

1990 No. 434**POLICE****Royal Ulster Constabulary Reserve (Full-Time)
(Appointment and Conditions of Service)
(Amendment No. 3) Regulations 1990**

Made 3rd December 1990

Coming into operation 21st January 1991

To be laid before Parliament

The Secretary of State, in pursuance of section 26 of the Police Act (Northern Ireland) 1970(a), 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 and commencement

1. These regulations may be cited as the Royal Ulster Constabulary Reserve (Full-Time) (Appointment and Conditions of Service) (Amendment No. 3) Regulations 1990.

2. These regulations shall come into operation on 21st January 1991 and shall have effect for the purposes of regulations 4, 5, 6 and 7 as on and from 1st April 1990.

Interpretation

3. In these regulations “the principal regulations” means the Royal Ulster Constabulary Reserve (Full-Time) (Appointment and Conditions of Service) Regulations 1988(b).

4.—(1) In regulation 35B(4)(b) of the principal regulations there shall be substituted for the words “for the financial year” the words “and any compensatory grant in relation to such rent allowance in respect of the period”.

(2) There shall be inserted after regulation 35B(5) of the principal regulations the following paragraphs:

- “(5A) Where a member in receipt of a transitional rent allowance—
- (a) was entitled on 31st March 1990 to a flat-rate rent allowance, and
 - (b) is married to (but not separated from) a woman member who on or after 1st April 1990 begins a period of unpaid maternity leave,

(a) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670

(b) S.R. 1988 No. 36 as amended by S.R. 1990 No. 83

his transitional rent allowance shall, during his wife's period of unpaid maternity leave, be payable at an annual rate equivalent to the maximum limit rent allowance which would have been payable to him on 31st March 1990 in respect of the accommodation in which he was living on 31st March 1990 if his wife had then been on unpaid maternity leave.

(5B) In determining—

- (a) for the purposes of paragraph (1), (2), (3) or (5), the annual rate of rent allowance, or supplementary rent allowance under regulation 36(3)(b), payable to a member on 31st March 1990,
- (b) for the purposes of paragraph (5A), the maximum limit rent allowance which would have been payable to him on 31st March 1990, or
- (c) for the purposes of paragraph (2), (3) or (5) as applied by regulation 35C, or of paragraph (1) or (2) of regulation 35C, the annual rate of rent allowance (or of supplementary rent allowance under regulation 36(3)(b)) which would have been payable to a member on 31st March 1990,

(but for no other purposes of these regulations) the rate of rent allowance payable, or which would have been payable, on that date or the maximum limit payable at that time, as the case may be, shall be deemed to be increased by the same percentage as that by which the housing allowance was increased on 1st April 1990 in accordance with regulation 35A.”.

5. Regulation 35A of the principal regulations shall be amended by substituting for the words “rent allowance or” the words “maximum limit for the purposes of rent allowance or the”.

6. Regulation 35C(2)(b) of the principal regulations shall be amended by substituting for the words “then be entitled under regulation 35 or 36” the words “be entitled under regulation 35 or 36 at the time when regulation 35B(1) first applied to him by virtue of paragraph (1) of this regulation”.

7. Regulation 35D(2) of the principal regulations shall be amended by—

- (a) inserting in sub-paragraph (b), after the word “payable” in the first place where it occurs, the words “in respect of any period”, and
- (b) substituting for the words “no compensatory grant shall be payable to a member” in sub-paragraph (c) the words “a member shall cease to be eligible for compensatory grant immediately”.

P. L. Brooke

Northern Ireland Office
3rd December 1990

One of Her Majesty's Principal
Secretaries of State

Thomas Sackville

Gregory Knight

We concur
12th December 1990

Two of the Lords Commissioners
of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations.)

1. These regulations further amend the Royal Ulster Constabulary Reserve (Full-Time) (Appointment and Conditions of Service) Regulations 1988, with effect from 1st April 1990. Retrospection is authorised by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962.

2. Regulation 4(1) provides that for the purpose of determining the date when a member in receipt of transitional rent allowance should transfer to housing allowance, account is to be taken of compensatory grant referable to financial years earlier than 1989/90.

3. Regulation 4(2) provides that where a member in receipt of transitional rent allowance is married to a woman member who takes unpaid maternity leave, he will receive an enhanced allowance during her period of leave, thus bringing the arrangements for transitional rent allowance into line with those for housing allowance.

4. Regulation 35B of the 1988 Regulations, as amended by the Royal Ulster Constabulary Reserve (Full-Time) (Appointment and Conditions of Service) (Amendment No. 2) Regulations 1990 (S.R. 1990 No. 83), provides for certain police officers to receive a transitional rent allowance, usually of an amount equivalent to that of the officer's rent allowance as at 31st March 1990. Regulation 4(2) of these regulations amends regulation 35B so that the transitional rent allowance will be increased by an amount calculated by reference to movements in the retail prices index between the date the rent allowance was last reviewed in 1988 and 1st April 1990.

5. Regulations 5 to 7 of these regulations make drafting corrections to provisions substituted by the Royal Ulster Constabulary Reserve (Full-Time) (Appointment and Conditions of Service) (Amendment No. 2) Regulations 1990, and effect no change of substance.