
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 3

**Police Service of Northern Ireland
Reserve (Part-Time) Regulations 2004**

**PART I
GENERAL**

Citation, commencement and application

- 1.—(1) These regulations may be cited as the Police Service of Northern Ireland Reserve (Part-Time) Regulations 2004.
- (2) These regulations shall come into operation on 8th February 2004.
- (3) Parts II to V of these regulations shall have effect –
- (a) in relation to any member appointed on or after 8th February 2004, and
 - (b) in accordance with paragraph (5) or (6) of regulation 4, in relation to any such member as is described in that paragraph.

Interpretation

- 2.—(1) In these regulations –
- “the Board” means the Northern Ireland Policing Board;
 - “the Conduct Regulations” means the regulations for the Police Service of Northern Ireland Reserve relating to conduct and discipline for the time being in force;
 - “injury” and “injury received in the execution of duty” have, subject to the necessary modifications, the same meanings as they have in the Royal Ulster Constabulary Pensions Regulations 1988(1);
 - “member” means a member of the Police Service of Northern Ireland Reserve and includes a member who is suspended under the Conduct Regulations;
 - “police force in Great Britain” means a police force within the meaning of the Police Act 1996(2) or the Police (Scotland) Act 1967(3).
- (2) Nothing in these regulations shall be construed as authorising pay or allowances payable to any person to be reduced retrospectively.

Revocation

- 3.—(1) The following regulations are revoked –

(1) S.R. 1988 No. 374
(2) 1996 c. 16
(3) 1967 c. 77

- (a) the Royal Ulster Constabulary Reserve (Part-time) (Appointment and Conditions of Service) Regulations 1996⁽⁴⁾;
- (b) the Royal Ulster Constabulary Reserve (Part-time) (Appointment and Conditions of Service) (Amendment) Regulations 1997⁽⁵⁾.

(2) Without prejudice to sections 16 and 17 of the Interpretation Act 1978⁽⁶⁾, any appointment, deduction, payment or application made, any approval, direction, consent, certificate or notice given, any record or list kept, any interval fixed or any other thing done under any of the regulations mentioned in paragraph (1) or for the purposes thereof shall not be invalidated by the revocations effected by that paragraph, but –

- (a) in so far as it could have been made, given, kept, fixed or done under a provision of these regulations or for the purposes thereof, shall have effect as if it had been made, given, kept, fixed or done under, or for the purposes of, that provision, and
- (b) where it was made, given, kept, fixed or done by or to the Board under a provision of the regulations mentioned in paragraph (1) or for the purposes thereof, but could have been made, given, kept, fixed or done by or to the Chief Constable under, or for the purposes of, a provision of these regulations, shall have effect as if it had been made, given, kept, fixed or done by or to the Chief Constable under, or for the purposes of, that provision.

Members appointed before 8th February 2004

4.—(1) In this regulation “existing member” means any member who was appointed before 8th February 2004 on a part-time basis (other than to perform part-time service under regulation 4A of the Royal Ulster Constabulary Reserve (Full-time) (Appointment and Conditions of Service) Regulations 1996)⁽⁷⁾.

(2) Notwithstanding their revocation, the regulations mentioned in regulation 3(1) shall continue to apply in relation to an existing member until they cease to apply in accordance with paragraph (4) (b), (5)(a) or (6)(a).

(3) The Chief Constable shall by notice in writing to each existing member –

- (a) require him to complete such training as may be specified in the notice within such period as may be so specified, or
- (b) inform him that no requirement is imposed in his case under sub-paragraph (a),

and participation in any training required under sub-paragraph (a) shall be treated as the performance of duty for the purposes of the regulations mentioned in regulation 3(1).

(4) Where an existing member fails to comply with any requirement imposed under paragraph (3) (a) –

- (a) the Chief Constable may dismiss him by giving him a month’s notice in writing, and
- (b) the regulations mentioned in regulation 3(1) shall cease to apply in relation to him when the dismissal takes effect.

(5) Where an existing member complies with any requirement imposed under paragraph (3)(a), then, with effect from such date as may be specified in his case by the Chief Constable –

- (a) the regulations mentioned in regulation 3(1) shall cease to apply in relation to him,
- (b) Parts II to V of these regulations shall apply in relation to him, and

(4) S.R. 1996 No. 565

(5) S.R. 1997 No. 364

(6) 1978 c. 30

(7) S.R. 1996 No. 564. Regulation 4A was inserted by S.R. 2001 No. 80

- (c) where his service has been extended for a period under regulation 9(2) of the Royal Ulster Constabulary Reserve (Part-time) (Appointment and Conditions of Service) Regulations 1996, it shall not come to an end on the expiry of that period.
- (6) Where notice is given to an existing member under paragraph (3)(b), then with effect from such date as may be specified in the notice –
 - (a) the regulations mentioned in regulation 3(1) shall cease to apply in relation to him, and
 - (b) Parts II to V of these regulations shall apply in relation to him.

Functions of the Chief Constable

- 5.—(1) Any power conferred on the Chief Constable by these regulations to make provision by –
- (a) giving directions,
 - (b) authorising, designating, approving or specifying any person or anything,
 - (c) imposing restrictions, or
 - (d) doing anything else,
- includes power to make different provision for different purposes, cases and circumstances.
- (2) The Chief Constable may designate a police officer or member of the police support staff for the purposes of this regulation and, subject to paragraph (3), may delegate any function under these regulations to a person so designated.
- (3) Any function of the Chief Constable under regulation 4(4)(a), 7(6), 9(1), 10(3), (6) to (9) or 11(1), (2) or (5) may be delegated only to –
- (a) a police officer of a rank not lower than chief inspector, or
 - (b) a senior employee or such member of the police support staff of such class or description as may be specified by the Board for the purposes of this paragraph.