

STATUTORY INSTRUMENTS

2003 No. 527

The Police Regulations 2003

PART 9

DETERMINATIONS

Determinations

46.—^{F1}(1) Before making a determination under any provision of these Regulations relating to matters mentioned in section 50(2ZC) of the Act, the Secretary of State must obtain the approval of the College of Policing.

(1A) Before making a determination under any provision of these Regulations relating to matters mentioned in section 52A(1) of the Act, the Secretary of State shall (subject to paragraph (1B))—

- (a) where the determination concerns members of police forces of or below the rank of chief superintendent, or police cadets—
 - (i) refer the matter to the Police Remuneration Review Body under section 64B(1) of the Act; and
 - (ii) consider that body’s report on the matter;
- (b) where the determination concerns members of police forces above the rank of chief superintendent—
 - (i) consider advice on the matter from the Senior Salaries Review Body; or
 - (ii) ^{F2}where paragraph (1AA) applies, refer the matter to the Police Remuneration Review Body under section 64B(1) of the Act and consider that body’s report on the matter;

^{F3}(c)

^{F4}(1AA) This paragraph applies where—

- (a) the determination would affect members of police forces who are not above the rank of chief superintendent as well as those who are; and
- (b) the Secretary of State thinks that it would be preferable for the matter to be considered by the same body.]

(1B) The duty to consider advice from the Senior Salaries Review Body or to refer the matter to the Police Remuneration Review Body does not apply if the Secretary of State considers that—

- (a) there is not enough time to do so because the need to make the determination is so urgent; or
- (b) it is unnecessary to do so by reason of the nature of the proposed determination.

(1C) In circumstances in which the duty in paragraph (1A) applies, or would have applied but for paragraph (1B), before making the determination the Secretary of State shall supply a draft of it to, and consider any representations made by, persons whom the Secretary of State considers to represent the interests of—

- (a) the persons and bodies who between them maintain police forces;

- (b) chief officers of police;
- (c) members of police forces; and
- (d) police cadets appointed under section 28 of the Act.]

(2) Before making a determination under any provision of these Regulations relating to any other matter, the Secretary of State shall supply the Police Advisory Board for England and Wales with a draft of the determination, and take into consideration any representations made by that Board.

(3) A determination under any provision of these Regulations for regulating pay and allowances may be made with retrospective effect to any date specified in the determination, but nothing in this paragraph shall be construed as authorising the pay or allowances payable to any person to be reduced retrospectively.

(4) A determination under any provision of these Regulations may make different provision for different cases and circumstances.

Textual Amendments

- F1** Reg. 46(1)-(1C) substituted for reg. 46(1) (1.4.2015) by [The Police \(Amendment\) Regulations 2015 \(S.I. 2015/455\)](#), regs. 1, [6](#)
- F2** Words in reg. 46(1A)(b)(ii) substituted (19.8.2016) by [The Police \(Amendment\) Regulations 2016 \(S.I. 2016/798\)](#), regs. 1, [7\(a\)\(i\)](#)
- F3** Reg. 46(1A)(c) omitted (19.8.2016) by virtue of [The Police \(Amendment\) Regulations 2016 \(S.I. 2016/798\)](#), regs. 1, [7\(a\)\(ii\)](#)
- F4** Reg. 46(1AA) inserted (19.8.2016) by [The Police \(Amendment\) Regulations 2016 \(S.I. 2016/798\)](#), regs. 1, [7\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Police Regulations 2003, PART 9.