours shall be entitled to day subsistence allowance in accordance with the following scale:—

Rank	Continuous period of duty				
	5 hours but under 8 hours (Rate 1)	8 hours but under 12 hours (Rate 2)	12 hours but under 17 hours (Rate 3)	17 hours but under 21 hours (Rate 4)	21 hours but under 24 hours (Rate 5)
	s. d.	s. d.	s. d.	£ s. d.	£ s. d.
Officer . . .	7 0	13 0	16 9	1 0 0	1 3 3
Head Constable, Sergeant or Constable . .	5 6	11 3	15 0	0 18 0	1 1 3

(2) Except as provided in paragraph (3) day subsistence allowance shall not be payable to—

(*a*) a member stationed in a county borough in respect of absence within that county borough; or

(*b*) a member stationed in a sub-district outside a county borough in respect of absence within that sub-district; or

(*c*) an officer in respect of absence within the area to which he is assigned for duty; or

(*d*) a member serving in a specialist branch in respect of absence within the area in which he is assigned for duty; or

(*e*) a member in respect of absence which does not prevent him from having his meal in accordance with his usual practice.

For the purposes of this paragraph a county borough or a sub-district shall respectively be deemed to include any area or place which for the purposes of police administration is attached to any area within that county borough or sub-district or for the protection of which members stationed in that county borough or sub-district are responsible.

(3) A member who does not qualify for day subsistence allowance under the provisions of paragraph (1) or overnight subsistence allowance may nevertheless be granted an allowance at the following rates as set out in the said paragraph (1):—

Rate 1 for one meal
Rate 2 for two meals
Rate 3 for three meals
Rate 4 for four meals
Rate 5 for five meals

provided that the County Inspector is satisfied that the member was unable through the exigencies of duty to obtain a meal or the appropriate number of meals in accordance with his usual practice and that it was necessary for him to incur additional expense thereby.

Overnight Subsistence Allowance: General

6.—(1) A member who is necessarily absent from his station on duty overnight, that is to say, for a period of 12 hours or longer, covering the period between the hours of 10 p.m. and 3 a.m., shall, subject to the provisions of this Order, be entitled to overnight subsistence allowance at the appropriate rate and in accordance with the conditions of this Article and of Articles 7 and 8:

Provided that where a member receives separation allowance in respect of any period of 24 hours any overnight subsistence allowance to which he is entitled in respect of that period shall be reduced by the amount of the separation allowance.

(2) An overnight subsistence allowance shall be regarded as covering a period of absence from station of 24 hours and in the case of continuous absence of more than 24 hours shall be payable for each complete period of 24 hours and also, subject to the provisions of Article 9(5), for any additional absence, immediately following a period of 24 hours or a multiple thereof, of 12 hours or longer which covers the period between the hours of 10 p.m. and 3 a.m.

(3) Where a member has been absent on duty for a continuous period exceeding 24 hours or a multiple thereof, a day subsistence allowance shall be payable in accordance with the scale set out in Article 5(1) for that period which is not covered by overnight subsistence allowance, provided that the excess period to which the day subsistence allowance is related is not less than five hours or, if the absence is in Northern Ireland, that Article 5(3) applies.

(4) Subsistence allowance shall be be paid to any member for a continuous period of more than three months, temporary breaks being ignored, without the prior approval of the Ministry.

Overnight Subsistence Allowance in Northern Ireland

7.—(1) Class 1 Subsistence Allowance: These rates are applicable in those cases where sleeping accommodation is necessary but is not provided for the member at Government expense.

Rank	First twenty-one nights in one place: per night	After twenty-one nights in that place: per night
	£ s. d.	£ s. d.
Officer . . .	4 0 0	1 7 0
Head Constable, Sergeant or Constable . .	3 10 0	1 3 6

(2) Class 2 Subsistence Allowance: These rates are applicable in those cases where sleeping accommodation is necessary and is provided at Government expense.

Rank	First twenty-one nights in one place: per night	After twenty-one nights in that place: per night
	£ s. d.	£ s. d.
Officer . . .	1 0 0	0 14 0
Head Constable, Sergeant or Constable . .	0 18 0	0 10 9

Overnight Subsistence Allowance in Great Britain

8.—(1) Subject to the provisions of this Order, a member absent from his station on duty in Great Britain for a period (including the period of travelling to and from Great Britain) involving one or more nights shall be entitled to subsistence allowance in accordance wih the following scales:—

For nights necessarily spent at places in Great Britain other than London or in travelling between Northern Ireland and Great Britain

Rank	First twenty-one nights in one place: per night	After twenty-one nights in that place: per night
	£ s. d.	£ s. d.
Inspector General	5 4 0	5 4 0
Deputy Inspector General or Commissioner, Belfast	4 15 0	1 7 0
Other Officer	4 0 0	1 7 0
Head Constable, Sergeant or Constable	3 10 0	1 3 6

For nights necessarily spent in London, that is, within four miles of Charing Cross

Rank	First twenty-one nights: per night	After twenty-one nights: per night
	£ s. d.	£ s. d.
Inspector General	5 4 0	5 4 0
Deputy Inspector General or Commissioner, Belfast	5 4 0	1 9 9
Other Officer	4 8 0	1 9 9
Head Constable, Sergeant or Constable	3 17 0	1 5 9

(2) A member below the rank of District Inspector who is attending a course of instruction in Great Britain for a period exceeding 21 days in any one place and is required to make his own arrangements for food and lodgings shall be entitled to a consolidated overnight subsistence allowance amounting to reimbursement of the amount which in the opinion of the Ministry he may reasonably and necessarily be required to pay for food and lodgings in respect of the actual period of attendance at the training centre and of the period of any duly-authorised break in the course during which the member, with the consent of the Inspector General, remains in Great Britain.

(3) A member attending a course of instruction in Great Britain for whom arrangements for food and lodgings are made by the training centre or the police authority concerned shall, for the period of actual attendance at the training centre, be entitled to a consolidated overnight subsistence allowance amounting to reimbursement of the amount which he necessarily pays to the training centre or police authority in respect of such food and lodgings, and subsistence allowance under the foregoing provision of this Order shall not be payable to the member in respect of such period of attendance. Where during any duly-authorised break in the course of instruction the aforesaid arrangements for food and lodgings are not available to the member and, with the consent of the Inspector General, he remains in Great Britain during the break he shall for the period of the break be paid subsistence allowance at the appropriate rate set out in paragraph (1).

(4) A member attending a course of instruction in Great Britain who, with the consent of the Inspector General, returns to Northern Ireland during a duly-authorised break in the course shall be entitled to subsistence allowance at such of the rates set out in Articles 5 to 8 as may be appropriate from the time he leaves the training centre until he arrives at his station in Northern Ireland and from the time he leaves his station in Northern Ireland on his return journey until he arrives at the training centre in Great Britain.

General

9.—(1) Subject to paragraph (2), where a member has been temporarily attached for a period exceeding 21 nights to a station other than his own but is necessarily absent on duty from his temporary station the provisions of this Order, so far as it relates to subsistence allowance, shall apply as if references therein to his station were references to his temporary station.

(2) A member shall not be entitled to subsistence allowance under paragraph (1) if, while absent from duty from his temporary station—

(*a*) he is attached for duty to his permanent station; or

(*b*) he is attached to any station at which, had he been attached directly from his permanent station, subsistance allowance would not have been payable.

(3) When a member who is in receipt of an overnight subsistence allowance is required by duty to absent himself from a place of temporary duty for a period involving ten or more nights, he shall, on his return to the same place of temporary duty, be allowed to accrue subsistence as if he were commencing his duty there. A period of absence from a place of temporary duty involving less than ten nights, will be ignored in assessing the first 21 nights for the purposes of Articles 7 and 8.

(4) When a member entitled to subsistence allowance under the foregoing provisions of this Order is provided, during the relevant period of absence from his station, with a meal or meals the cost of which is borne on public funds a deduction shall be made from such subsistence allowance in accordance with the following scale:—

Rank	Deductions for meals provided in any continuous period of twenty-four hours			
	One meal	Two meals	Three meals	Four or more meals
	s. d.	s. d.	s. d.	£ s. d.
Officer . . .	7 0	13 0	16 9	1 0 0
Head Constable, Sergeant or Constable . .	5 6	11 3	15 0	0 18 0

(5) Except in the circumstances referred to in paragraph (1), day subsistence allowance shall not be paid in respect of any period to which overnight subsistence is applicable.

(6) Where a member travels daily to a place of temporary duty as an alternative to staying overnight at or in the vicinity of that place the sum of the travelling and subsistence allowance which would be payable to him but for the provisions of this paragraph shall be reduced so as not to exceed the amount of the overnight subsistence allowance which would be payable if he stayed overnight at or in the vicinity of the place of temporary duty:

Provided that this paragraph shall not apply in any case in which the Inspector General is satisfied that, when regard is had to all the circumstances, including the overnight accommodation, whether on official premises or otherwise, available for the member at or in the vicinity of the place of temporary duty, it would be unreasonable to expect him to stay overnight.

10. A member claiming any allowance under this Order shall comply with such directions as may be given by the Ministry from time to time as to the time and manner of claiming and certification.

Dated this 24th day of March 1970.

R. W. Porter,
Minister of Home Affairs
for Northern Ireland.

The Ministry of Finance hereby concurs in the foregoing Order.

Sealed with the Official Seal of the Ministry of Finance this 25th day of March 1970.

(L.S.)

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

EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purport.)

This Order, which replaces the Royal Ulster Constabulary (Separation and Subsistence) Allowances Order 1968 provides for increases in the various rates of allowances and for an additional rate where it is necessary for a member of the Force, through the exigencies of duty, to have five meals in a 24-hour period (Article 5).