1973. No. 83 **[C]**

ROYAL ULSTER CONSTABULARY RESERVE

Appointment and Conditions of Service

REGULATIONS, DATED 21st MARCH 1973, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 26 OF THE POLICE ACT (NORTHERN IRELAND) 1970

The Ministry of Home Affairs on behalf of the Secretary of State and in exercise of the powers conferred on it by section 26 of the Police Act (Northern Ireland) 1970(a) and of every power enabling it in that behalf and after consulting 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 Reserve (Appointment and Conditions of Service) Regulations (Northern Ireland) 1973 and shall have effect as from 1st November 1972.

Revocation

2. The Royal Ulster Constabulary Reserve (Appointment and Conditions of Service) Regulations (Northern Ireland) 1970(b) are hereby revoked.

Interpretation

3. In these Regulations—

(1) "Chief constable" means the chief constable of the Royal Ulster Constabulary.

(2) Except for the purposes of pay, as specified in Regulation 13, "reserve constable" shall include "reserve sergeant", "reserve inspector" and "reserve superintendent".

Appointment

4.—(1) The chief constable may from time to time enrol such persons as he may think fit with a view to their appointment as reserve constables.

(2) Only persons who are of good character, healthy and physically fit shall be eligible for appointment, and every person shall declare before appointment whether or not he has previously served in a regular police force or in any special constabulary.

(3) Without prejudice to Regulation 12(2) the appointment of every reserve constable shall, unless otherwise specified, be without limitation as to period.

Service

5.—(1) The minimum age for enrolment of a reserve constable shall be 21 years or such other age as the Police Authority may from time to time authorise.

(2) A reserve constable shall be on probation for such period as may be determined by the chief constable, so, however, that such period shall be not less than 1 year from the date of his first appointment as a reserve constable:

(a) 1970. c. 9 (N.I.). (b) S.R. & O. (N.I.) 1970, No. 93.

Provided that, in the case of a former member of the Royal Ulster Constabulary or of a police force in Great Britain, service in that force shall count towards the period mentioned.

Ranks

6. The chief constable may at his discretion introduce a rank structure for the Royal Ulster Constabulary Reserve to comprise some or all of the following ranks, and may appoint such numbers of reserve constables to the various ranks as the Police Authority may approve:

Reserve Superintendent
Reserve Inspector
Reserve Sergeant
Reserve Constable

Control

7. Reserve constables shall be under the direction and control of, and subject to discharge or dismissal by, the chief constable.

Duties

8.—(1) Reserve constables shall attend training parades and perform patrol duty as reserve constables at such times as the chief constable may require and in accordance with any directions which the chief constable may issue.

(2) Reserve constables shall be required to attend 2 training parades, each of a minimum of 2 hours' duration, during each calendar month.

(3) The chief constable may require monthly patrols to be performed by reserve constables instead of some or all of the training parades required as basic duties, and for this purpose 2 hours of patrol duty shall be deemed to be the equivalent of a training parade.

(4) The chief constable may at any time direct reserve constables to perform patrols in excess of those that may be required under the foregoing provisions of this Regulation.

(5) Notwithstanding anything in the foregoing provisions of this Regulation, the chief constable may in any period reduce the number of training parades laid down in paragraph (2) provided, however, that any such reduction shall not be deemed to diminish the prescribed basic duties for the purpose of reckoning additional patrols under paragraph (4).

(6)(*a*) Subject to the approval of the Police Authority and with the consent of the reserve constables concerned, the chief constable may appoint, on a full-time basis, such number of reserve constables for such periods as he may deem necessary.

(*b*) Paragraphs (1) to (5) shall not apply to any reserve constables appointed under sub-paragraph (*a*) for full-time duty.

Clothing, etc. issued

9.—(1) All clothing, accoutrements and documents supplied to reserve constables shall remain the property of the Police Authority and every reserve constable shall be responsible for preserving in good order all such articles issued to him and for giving them up when required by or on behalf of the chief constable.

(2) Upon dicharge, dismissal or retirement from the force a former member will as soon as possible and in any event not later than one month after leaving the force deliver up all items of public property issued to him, and where he fails to do so the Police Authority will take whatever action is necessary to recover the property.

10. Unless otherwise directed, every reserve constable when called for duty shall wear the clothing and accoutrements appropriate to that duty with which he has been provided.

Suspension

11.—(1) This Regulation shall apply only to a reserve constable to whom Regulation 8(6)(*a*) does not apply.

(2) Where a report, allegation or complaint is received from which it appears that a member of the Royal Ulster Constabulary Reserve may have been remiss or negligent in the discharge of his duty or is otherwise unfit for the same the chief constable may suspend him from office until such time as either —

(*a*) it is decided that no action need be taken in his case in consequence of the report or allegation, or

(*b*) any such action has been taken.

(3) The chief constable may delegate his powers under this Regulation to the deputy chief constable or to a member of the Royal Ulster Constabulary acting in the place of the deputy chief constable.

(4) Remuneration shall not be payable in respect of any period during which a reserve constable is under suspension from duty. Where, however, suspension is removed by the chief constable, the reserve constable shall, at the discretion of the chief constable, be deemed to have performed during the period of suspension his appropriate basic duties and may be paid accordingly.

Retirement

12.—(1) A reserve constable may retire subject to his having given to the chief constable a month's written notice of his intention to retire or such shorter notice as may have been accepted by the chief constable:

Provided that a reserve constable may not without the consent of the chief constable, give notice for the purposes of this Regulation, or retire in pursuance of a notice previously given, while suspended under these Regulations.

(2) Retirement shall be compulsory on attaining the age of 57 years, provided that —

(*a*) the Police Authority may, on the recommendation of the chief constable, vary the retiring age wherever exceptional circumstances render such variation desirable, and

(*b*) the chief constable may extend the service of a reserve constable by yearly periods not exceeding 5 in number on being satisfied that exceptional circumstances render such extensions desirable.

(3) The chief constable may require a reserve constable to retire on such date as he may specify —

(*a*) on the grounds that he is disabled to perform the ordinary duties of a reserve constable and the disablement is likely to be permanent, or

(*b*) as an alternative to dismissal, where he has been remiss or negligent in the discharge of his duty or is otherwise unfit for the same, and in the determination thereof the disciplinary offences applicable to members of the Royal Ulster Constabulary shall apply.

Remuneration

13.—(1) Remuneration, inclusive of boot allowance, at the rates prescribed in this Regulation shall be paid monthly, quarterly, or half-yearly:—

Reserve Superintendent at the rate of £125 per annum

Reserve Inspector at the rate of £60 per annum

Reserve Sergeant at the rate of £20 per annum

Reserve Constable at the rate of £15 per annum

Reserve Constable on probation at the rate of £11 per annum.

(2) When additional patrols are performed under the provisions of Regulation 8(4) the remuneration shall be increased, for each hour of any such additional patrol ordered and actually performed, by such amount or amounts as may be approved by the Ministry with the concurrence of the Ministry of Finance.

(3) Paragraphs (1) and (2) shall not apply to any reserve constable while appointed for full-time duty under Regulation 8(6)(*a*).

(4) The terms and conditions of service of reserve constables appointed under Regulation 8(6)(*a*) shall be such as may be determined by the Ministry, and, in relation to hours of duty, leave, pay, allowances, pensions and gratuities, with the concurrence of the Ministry of Finance.

Conditions of payment—part-time remuneration

14. Payment of full remuneration under Regulation 13(1) shall be conditional on the performance of the basic duties prescribed in Regulation 8(2) and (3). For each training parade or patrol in lieu of a training parade not attended, the remuneration referred to in Regulation 13 (1) shall be reduced by 1/24th.

Expenses and allowances

15.—(1) A reserve constable may, on the approval of the Ministry, be reimbursed any out-of-pocket expenses reasonably incurred by him in the execution of his duty other than the basic duties prescribed in Regulation 8(2) and (3).

(2) A reserve constable may be paid an allowance in respect of such other matters as the Ministry may from time to time approve.

Sick pay

16.—(1) Where a reserve constable loses remuneration in his private employment in consequence of an injury received or disease contracted—

(*a*) in the execution of his duty, or

(*b*) while on duty or while on a journey necessary to enable him to report for duty or to return home after duty,

he shall be entitled to an allowance by way of sick pay, as hereinafter provided.

(2) Except where the Ministry at the request of the Police Authority determines otherwise in specific cases, the sick pay shall be payable for so long as the reserve constable continues to lose remuneration in his private employment or for a period of 26 weeks, whichever is the less; and, subject to paragraph (3), the rate thereof shall be whichever is the lower of the following rates, that is to say;

(*a*) the rate of such loss of remuneration, or

(*b*) the rate of pay to which he would have been entitled if he had been a member of the Royal Ulster Constabulary holding the rank of constable and his service as a reserve constable had been service as such a member.

(3) There shall be deducted from the sick pay an amount equal to the amount of any of the following benefits to which the reserve constable is entitled, that is to say —

(*a*) any sickness benefit under the National Insurance Act (Northern Ireland) 1966(**c**) together with any supplements thereto payable under section 2 of the National Insurance (No. 2) Act (Northern Ireland) 1966(**d**),

(*b*) any invalidity pension or allowance under the Social Services (Parity) Order (Northern Ireland) 1971(**e**),

(*c*) any injury benefit under the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966(**f**) together with any supplement thereto payable under section 2 of the National Insurance (No. 2) Act (Northern Ireland) 1966.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 21st day of March 1973.

(L.S.)

E. N. Barry,
Assistant Secretary.

The Ministry of Finance on behalf of the Secretary of State hereby concurs in Regulations numbered 13 to 16.

Sealed with the Official Seal of the Ministry of Finance this 22nd day of March 1973.

(L.S.)

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

(**c**) 1966. c. 6 (N.I.).
(**d**) 1966. c. 16 (N.I.).
(**e**) S.R. & O. (N.I.) 1971, No. 224.
(**f**) 1966. c. 9 (N.I.).

EXPLANATORY NOTE

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

These Regulations set out the conditions as to the appointment, duties and remuneration of members of the Royal Ulster Constabulary Reserve.

The principal changes from the previous Regulations are as follows:—

The Police Authority has now been given the power to prescribe the minimum age for enrolment. The power was formerly vested in the Minister (Regulation 5).

The Police Authority may vary the maximum retiring age (Regulation 12).

The remuneration of part-time members in respect of additional patrols performed may now be determined by the Ministry from time to time with the concurrence of the Ministry of Finance (Regulation 13).