1993, No. 464

POLICE .

Royal Ulster Constabulary (Amendment No. 2) Regulations 1993

Made	.	.	.	.	*29th November 1993*
Coming into operation		.		.	*31st December 1993*
To be laid before Parliament					

The Secretary of State, in pursuance of section 25 of the Police Act (Northern Ireland) 1970(**a**), read with section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(**b**), and after consulting in accordance with section 34(2) of the said Act of 1970, the Police Authority and the Police Association, and after taking into account the recommendations made by the Police Negotiating Board for the United Kingdom and furnishing that Board with a draft of the regulations in accordance with section 2(1) of the Police Negotiating Board Act 1980(**c**), hereby with the concurrence of the Treasury makes the following regulations:—

Citation, operation and effect

1.—(1) These regulations may be cited as the Royal Ulster Constabulary (Amendment No. 2) Regulations 1993.

(2) These regulations shall come into operation on 31st December 1993 but shall have effect for the purposes of regulation 3 as from 31st March 1990.

Interpretation

2. In these regulations any reference to the principal regulations is a reference to the Royal Ulster Constabulary Regulations 1984(**d**).

Transitional rent allowance

3.—(1) In regulation 40B(5) there shall be substituted for the words "half the annual rate of rent allowance payable to him" the words "the flat-rate rent allowance payable to members of the rank he held".

(2) There shall be inserted after regulation 40B(5A) of the principal regulations the following paragraph:

"(5B) Where a member in receipt of a transitional rent allowance—

(*a*) was entitled on 31st March 1990 to a flat-rate rent allowance, and

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(**a**) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670
(**b**) 1962 c. 7 (N.I.)
(**c**) 1980 c. 10
(**d**) S.R. 1984 No. 62 as amended by S.R. 1987 No. 441, S.R. 1990 No. 82 and S.R. 1990 No. 433

(*b*) was then and remains married to (but not separated from) another member who is also in receipt of a transitional rent allowance and who on or after 1st April 1990 resigns (otherwise than upon immediate transfer to another force), retires or is discharged by reason of his services dispensed with under regulation 11 (whether or not, in the case of a woman member, the resignation, retirement or discharge immediately follows a period of unpaid maternity leave),

his transitional rent allowance shall, after the date on which that resignation, retirement or discharge takes effect, 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 the person to whom he is married had not then been a member''.

(3) In regulation 40C(3) there shall be substituted for sub-paragraph

(*d*) the following sub-paragraph:

''(*d*) in paragraph (5), there were substituted for the word ''was'' the words ''would (if he had not then been on unpaid leave) have been'', and there were substituted for the words which follow ''be equal to'' the words ''the flat-rate rent allowance payable on 31st March 1990 to members of the rank in which he was serving immediately before the commencement of his period of unpaid leave''.

P. B. B. Mayhew
One of Her Majesty's
Principal Secretaries of State

Northern Ireland Office
29th November 1993

Tim Wood
Andrew Mackay
Two of the Lords Commissioners
of Her Majesty's Treasury

We concur
1st December 1993

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Royal Ulster Constabulary Regulations 1984 (the principal regulations).

Regulation 3 amends regulations 40B and 40C to rectify an anomaly in the transitional rent allowance regulations. The amendment will ensure that no member receives less than the flat rate rent allowance payable to the rank held by him on 31st March 1990.

Retrospective effect is authorised by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962.