1992 No. 446

POLICE

Royal Ulster Constabulary Reserve (Full-Time) (Appointment and Conditions of Service) (Amendment) Regulations 1992

Made . . . . . 29th September 1992

Coming into operation . . 1st December 1992

To be laid before Parliament

The Secretary of State, in pursuance of section 26 of the Police Act (Northern Ireland) 1970(**a**), read with section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(**b**), and after consulting in accordance with section 34(2) of the said Act of 1970, the Police Authority and the Police Association, 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 Reserve (Full-Time) (Appointment and Conditions of Service) (Amendment) Regulations 1992.

(2) These regulations shall come into operation on 1st December 1992 but shall have effect for the purposes of regulation 5 as from 19th March 1991, and for the purposes of regulations 7 and 8 as from 31st August 1991

Provided that regulation 38 of the principal regulations shall continue to apply as it had effect immediately before the coming into operation of these regulations in relation to any move which took place before 20th March 1991.

Interpretation

2. In these regulations any reference to the principal regulations is a reference to the Royal Ulster Constabulary Reserve (Full-Time) (Appointment and Conditions of Service) Regulations 1988(**c**).

Business interests incompatible with membership of the force

3.—(1) In paragraph (2) of regulation 8 of the principal regulations after the word "and" there shall be inserted the words ", within 28 days of the receipt of that notice,".

(**a**) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670
(**b**) 1962 c. 7 (N.I.)
(**c**) S.R. 1988 No. 36; the relevant amending regulations are S.R. 1988 No. 341, S.R. 1989 No. 208, S.R. 1990 No. 436 and S.R. 1991 No. 460

(2) There shall be substituted for paragraph (4) of that regulation the following paragraph—

"(4) On receipt of a notice given under paragraph (3) the Police Authority shall require the chief constable to submit to them, within the next following 10 days, a notice setting out the reasons for his decision and copies of any documents on which he relies in support of that decision; and the Police Authority shall send to the member concerned copies of such notice and documents and shall afford him a reasonable opportunity, being in no case less than 14 days, to comment thereon.".

(3) In paragraph (5) of that regulation after the word "shall" in the first place where it occurs there shall be inserted the words ", within 28 days of receiving his comments on the notice and any other documents submitted by the chief constable under paragraph (4) or of the expiration of the period afforded for making comments if none have by then been received,".

Advances of pay

4. In regulation 32 of the principal regulations there shall be added after paragraph (2) the following paragraph—

"(3) The Police Authority may, if they think fit, pay to a member such part of his pay as they may determine in advance of the day on which it would otherwise be due to be paid in accordance with this regulation.".

Removal allowance

5.—(1) In paragraph 1(*d*) of regulation 38 of the principal regulations for the word "13" there shall be substituted the word "26" and for the words "a further period not exceeding 39 weeks" there shall be substituted the words "such further period as they may determine".

(2) In paragraph (6) of that regulation for the words "£600" there shall be substituted the words "£1,200".

(3) In paragraph (9)(*b*) of that regulation there shall be inserted after the word "fees" the words ", stamp duty" and after the word "mortgage" there shall be inserted the words "and any reference to expenses incurred in connection with the acquisition of any property shall be construed as also including expenses in connection with the contemplated acquisition of a property other than that acquired".

Allowance in respect of medical charges

6. There shall be substituted for regulation 47 of the principal regulations the following regulation—

"**47.**—(1) A member, other than one such as is mentioned in paragraph (2), shall be reimbursed the normal standard charges incurred in his case under Articles 5, 61, 62, 63 and 98 of the Health and Personal Social Services (Northern Ireland) Order 1972(**a**) (which Articles relate to charges for certain drugs, medicines, appliances and dental treatment).

(a) S.I. 1972/1265 (N.I. 14) as modified by S.I. 1978/1907 (N.I. 26)

(2) A member who first became a member on or after 1st December 1992 shall be reimbursed any such charges if they are incurred by reason of an injury received without the default of the member concerned in the execution of his duty as a member, but not otherwise.

(3) For the purposes of the preceding paragraph, the terms "injury", "injury received in the execution of duty" and "without the default of the member concerned" shall, subject to the necessary modifications, have the same meanings as they have in the Royal Ulster Constabulary Pensions Regulations(**a**).".

Pay

7. There shall be substituted for the Table in Schedule 3 to the principal regulations the Table set out in the Schedule.

Dog handler's allowance

8. In Schedule 9 to the principal regulations in paragraph 1(1) for "£792" there shall be substituted "£858".

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

Northern Ireland Office
29th September 1992

Irvine Patnick
Nicholas Baker
Two of the Lords Commissioners of Her Majesty's Treasury

We concur
15th October 1992

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

Table substituted for the Table in Schedule 3 to the principal regulations with effect as from 31st August 1991

"TABLE

Scales of Pay

Reckonable Service		*Annual Pay*
Before completing 1 year of service	...	£11,790
After 1 year of service	...	£12,606
After 2 years of service	...	£14,841
After 3 years of service	...	£15,192
After 6 years of service	...	£15,693
After 9 years of service	...	£16,233
After 12 years of service	...	£16,749
After 15 years of service	...	£17,268
After 18 years of service	...	£17,778"

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Royal Ulster Constabulary Reserve (Full-Time) (Appointment and Conditions of Service) Regulations 1988 (the principal regulations).

Regulation 3 amends regulation 8 of the principal regulations. It makes additional provision in relation to appeals against decisions concerning the compatability of business interests with membership of the force.

Regulation 4 enables the Police Authority to make advances of pay to members of the force.

Regulation 5 amends regulation 38 (removal allowance) of the principal regulations so as to increase eligibility for the reimbursement of mortgage interest or rent, increase the maximum amount payable in respect of incidental expenditure and clarify the meaning of certain reimburseable expenses. The amendments apply only to moves which took place on or after 20th March 1991. (For technical legal reasons the amendments are stated in regulation 1(2) to have effect as from 19th March 1991.).

Regulation 6 amends the principal regulations to provide for the reimbursement of National Health Service charges for certain drugs, medicines and appliances and for dental treatment to officers who joined the force on or after 1st December 1992 but only where such charges have been incurred as a result of an injury received or disease contracted in the execution of their police duties. The entitlement to reimbursement of all such charges irrespective of how they were incurred has been preserved for officers who joined the force before that date.

Regulation 7 increases the rate of pay for members of the force and regulation 8 increases the dog handler's allowance. Both regulations have effect as from 1st September 1991. (For technical legal reasons the date specified in the regulations is 31st August 1991.).

Retrospection is authorised by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962.