1972. No. 266 **[C]**

ROYAL ULSTER CONSTABULARY

Miscellaneous Provisions

REGULATIONS, DATED 12TH OCTOBER 1972, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 25 OF THE POLICE ACT (NORTHERN IRELAND) 1970.

The Ministry of Home Affairs for Northern Ireland on behalf of the Secretary of State and in exercise of the powers conferred on it by Section 25 of the Police Act (Northern Ireland) 1970(**a**) and of every power enabling it in that behalf and after consulting the Police Authority, the Police Association and, in accordance with the Police Act 1969(**b**), the Police Council for the United Kingdom, hereby makes the following Regulations:—

PART I

Citation

1. These Regulations may be cited as the Royal Ulster Constabulary (Miscellaneous Provisions) (No. 3) Regulation 1972.

2. In Parts II and III, the expression "Principal Regulations" means the Royal Ulster Constabulary Allowances Regulations 1971(**c**).

PART II

COMPENSATORY GRANT, ETC.

Commencement of Part II

3. This Part shall come into operation on 13th October 1972 and shall have effect—

(*a*) for the purposes of Regulation 4 and 5 from 1st June 1971;

(*b*) for the purposes of Regulation 6 from 6th April 1964;

(*c*) for the purposes of Regulation 7 from 6th April 1972;

(*d*) for the purposes of Regulation 8 from 6th April 1963.

Amendment to Regulation 3 of the Principal Regulations

4. At the end of Regulation 3 of the Principal Regulations, there shall be added the following definition—

" "the force" means the Royal Ulster Constabulary."

Substitution of Regulation 8 of the Principal Regulations

5. For Regulation 8 (compensatory grant) of the Principal Regulations there shall be substituted the following Regulation:—

(**a**) 1970. c. 9 (N.I.).
(**b**) 1969. c. 63.
(**c**) S.R. & O. (N.I.) 1971, No 142.

"Compensatory grant

8.—(1) In each financial year a member who, during the preceding financial year, has paid income tax or surtax attributable to the inclusion a rent allowance or compensatory grant in his emoluments in respect of service as a member shall be paid a compensatory grant.

(2) The amount of the compensatory grant made to a member in any year shall be the aggregate of—

(*a*) the amount by which the income tax in fact deducted from his emoluments in respect of service as a member during the preceding year, according to the tax tables prepared or prescribed by the Commissioners of Inland Revenue, is increased by the inclusion in such emoluments of a rent allowance or any compensatory grant, and

(*b*) the amount by which he satisfies the Police Authority that any surtax paid by him during the preceding year for any earlier year beginning on or after 6th April 1963 is increased by the inclusion in his emoluments in respect of such service during that earlier year of a rent allowance or any compensatory grant.

(3) The compensatory grant may, except in the circumstances described in paragraph (4), be paid by such instalments throughout the year in which it is payable as the Police Authority may determine.

(4) Where, in the course of a financial year, a member leaves the force or dies whilst serving therein, he or his personal representative, as the case may be, shall be paid the whole of the compensatory grant due to the member during that year and, in addition, shall be paid a further compensatory grant equal to that which, had he not left the force or died, would have been due to him in a subsequent year by reason of income tax deducted from, or surtax paid on, his emoluments while in fact a member.

(5) For the purposes of the preceding provisions of this Regulation—

(*a*) the expression "year" or "financial year" means a year commencing on 6th April and ending on the following 5th April;

(*b*) the expression "income tax" means income tax other than surtax;

(*c*) in the case of a member whose total income for any year which is chargeable to surtax includes income other than his emoluments in respect of service as a member, any reference to the amount of surtax paid for that year shall be construed as a reference to the amount which would have been so paid had his total chargeable income for that year not included such other income; and

(*d*) where a member has served more than once in the force, references in this Regulation to service in the force shall be construed as references to his service therein since his last appointment thereto."

Provisions from 6th April 1964 until 1st June 1971

6.—(1) Where the compensatory grant made to a member in any financial year beginning on or after 6th April 1964 but before the coming into operation of the Principal Regulations was less than it would have been if the Regulation substituted for Regulation 8 of the Principal Regulations by the preceding Regulation had been substituted—

(*a*) with effect from 6th April 1964, for Article 8 of the Royal Ulster Constabulary Allowances (Rent and Compensatory Grant) Order 1963(**d**), (which applied in respect of the period 6th April 1964 to 1st April 1968), and

(*b*) with effect from 1st April 1968, for Article 6 of the Royal Ulster Constabulary (Rent Allowance, etc.) Order 1968(**e**), (which applied in respect of the period 1st April 1968 to 1st June 1971 when the Principal Regulations came into operation),

then the member in question shall be entitled to the difference by way of an increase in compensatory grant for the financial year in question.

(2) In this Regulation the expression "financial year" means a year commencing on 6th April and ending on the following 5th April.

Substitution of Regulation 9 of the Principal Regulations

7. For Regulation 9 of the Principal Regulations (discharge of tax liability in respect of police house or quarters) there shall be substituted the following Regulation:—

"Discharge of tax liability in respect of police house or quarters

9.—(1) Where a member is provided with a house or quarters free of rent and rates and his liability to pay income tax or surtax is increased—

(*a*) in consequence thereof, by virtue of Section 185 of the Income and Corporation Taxes Act 1970(**f**) or otherwise, or

(*b*) in consequence of any payment required to be made by this Regulation,

that liability shall be discharged by the Police Authority in accordance with, and to the extent hereinafter provided in, this Regulation.

(2) A member shall be reimbursed the amount by which the income tax in fact deducted from his emoluments in respect of service as a member, according to the tax tables prepared or prescribed by the Commissioners of Inland Revenue, is increased—

(*a*) in consequence of his being provided with a house or quarters free of rent and rates, or

(*b*) in consequence of any payment under this Regulation.

(3) Where any surtax becomes due and payable for any year by a member, the liability therefor shall be discharged by the Police Authority to the extent that he satisfies them that the amount thereof is increased—

(*a*) in consequence of his having been provided with a house or quarters free of rent and rates during his service as a member or, where he transferred to the force from some other police force, during his service as a member of that other force, or

(*b*) in consequence of any payment under this Regulation by the Police Authority or, where he transferred as aforesaid, by the police authority maintaining the police force from which he transferred, not being a payment under paragraph (4).

(**d**) S.R. & O. (N.I.) 1963, No. 252.
(**e**) S.R. & O. (N.I.) 1968, No. 118.
(**f**) 1970, c. 10.

(4) Where any liability to surtax would fall to be discharged by the Police Authority under the preceding paragraph but for the fact that the person concerned has left the force, otherwise than on transfer to another police force, or has died, that liability shall be discharged by the Police Authority and, to the extent that, in consequence of the discharge of that liability, any further surtax becomes due and payable, liability for that further surtax shall be also so discharged.

(5) For the purposes of the preceding provisions of this Regulation—

(*a*) the expression "income tax" means income tax other than surtax;

(*b*) in the case of a member whose total income for any year which is chargeable to surtax includes income other than emoluments in respect of his service as a member or, where he transferred to the force from some other police force, as a member of that other force, any reference to surtax due and payable for that year shall be construed as a reference to the surtax which would have been so due and payable had his total chargeable income for that year not included such other income."

Provisions from 6th April 1963 until 6th April 1972

8.—(1) Where before the coming into operation of this Part a member has paid any income tax (including surtax) which arose in consequence of any house or quarters with which he was provided, free of rent, on or after 6th April 1963, being provided also free of rates, then, to the extent that liability therefor would have fallen to be discharged by the Ministry or the Police Authority under an Article or Regulation hereinafter mentioned if in paragraph (*a*) of each such Article or Regulation there had been inserted the words "or otherwise" after the words "Section 47 of the Finance Act 1963"—

(*a*) with effect from 6th April 1963, in the case of Article 8A of the Royal Ulster Constabulary Allowances (Rent and Compensatory Grant) Order 1963, as amended(**g**) (which applied in respect of the period 6th April 1963 to 1st April 1968);

(*b*) with effect from 1st April 1968, in the case of Article 7 of the Royal Ulster Constabulary (Rent Allowance, etc.) Order 1968, (which applied in respect of the period 1st April 1968 to 1st June 1971), and

(*c*) with effect from 1st June 1971, in the case of Regulation 9 of the Principal Regulations, (which applies in respect of the period 1st June 1971 to 6th April 1972 when Regulation 7 of these Regulations took effect),

then the Police Authority shall reimburse the member in question the amount of tax so paid by him.

(2) For the purposes of Regulation 9(1)(*b*) and (2)(*b*) of the Principal Regulations, as amended by Regulation 7 of these Regulations, any payment under this Regulation shall be treated as if it were a payment under the said Regulation 9.

(**g**) S.R. & O. (N.I.) 1965, No. 272.

PART III

MISCELLANEOUS ALLOWANCES AND CONDITIONS OF SERVICE

Commencement of Part III

9.—(1) Subject to paragraph (2), this Part shall have effect from 1st September 1972.

(2) Regulation 12 shall have effect from 1st April 1972.

Amendments to Principal Regulations

10.—(1) At the end of paragraph (1) of Regulation 10 of the Principal Regulations (removal allowance) there shall be added the following sub-paragraph:—

"(*d*) shall reimburse the member his payments in connection with his former home by way of mortgage interest, rent or rates (within the meaning of Regulation 6(6)) payable in respect of the first 13 weeks following the move, up to an amount equal to that which would have been payable to him by way of rent allowance in respect of that period had he not moved but had continued to be entitled to a rent allowance payable at the rate at which such an allowance was payable immediately before the move so, however, that where the Police Authority are of the opinion that the member had not taken all reasonable steps to reduce or terminate his liability to make such payments as aforesaid, they may restrict the reimbursement to payments which the member would have been liable to make had he taken all such steps."

(2) At the end of pargraph (2) of the said Regulation 10 there shall be added the following sub-paragraph:—

"(*d*) subject to the conditions mentioned in paragraph (1)(*d*), reimburse the expenses there mentioned."

11. In Schedule 1 to the Principal Regulations (detective duty and supplementary detective allowances) for Tables A and B there shall be substituted, respectively the Tables A and B set out in Appendix 1.

12. For the Table in Schedule 2 to the Principal Regulations (subsistence, refreshment and lodging allowances) there shall be substituted the Table set out in Appendix 2.

Amendments to the Royal Ulster Constabulary (Appointment and Service) Regulations 1971

13. The Royal Ulster Constabulary (Appointment and Service) Regulations 1971(**h**) shall be amended as follows:—

(*a*) For paragraph 1(*b*) of Regulation 8 (qualifications for appointment to the force) there shall be substituted the following paragraph:—

"(*b*) must have attained the age of 18 years in the case of a man or 19 years in the case of a woman and, unless he or she has previous service as a member of a United Kingdom police force or by reason of other experience or his or her personal qualities is specially suitable for appointment, must not have attained the age of—

(**h**) S.R. & O. (N.I.) 1971, No. 244.

(i) in the case of a man, 30 years or, if he has previous whole time service in the armed forces or previous service as a seaman, 40 years;

(ii) in the case of a woman, 35 years or, if she has such previous service as aforesaid, 40 years."

(*b*) For the proviso to Regulation 12(2) (personal records) there shall be substituted the following proviso:—

"Provided that if the member so requests—

(i) a punishment of a fine or of a reprimand shall be expunged after 3 years free from punishment, other than a caution;

(ii) any other punishment shall be expunged after 5 years free from punishment, other than a caution."

Amendments to the Royal Ulster Constabulary (Duty, Overtime and Leave) Regulations 1972

14. For paragraph (3) of Regulation 5 (normal daily period of duty) of the Royal Ulster Constabulary (Duty, Overtime and Leave) Regulations 1972(i), there shall be substituted the following paragraph:—

"(3) The normal daily period of duty shall, so far as the extigencies of duty permit, be performed in one tour of duty and, in such case, an interval of 45 minutes shall normally be allowed for refreshment.

Provided that in the case of a woman member, where the duty is wholly or mainly patrol duty and the normal period of duty, other than the time occupied in reporting for duty, is $7\frac{1}{2}$ hours or more, the said interval shall normally be an hour."

Amendments to the Royal Ulster Constabulary (Ranks) Regulations 1970

15. For Regulations (2) and (3) of the Royal Ulster Constabulary (Ranks) Regulations 1970(j) there shall be substituted the following Regulations—

"**2.** The Royal Ulster Constabulary shall consist of members of the following ranks, that is to say:—

Chief Constable
Deputy Chief Constable
Assistant Chief Constable
Chief Superintendent
Superintendent
Chief Inspector
Inspector
Sergeant
Constable

Jer now 1973 No 31

Transition

3. A member of the Royal Ulster Constabulary who on the 31st August 1972 was holding a rank specified in the first column of the following table shall be deemed to be appointed in a rank set out in the second column of the table opposite the rank first mentioned.

(i) S.R. & O. (N.I.) 1972, No. 70. (j) S.R. & O. (N.I.) 1970, No. 111.

Rank held on 31st August 1972	Rank on and after 1st September 1972
Chief Constable	Chief Constable
Deputy Chief Constable	Deputy Chief Constable
Assistant Chief Constable	Assistant Chief Constable
Chief Superintendent	Chief Superintendent
Superintendent Class I	Superintendent
Superintendent Class II	Superintendent
Chief Inspector	Chief Inspector
Inspector	Inspector
Sergeant	Sergeant
Constable	Constable

16. In paragraph (*b*) of Regulation 6 of the Royal Ulster Constabulary (Ranks) Regulations 1970 any reference to a Superintendent Class II or a Superintendent Class I shall be deemed to be a reference to a Superintendent.

Amendments to the Royal Ulster Constabulary Pay (No. 2) Regulations 1971

17.—(1) In Schedule I to the Royal Ulster Constabulary Pay (No. 2) Regulations 1971(k) (scales of pay for men) for Table B there shall be substituted the Table set out in Appendix 3.

(2) For paragraph 1(3) of the said Schedule I there shall be substituted the following provision:—

"(3) Where a superintendent has completed 4 years of service in the rank of chief inspector and the Ministry approves the application of this sub-paragraph in his case, his annual pay before completing 1 year of service in the rank of superintendent shall be £3,015 instead of £2,919."

18.—(1) In Schedule II to the Royal Ulster Constabulary Pay (No. 2) Regulations 1971 (scales of pay for women) for Tables A and B there shall be substituted, respectively, the Tables A and B set out in Appendix 4.

(2) For paragraph 1(2) of the said Schedule II there shall be substituted the following provision:—

"(2) Where a superintendent has completed 4 years of service in the rank of chief inspector and the Ministry approves the application of this sub-paragraph in her case, her annual pay before completing 1 year of service in the rank of superintendent shall be £2,865 instead of £2,772.".

(3) In paragraph 2(5) of the said Schedule II for the sums "£1,098" and "£1,149" there shall be substituted, respectively, the sums "£1,161" and "£1,215".

Incidental and transitional provisions for existing superintendents

19.—(1) For the purposes of Regulation 6 of the Royal Ulster Constabulary Pay (No. 2) Regulations 1971 and Schedules I and II thereto, as amended by Regulations 17 and 18, service in the rank of superintendent, class I or class II, shall be treated as if it had been service in the rank of superintendent.

(k) S.R. & O. (N.I.) 1971, No. 154.

(2) In the case of a superintendent who, immediately before 1st September 1972, held the rank of superintendent, class I, Schedule I and II to the Royal Ulster Constabulary Pay (No. 2) Regulations 1971, as amended as aforesaid, shall have effect as if for the entries relating to the rank of superintendent in Table B of Schedule I and Table A in Schedule II there were substituted, respectively, the entries in the Table set out in Appendix 5.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 12th day of October 1972.

(L.S.)

E. N. Barry,
Assistant Secretary.

The Ministry of Finance on behalf of the Secretary of State hereby concurs in Regulations 4 to 12 and 17 to 19.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 12th day of October 1972.

(L.S.)

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

APPENDIX 1

Tables substituted for Tables A and B in Schedule 1 to the Royal Ulster Constabulary Allowances Regulations 1971

TABLE A

DETECTIVE DUTY ALLOWANCES

Rank	Men	Women
	£	£
Superintendent	300	285
Chief Inspector	258	246
Inspector	228	216
Sergeant	192	183
Constable	144	138

TABLE B

SUPPLEMENTARY DETECTIVE ALLOWANCE

Rank	8 to 12 hours' qualifying overtime		12 or more hours' qualifying overtime	
	Men	Women	Men	Women
	£	£	£	£
Chief Inspector . .	213	201	384	366
Inspector . .	189	180	339	321
Sergeant . . .	159	150	285	270
Constable . . .	120	114	216	204

APPENDIX 2

Table substituted for Table in Schedule 2 to the Royal Ulster Constabulary Allowances Regulations 1971

TABLE

Description of allowance	Superintendents	Inspectors, Sergeants and Constables
	£	£
Refreshment allowance		
(i) for one meal	0·54	0·50
(ii) for two meals	0·78	0·70
Subsistence allowance		
Period of retention or engagement on duty—		
(i) over 5 hours and not exceeding 8 hours	0·78	0·70
(ii) over 8 hours and not exceeding 12 hours	1·11	1·00
(iii) over 12 hours and not exceeding 24 hours	1·90	1·65
(iv) over 24 hours—at the rate under (iii) above for each complete period of 24 hours' retention or engagement, together with whichever is the appropriate amount under the preceding provisions of this Table for any excess over the aggregate of such complete period.		
Lodging allowance—for each night	3·25	2·80

APPENDIX 3

Table substituted for Table B in Schedule I to the Royal Ulster Constabulary Pay (No. 2) Regulations 1971

TABLE B

Rank	Annual pay			
	Before completing 1 year of service in the rank	After 1 year of service in the rank	After 2 years of service in the rank	After 3 years of service in the rank
	£	£	£	£
Chief Superintendent .	3,630	3,738	3,846	3,846
Superintendent . .	2,919	3,015	3,111	3,207
Chief Inspector . .	2,460	2,541	2,619	2,700
Inspector . . .	2,151	2,229	2,310	2,391
Sergeant . . .	1,827	1,899	1,968	2,037

APPENDIX 4

Tables substituted for Tables A and B in Schedule II to the Royal Ulster Constabulary Pay (No. 2) Regulations 1971

TABLE A

Rank	Annual pay			
	Before completing 1 year of service in the rank	After 1 year of service in the rank	After 2 years of service in the rank	After 3 years of service in the rank
	£	£	£	£
Chief Superintendent .	3,450	3,552	3,654	3,654
Superintendent . .	2,772	2,865	2,955	3,048
Chief Inspector . .	2,337	2,415	2,487	2,565
Inspector . . .	2,043	2,118	2,196	2,271
Sergeant . . .	1,737	1,803	1,869	1,935

TABLE B

Reckonable or adjusted service	Standard scale of annual pay	Transitional scales of annual pay			
		Aged 19 on entry	Aged 20 on entry	Aged 21 on entry	Aged 22 or over on entry
	£	£	£	£	£
Before completing 1 year of service . . .	1,035	1,035	1,059	1,104	1,155
After 1 year of service	1,092	1,092	1,110	1,161	1,212
After 2 years of service	1,209	1,209	1,209	1,266	1,302
After 3 years of service	1,266	1,266	1,266	1,323	1,359
After 4 years of service	1,323	1,323	1,323	1,398	1,416
After 5 years of service	1,398	1,398	1,398	1,398	1,476
After 6 years of service	1,476	1,476	1,476	1,476	1,551
After 7 years of service	1,476	1,476	1,476	1,551	1,551
After 8 years of service	1,476	1,476	1,551	1,551	1,551
After 9 years of service	1,551	1,551	1,551	1,551	1,551
After 13 years of service	1,626	1,626	1,626	1,626	1,626
After 17 years of service	1,701	1,701	1,701	1,701	1,701

APPENDIX 5

Scales of Pay for Former Superintendents, Class I

TABLE

	Annual pay			
	Before completing 1 year of service in the rank	After 1 year of service in the rank	After 2 years of service in the rank	After 3 years of service in the rank
	£	£	£	£
Men	3,276	3,372	3,468	3,561
Women . . .	3,111	3,204	3,294	3,384

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

The Regulations amend a number of the conditions of service relating to members of the Royal Ulster Constabulary.

Regulations 5 to 8 amend the provisions relating to compensatory grant. Regulation 5 provides that in calculating such grant account shall be taken not only of income tax deducted under the P.A.Y.E. system but also of surtax, in so far as it refers to police emoluments. Regulation 6 contains corresponding provisions in respect of the period 6th April 1964 to 1st June 1971. Regulation 7 amends, with effect from 6th April 1972, the provisions relating to the discharge of tax liability in respect of a police house or quarters provided free of rent and rates as follows:—

(i) it ensures that the tax liability to be discharged by the Police Authority includes not only the policeman's liability in respect of the annual value of the house or quarters but also that arising from the house or quarters being provided free of rates;

(ii) it distinguishes between income tax deducted under the P.A.Y.E. system and income tax by way of surtax; surtax liability to be discharged by the Police Authority is limited to liability in so far as it refers to police emoluments.

Regulation 8 applies the provisions at (i) above in respect of the period 6th April 1963 to 6th April 1972.

Regulation 10 provides for the payment of an allowance, for up to a maximum of 13 weeks, to a member who is required to transfer his home and place of duty and in consequence incurs a continuing financial responsibility in respect of his former home. Regulation 11—see below. Regulation 12, with effect from 1st April 1972, provides for an increase in refreshment, subsistence and lodging allowances.

Regulation 13(*a*) confers on the Chief Constable the power in certain circumstances to recruit candidates beyond the normal age limit: this power was formerly exercisable by the Minister. Regulation 13(*b*) extends the category of punishments which shall be expunged from a member's personal record after 3 years free from punishment by including all fines, instead of only those not exceeding 2 days' pay; and by reducing from 7 to 5 years (again with freedom from punishment) the period after which punishments of whatever nature shall be expunged.

Regulation 14 provides that a policeman shall normally perform his duties each day in a single tour of duty.

Regulations 15 and 16 simplifies the rank structure of the Force. A single rank of superintendent is substituted for the two ranks of superintendent, class I, and superintendent, class II. Regulations 17, 18 and 19 contain incidental, consequential and transitional provisions including, in Regulation 19(2), provision securing that a superintendent who has been a superintendent, class I, does not suffer a reduction in pay. Regulation 18 (apart from making incidental, consequential and transitional provisions including, in Regulation the pay of a woman and that of a man holding the same rank. Regulation 11 makes related increases on detective allowances payable to women.