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STATUTORY INSTRUMENTS

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**1995 No. 2020**

**POLICE**

**The Police (Amendment No. 2) Regulations 1995**

*Made* - - - - *31st July 1995*  
*Laid before Parliament* *4th August 1995*  
*Coming into force*  
*in accordance with*  
*regulation 1(2)* - -

The Secretary of State in exercise of the powers conferred on him by section 33 of the Police Act 1964(1), and after taking into consideration the recommendations made by the Police Negotiating Board for the United Kingdom and furnishing the said Board and the Police Advisory Board for England and Wales with a draft of the Regulations in accordance with section 2(1) of the Police Negotiating Board Act 1980(2) and section 46(3) of the Police Act 1964(3), hereby makes the following Regulations:

- 1.—(1) These Regulations may be cited as the Police (Amendment No. 2) Regulations 1995.
- (2) These Regulations shall come into force on 26th August 1995 but—
- (a) regulations 5 and 8 below shall have effect from 1st July 1994;
  - (b) regulation 6 below shall have effect from 1st April 1995; and
  - (c) subject to paragraph (3) below, regulation 9 shall have effect from 1st September 1994.
- (3) No person shall be paid at the rate applicable to a person appointed under regulation 13A of the Police Regulations 1995(4) in respect of any period prior to his appointment under that regulation.
- (4) In these Regulations “the principal Regulations” means the Police Regulations 1995(5).
- 2.—(1) Regulation 6 (ranks)(6) of the principal Regulations shall be amended in accordance with paragraphs (2) and (3) below.
- (2) For paragraph (2) there shall be substituted—

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(1) 1964 c. 48; section 33 was amended by the Police and Magistrates Courts Act 1994 (c. 29), section 18, and those amendments (except new section 33(3)) have been brought into force by S.I.1994/2025.

(2) 1980 c. 10.

(3) Section 46(3) was amended by section 2(4) of the Police Negotiating Board Act 1980.

(4) Regulation 13A was inserted by S.I. 1995/547.

(5) S.I. 1995/215, as amended by S.I. 1995/547.

(6) Regulation 6 was amended by S.I. 1995/547.

“(2) In its application to the metropolitan police force (in respect of which a Commissioner and Assistant Commissioners of Police of the Metropolis are appointed under the Metropolitan Police Acts 1829 to 1963) paragraph (1) shall have effect as if—

- (a) the reference to Chief Constable was omitted; and
- (b) the reference to Assistant Chief Constable was to Commander.”.

(3) For paragraph (3) there shall be substituted—

“(3) In its application to the City of London police force (in respect of which a Commissioner of the City of London Police is appointed under the Acts relating to that force) paragraph (1) shall have effect as if—

- (a) the references to Chief Constable and Assistant Chief Constable were omitted; and
- (b) there were references to Assistant Commissioner and Commander.”.

(4) Nothing in the amendment made by paragraph (2) above shall affect a person who, at the time when this regulation comes into force, holds a rank other than those listed in regulation 6(1) of the principal Regulations, as applied by regulation 6(2) of these Regulations, as substituted by paragraph (2) above.

(5) Regulation 2(1) of the Police (Amendment) Regulations 1995<sup>(7)</sup> is hereby revoked.

**3.—**(1) Regulation 13A of the principal Regulations (fixed term appointments for certain ranks)<sup>(8)</sup> shall be amended by—

- (a) inserting at the end of paragraph (1)(b) the words “or assistant commissioner in the City of London police force”; and
- (b) inserting after the word “commander” in paragraph (4) the words “or assistant commissioner”.

(2) As respects the amendments made by paragraph (1) above, any reference in regulation 13A or 13B (requirement to advertise vacancies in certain ranks) of the principal Regulations to 1st April 1995 shall be construed as a reference to 26th August 1995.

**4.—**(1) Regulation 40 of the principal Regulations (temporary salary) shall be amended in accordance with paragraphs (2) to (5) below.

(2) In paragraph (1) for the words “lowest rate of pay for”, there shall be substituted “rate of pay of the member in”.

(3) In paragraph (3)—

- (a) at the beginning there shall be inserted the words “Subject to paragraph (3B),”; and
- (b) the words from “Provided that” to the end are hereby revoked.

(4) After paragraph (3) there shall be inserted—

“(3A) Where—

- (a) a member of a police force below the rank of inspector is entitled to be paid under paragraph (3),
- (b) the higher rank is that of inspector or above, and
- (c) the day on which the member is required to perform the duties referred to in paragraph (3) is not a public holiday or rostered rest day,

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<sup>(7)</sup> S.I. 1995/547.

<sup>(8)</sup> Regulations 13A and 13B were inserted by S.I. 1995/547.

there shall be no entitlement to an allowance or time off under regulation 28 in respect of such duties.

(3B) Paragraph (3) shall not apply where—

- (a) a member of a police force below the rank of inspector is required to perform the duties normally performed by a member of the force of the rank of inspector or above, and
- (b) the day on which the member is so required to perform such duties is a public holiday or rostered rest day.”.

(5) In paragraph (6) for the word “superintendent” there shall be substituted “inspector”.

5. In regulation 41 of the principal Regulations (London weighting) for the words “£1,365” there shall be substituted “£1,398”.

6. In regulation 52(8) of the principal Regulations (removal allowance) for the words “£1,315” there shall be substituted “£1,353”.

7. Sub-paragraphs (a) and (b)(ii) of paragraph 7 of Schedule 3 to the principal Regulations (modification for variable shift arrangements) are hereby revoked.

8. In paragraph 3(2) of Schedule 5 to the principal Regulations (university scholars) for the words “£1,365” there shall be substituted “£1,398”.

9.—(1) Schedule 6 to the principal Regulations (determination of pay) shall be amended in accordance with paragraphs (2) and (3) below.

(2) In paragraph 1(1) for the words “paragraph 2” there shall be substituted “paragraphs 2 and 3”.

(3) After paragraph 2 there shall be inserted—

“3.—(1) This paragraph applies for the determination of the annual pay of any person who holds the rank of chief constable or assistant chief constable in police forces maintained under section 2 of the Police Act 1964<sup>(9)</sup> or of commander in the metropolitan police force or the City of London police force or of assistant commissioner in the latter force.

(2) The annual pay of a chief constable shall be an amount, determined by the police authority in accordance with sub-paragraph (12), which shall be within the range specified in the relevant entry (determined in accordance with paragraph 4(2)) in the table below, but shall not be less than the minimum amount:

**Table**

1 <i>Population of police area</i>	2 <i>Officer appointed under regulation 13A</i>	3 <i>Officer not appointed under regulation 13A</i>
Up to 500,000	£60,903 to £69,654	£58,002 to £66,336
500,001 to 1,000,000	£64,020 to £75,285	£60,972 to £71,700
1,000,001 to 2,000,000	£69,654 to £80,916	£66,336 to £77,064
Over 2,000,000	£77,079 to £86,988	£73,494 to £82,944

(3) Subject to sub-paragraphs (4) and (5), the annual pay of an assistant chief constable in a police force maintained under section 2 of the Police Act 1964 or a commander in the

(9) Section 2 was substituted by section 2 of the Police and Magistrates' Courts Act 1994.

metropolitan police force or the City of London police force shall be an amount, determined by the police authority in accordance with sub-paragraphs (7) and (13), which amount—

- (a) in the case of such a person who has been appointed under regulation 13A<sup>(10)</sup> shall be within the range of £51,756 to £59,409, but shall not be less than the minimum amount; and
  - (b) in the case of a person who has not been so appointed, shall be within the range of £49,290 to £56,580, but shall not be less than the minimum amount.
- (4) In the case of—
- (a) an assistant chief constable in respect of a period during which he remains designated under section 6(4) of the Police Act 1964<sup>(11)</sup>, and
  - (b) an assistant chief constable who held the rank of deputy chief constable on 31st March 1995,

the annual pay shall be an amount, determined by the police authority in accordance with sub-paragraphs (7) and (13), which shall be within the range specified in the relevant entry (determined in accordance with paragraph 4(2)) in the table below, but shall not be less than the minimum amount:

**Table**

1 <i>Population of police area</i>	2 <i>Officer appointed under regulation 13A</i>	3 <i>Officer not appointed under regulation 13A</i>
Up to 500,000	£51,756 to £59,409	£49,290 to £56,580
500,001 to 1,000,000	£51,756 to £60,228	£49,290 to £57,360
1,000,001 to 2,000,000	£55,723 to £64,733	£53,069 to £61,651
Over 2,000,000	£61,663 to £69,590	£58,795 to £66,355

(5) In the case of a commander in the metropolitan police force in respect of a period during which he remains designated under arrangements which satisfy the requirements of paragraph 4(7), the annual pay shall be an amount, determined by the police authority in accordance with sub-paragraphs (7) and (13), which amount—

- (a) in the case of a person who has been appointed under regulation 13A, shall be within the range of £61,663 to £64,733, but shall not be less than the minimum amount; and
- (b) in the case of a person who has not been so appointed, shall be within the range of £58,795 to £61,651, but shall not be less than the minimum amount.

(6) In the case of an assistant commissioner in the City of London police force, the annual pay shall be an amount, determined by the police authority in accordance with sub-paragraphs (7) and (13), which amount—

- (a) in the case of a person who has been appointed under regulation 13A, shall be within the range of £64,650 to £69,492, but shall not be less than the minimum amount; and
- (b) in the case of a person who has not been so appointed, shall be within the range of £61,491 to £66,090, but shall not be less than the minimum amount.

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<sup>(10)</sup> Regulation 13A was inserted by S.I. 1995/547.

<sup>(11)</sup> Section 6 was substituted by section 6 of the Police and Magistrates' Courts Act 1994.

(7) A police authority shall consult the chief officer of police before making a determination under sub-paragraph (3), (4), (5) or (6).

(8) In relation to a person to whom sub-paragraph (2), (3), (5) or (6) applies, “minimum amount” means an amount which shall not be less than the amount that the annual pay of the person would have been in the rank in question if the Police (Amendment No. 2) Regulations 1995 had not been made.

(9) In relation to a person to whom sub-paragraph (4) applies, “minimum amount” means an amount which shall not be less than either—

- (a) the amount that the annual pay of the person would have been in the rank in question if the Police (Amendment No. 2) Regulations 1995 had not been made; or
- (b) subject to sub-paragraphs (10) and (11), four-fifths of the annual pay of the chief officer of police of the force in which that person serves,

whichever is greater.

(10) Where the person to whom sub-paragraph (4) applies has been appointed under regulation 13A, but his chief officer has not been so appointed, the annual pay of that chief officer shall be treated for the purposes of sub-paragraph (9) as though it was at the equivalent point of the pay scale that would be applicable if he had been appointed under regulation 13A.

(11) Where the person to whom sub-paragraph (4) applies has not been appointed under regulation 13A, but his chief officer has been so appointed, the annual pay of that chief officer shall be treated for the purposes of sub-paragraph (9) as though it was at the equivalent point of the pay scale that would be applicable if he had not been appointed under regulation 13A.

(12) In making a determination under sub-paragraph (2), a police authority shall have regard to—

- (a) whether the population of the police area is at the higher or lower end of the range in column 1 of the table set out in that sub-paragraph;
- (b) the pay of the head of the paid service of any district, county borough or county council in its police area;
- (c) any social, economic or cultural characteristics that distinguish its police area from others; and
- (d) the extent to which the population of its police area live in urban surroundings;

and the police authority may have regard to any other consideration which it considers to be relevant, other than the performance of the officer in question.

(13) In making a determination under sub-paragraph (3), (4), (5) or (6), a police authority shall have regard to—

- (a) the pay of those members of the police force immediately above and below the officer whose pay is being determined; and
- (b) his responsibilities;

and the police authority may have regard to any other consideration which it considers to be relevant, other than the performance of the officer in question.

4.—(1) This paragraph supplements paragraph 3.

(2) For the purposes of paragraph 3(2) and (4), the relevant entry is determined by—

- (a) selecting the description of the size of the population of the police area as set out in the first column of the table in paragraph 3(2) or, as the case may be, (4) which describes the population of the police area for the police force of which the person in question is a member;
  - (b) where the person has been appointed under regulation 13A, the relevant entry is the entry opposite that description in the second column of the table; and
  - (c) where the person has not been so appointed, the relevant entry is the entry opposite that description in the third column of the table.
- (3) The population of a police area for the purposes of the tables in paragraph 3(2) and (4) and the determination under sub-paragraph (2) shall be—
- (a) determined by the police authority, and
  - (b) subject to sub-paragraph (6), revised by the police authority not later than 1st July in any year after the initial determination,

by adding the figure calculated in accordance with sub-paragraph (4) to the most recent estimates given by the Director General of Ordnance Survey as to the number of persons resident in that police area.

(4) Subject to sub-paragraph (5), the figure referred to in sub-paragraph (3) is one quarter of the number reached by adding—

- (a) the number of persons who, in the opinion of the police authority using such published data as appears to it to be appropriate, are not resident in the police area but—
  - (i) work in it; or
  - (ii) visit it for recreational purposes on any weekday in the summer picked at random; and
- (b) the number of additional persons expected to be resident in the police area where, in the opinion of the police authority, an increase in police services in anticipation of the increase in population has taken place or is being planned.

(5) Where the number produced by adding the number of persons referred to in paragraphs (a) and (b) of sub-paragraph (4) is less than either—

- (a) 50,000, or
- (b) where the number representing 15% of the number of persons who, according to the most recent estimates given by the Director General of Ordnance Survey are resident in the police area is less than 50,000, the number representing that percentage,

the number so produced shall be disregarded.

(6) Where on any revision by a police authority under sub-paragraph (3)(b) the number produced is less than the number currently used for the purposes of determining the relevant entry of any person to whom paragraph 3(2) or (4) applies, the number so produced shall be disregarded for those purposes.

(7) In order to constitute a designation for the purposes of paragraph 3(5), a commander must—

- (a) have been designated by his chief officer, after consultation with his police authority, to exercise all the powers and duties under these Regulations of an Assistant Commissioner of Police of the Metropolis specified in the designation—

- (i) during any absence, incapacity or suspension from duty of the Assistant Commissioner, or
  - (ii) during any vacancy in the office of the Assistant Commissioner; and
- (b) be the only person so authorised to act by virtue of the designation at any one time.”.

Home Office  
31st July 1995

*David MacLean*  
Minister of State

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations (which apply in England and Wales) amend the Police Regulations 1995 (“the principal Regulations”).

Regulation 2 of these Regulations amends regulation 6 of the principal Regulations to set out adaptations as respects the ranks in the Metropolitan and City of London police forces. These amendments make provision for the rank of assistant commissioner in the City of London police force (which rank is referred to in other legislative provisions). Regulation 3 makes changes consequential on this change.

Regulation 4 amends regulation 40 of the principal Regulations which concerns temporary salary when a member of a police force acts for a member of a higher rank. The revocation of paragraph 7(b) (ii) of Schedule 3 to the principal Regulations (by regulation 7 of these Regulations) is consequential on this change and the remainder of regulation 7 of these Regulations omits a modification from Schedule 3 which is unnecessary.

Regulations 5, 6 and 8 of these Regulations (which, by virtue of regulation 1(2)(a) and (b), are retrospective) increase certain allowances. Regulation 9 makes provision for the pay of chief constables and assistant chief constables in provincial forces and commanders in the Metropolitan and City of London police forces and an assistant commissioner in the latter force. This provision is also retrospective. Retrospection is authorised by section 33(4) of the Police Act 1964.