

1971. No. 232

[C]

POLICE ASSOCIATION

REGULATIONS, DATED 14TH JULY 1971, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 17 OF THE POLICE ACT (NORTHERN IRELAND) 1970.

I, the Right Honourable Brian Faulkner, Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section 17 of the Police Act (Northern Ireland) 1970(a) and of all other powers enabling me in that behalf and after consulting the Representative Bodies constituted by the Constabulary and Police (Ireland) Act 1919(b) do hereby make the following Regulations:—

PART I**GENERAL***Citation and commencement*

1. These Regulations may be cited as the Police Association for Northern Ireland Regulations 1971 and shall have effect from 15th July 1971.

Revocation

2. The following Rules are hereby revoked:—

the Royal Ulster Constabulary Representative Body Rules 1951(c);

the Royal Ulster Constabulary Representative Body Rules 1954(d);

the Royal Ulster Constabulary Representative Body Rules 1958(e).

3.—(1) The Police Association shall comprise three sections as follows:—

(a) the Association of Chief Police Officers, to represent members in the ranks above that of chief superintendent;

(b) the Superintendents' Association, to represent members in the ranks of superintendent and chief superintendent;

(c) the Police Federation for Northern Ireland, to represent members in the ranks below that of superintendent, and police cadets.

(2) (i) For the purpose of consultation required by section 34(2) of the Police Act (Northern Ireland) 1970, the Ministry shall consult each of the sections mentioned in paragraph (1).

(ii) Such consultation may take place with each section separately or jointly as the sections may themselves agree.

4. Without prejudice to any arrangements for informal consultation any section referred to in paragraph 3(1) may make written representations to the Chief Constable or the Police Authority and, if it thinks fit, submit a copy thereof to the Minister of Home Affairs. And in matters of importance a deputation may be appointed to make oral representations to the Chief Constable or the Police Authority or the Minister.

(a) 1970. c. 9 (N.I.).

(b) 9 & 10 Geo. 5. c. 68.

(c) S.R. & O. (N.I.) 1951, No. 146.

(d) S.R. & O. (N.I.) 1954, No. 37.

(e) S.R. & O. (N.I.) 1958, No. 35.

5. Every member of the police force and every police cadet shall be a member of the Police Association.

Definitions

6. In these Regulations—

“member” means a member of the Police Federation for Northern Ireland unless the context otherwise requires;

“establishment” means all police stations, offices and other premises where members are permanently based;

“divisional commander” means the person in charge of a police division;

“constable” means a constable of the Royal Ulster Constabulary;

“sergeant” means a sergeant of the Royal Ulster Constabulary;

“inspector” means an inspector or chief inspector of the Royal Ulster Constabulary;

“quorum”, in relation to the Police Federation for Northern Ireland, means at least 50% plus one of the members of a board or the central committee or a committee or sub-committee of either body.

PART II

CONSTITUTION OF THE ASSOCIATION OF CHIEF POLICE OFFICERS AND THE SUPERINTENDENTS' ASSOCIATION

7.—(1) This Part shall apply to the Association of Chief Police Officers and the Superintendents' Association.

(2) Each of the sections referred to in paragraph (1) shall appoint a secretary from among its own members and notify the Ministry of the name of any person so appointed.

(3) Each of the sections referred to in paragraph (1) may formulate its own rules which shall be subject to the Ministry's approval.

PART III

Application of Part III

8. This Part shall apply to the Police Federation for Northern Ireland (hereinafter referred to as “the Federation”).

Regions

9. There shall be established seven regions in Northern Ireland as specified in Schedule I.

Regional boards

10. There shall be established in each region a regional board (hereinafter referred to as a “board”) comprising representatives of inspectors, sergeants and constables as specified in Schedule II.

Elections to membership of a board

11. Elections to the membership of a board shall be carried out in accordance with the provisions of Schedule III.

Chairman and secretary

12. Each board shall choose its chairman and secretary from amongst its members and notify the divisional commander and the secretary of the central committee of the Federation (hereinafter referred to as "the central committee") of the names of the members so chosen. These officials shall hold office for one year and shall be eligible for re-election.

By-elections to vacancies on boards

13.—(1) A member of a board shall cease to be a member of that board either—

- (a) on leaving the police force;
- (b) on changing his rank;
- (c) on transferring to another division; or
- (d) voluntarily.

(2) Such vacancy on a board as is occasioned by any of the events mentioned in paragraph (1) shall be filled by the election of a member of the appropriate rank stationed in the same division as the retiring member.

(3) By-elections shall be held in accordance with the provisions of Schedule III—

- (a) in the event of a vacancy arising as provided by paragraph (1), within four weeks; and
- (b) in the event of a new division being established, within eight weeks of the date of establishment.

Board meetings

14.—(1) Boards shall hold—

- (a) quarterly meetings, the first meeting to be held in the month following the month in which the elections are held; and
- (b) special meetings or meetings of a committee or sub-committee which may be called at any time with the approval of the assistant chief constable designated for the area, or, where there is no assistant chief constable so designated, the assistant chief constable (administration).

(2) A meeting shall not be lawfully constituted unless a quorum is present.

Facilities for members of boards

15. Subject to the exigencies of the service, a board member shall, to enable him to consult those he represents and to prepare reports required by the board or the central committee, be granted such time as may be considered necessary by his divisional commander, such time to be considered, except for expenses and allowances, as an occasion of police duty.

Annual conference

16.—(1) There shall be held annually a conference of all the members of boards to be called the Annual Conference.

(2) The Annual Conference referred to in paragraph (1) shall not exceed one day, provided that the chief constable may, if he thinks fit, extend the period of any such conference to two days.

*Proceedings of boards***17.—(1)** A board may—

- (a) from among its members, appoint a committee or sub-committee to consider matters affecting the welfare and efficiency of the police force and of police cadets, other than questions of promotion and discipline affecting individuals;
- (b) make application to the divisional commanders within the region or to the assistant chief constable designated for the area, or, where there is no assistant chief constable so designated, the assistant chief constable (administration), for any information which it may require, and in so far as the assistant chief constable or divisional commanders consider it practicable and desirable in the interests of efficiency to do so, the information requested shall be supplied.

(2) A board shall—

- (a) ascertain the views of members of the ranks represented on the board who are stationed within the region on matters affecting their welfare and efficiency other than questions of promotion and discipline affecting individuals;
- (b) as occasion may arise, ascertain the views of corresponding ranks in the Royal Ulster Constabulary Reserve in the respective regions on matters affecting their welfare and efficiency other than questions of promotion and discipline affecting individuals;
- (c) where appropriate, settle matters of concern to the region by referring them to the relevant divisional commander and decide what matters or questions it shall seek to put forward for discussion by the central committee;
- (d) elect members of the ranks represented on the board to serve on the central committee as hereinafter provided and notify the chief constable, the relevant divisional commanders and the secretary of the central committee of the names of those so elected;
- (e) submit to the secretary of the central committee for inclusion in the agenda of meetings of the central committee matters affecting the ranks represented by the board, or, as occasion may arise under subparagraph (b), matters affecting the corresponding ranks of the Royal Ulster Constabulary Reserve;
- (f) consider such other matters as may from time to time be referred to it by the chief constable, a divisional commander or the central committee.

(3) Where there is disagreement between members of a board on any matter under consideration the question at issue shall be decided by vote and in the event of there being equality of votes the chairman shall have a second or casting vote.

Central committee

18. There shall be constituted a central committee comprising representatives of inspectors, sergeants and constables as specified in Schedule IV.

Elections to the central committee

19. Elections to the central committee shall be carried out in accordance with the provisions of Schedule V.

Chairman and vice-chairman

20.—(1) Members of the central committee shall elect a chairman and vice-chairman from within the committee.

(2) The chairman and vice-chairman so elected shall—

- (a) hold office for one year; and
- (b) be eligible for re-election.

Secretary, assistant secretary and treasurer

21.—(1) Members of the central committee—

- (a) shall choose a secretary from within the committee or, if they think fit, some other member of the Royal Ulster Constabulary, with the approval of the chief constable, who is willing to serve in the capacity;
- (b) may, if they think fit, choose an assistant secretary and treasurer from within the committee, who shall hold office for one year and be eligible for re-election.

(2) The secretary so chosen shall—

- (a) during his term of office be ex officio a member of the central committee with no voting powers; and
- (b) hold office for such period as the central committee by which he has been chosen may determine but not exceeding the term of office of that committee.

(3) Where a member of the central committee is appointed as secretary the members of the board(s) of which he is a representative shall fill the vacancy on the committee in accordance with paragraph 2 of Schedule V.

(4) The chairman of the central committee shall immediately after the appointment of a secretary notify the chief constable and boards of the name and rank of the person so appointed.

(5) Nothing in this Regulation shall preclude the reappointment of a former secretary.

By-elections to vacancies on the central committee

22.—(1) A member of the central committee shall cease to be a member of that committee either—

- (a) on ceasing to be a member of a board in accordance with Regulation 13(1); or
- (b) voluntarily.

(2) Such vacancy on the central committee shall be filled—

- (a) by election from the relevant board in accordance with the provisions of Schedule V; and
- (b) following the by-election held, if necessary, in accordance with Regulation 13.

Meetings of the central committee

23.—(1) The central committee shall meet—

- (a) ordinarily every two months, each meeting not to exceed three days;
- (b) annually before the 31st March, the first annual general meeting to be held before 1st October 1971.

(2) Special meetings or meetings of a committee or sub-committee may be called with the consent of the chief constable.

(3) A meeting shall not be lawfully constituted unless a quorum is in attendance.

Proceedings of the central committee

24.—(1) The central committee may, from among its members, appoint a committee or sub-committee to consider matters affecting the welfare and efficiency of the police force and of police cadets, other than questions of promotion and discipline affecting individuals.

(2) The central committee or any committee or sub-committee appointed in accordance with paragraph (1) may make application to the chief constable for any information which it may require and in so far as the chief constable considers it practicable and desirable in the interests of efficiency to do so the information requested shall be supplied.

(3) Where there is disagreement between members of the central committee on any matter under consideration the question at issue shall be decided by vote and in the event of there being equality of votes the chairman shall have a second or casting vote.

FINANCIAL ARRANGEMENTS

Emoluments, etc., of the secretary of the central committee

25.—(1) The Federation shall make such contribution to the police authority in respect of the pay, pension or allowances, payable to or in respect of the secretary of the central committee as may be agreed between the central committee and the police authority or, in default of agreement, as may be determined by the Ministry with the concurrence of the Ministry of Finance.

(2) The Regulations for the time being in force in respect of leave, pay, allowances and pension, shall have effect in relation to the secretary of the central committee at a rank to be determined jointly by the central committee, the chief constable and the police authority.

Subscriptions, etc.

26.—(1) The Federation may raise funds by—

- (a) the collection of voluntary subscriptions from constables, sergeants and inspectors within the meaning of Regulation 6, and from police cadets;
- (b) the acceptance of donations from members or former members of the Royal Ulster Constabulary;
- (c) the sale of periodicals and other articles,

but not otherwise.

(2) Voluntary subscriptions may be collected at the pay office or offices and forwarded directly to the treasurer, if such appointment be made in accordance with Regulation 21(1)(b), or to the secretary, and the normal amount of such subscriptions (including additional subscriptions) shall be determined by the central committee.

Expenses of boards and the central committee

27.—(1) There shall be paid to the central committee or any board from the funds of the Federation such sums as the central committee shall determine.

(2) Subject to Regulation 29, any expenses incurred by or for the purposes of the central committee or any board shall be defrayed out of the funds of the Federation except to the extent that the Ministry has agreed with the central committee that such expenses should be defrayed by the Ministry.

Accounts

28.—(1) The central committee shall, in relation to the funds of the Federation held by the committee, keep accounts showing all monies received or paid out and shall cause the accounts for each year to be audited by an independent auditor.

(2) The independent auditor shall be a person who is a member, or a firm all of the partners wherein are members, of one or more of the bodies of Accountants for the time being recognised for the purposes of the Companies Act (Northern Ireland) 1960(f) by the Ministry of Commerce.

(3) After the end of each year a summary of the accounts for that year, together with a copy of the independent auditor's report thereon, shall be made available to the central committee at the annual general meeting, sent to the Ministry and published, in a manner approved by the central committee, for the information of members.

Use of the funds of the Federation

29.—(1) The funds of the Federation shall not, without the consent of the Ministry, be used otherwise than for defraying the expenses lawfully incurred in accordance with these Regulations.

(2) Without prejudice to the generality of the preceding paragraph the funds of the Federation may be applied in accordance with Rules laid down by the central committee.

Trustees of the property and funds of the Federation

30. The property and funds of the Federation shall be vested in not more than three trustees appointed in such a manner as may be determined by the central committee.

Dated this 14th day of July 1971.

Brian Faulkner,
Minister of Home Affairs
for Northern Ireland.

SCHEDULE I

Regulation 9

Regions

1. For the purposes of Part III of these Regulations there shall be the following regions:—

Region	Divisions or departments in the region
1	A, E and F
2	B, C and D
3	L, M and K
4	N, O and P
5	J and H
6	R and G
7	(a) Special Patrol Group; (b) Women Police; (c) Criminal Investigation Department and Special Branch; (d) Force Training Personnel (full-time members), all members attached to Training Centre, and recruits in training; (e) Traffic Branch and (f) all staff based at Headquarters excepting those in (a) to (e).

2. The divisional commander for region 7 shall be construed as being the assistant chief constable (administration).

SCHEDULE II

Regulation 10

Regional Boards

The composition of each board shall be as specified in the following Table:—

Region	Constables	Sergeants	Inspectors
1	6	3	3
2	6	3	3
3	6	3	3
4	6	3	3
5	6	4	2
6	6	4	2
7	6	6	6

SCHEDULE III

Regulation 11

Elections to the membership of boards

1. The first elections to the membership of boards shall be held in the month of July 1971 and thereafter in the month of January triennially. The chief constable shall cause to be displayed in each police establishment the proposed date of the elections at least one month in advance.

2.—(1) From each division or department, as the case may be, and for membership of their respective boards there shall be elected by—

- (a) constables stationed in each of regions 1, 2, 3 and 4; two of their number;
- (b) constables stationed in each of regions 5 and 6; three of their number;
- (c) constables based in each of the departments specified for region 7 in Schedule I; one of their number;
- (d) sergeants stationed in each of regions 1, 2, 3 and 4; one of their number;
- (e) sergeants stationed in each of regions 5 and 6; two of their number;
- (f) sergeants based in each of the departments specified for region 7 in Schedule I; one of their number;
- (g) inspectors stationed in each of regions 1 to 6 and inspectors based in each of the departments specified for region 7 in Schedule I; one of their number.

(2) Members based in each of the departments specified for region 7 in Schedule I shall only vote within that region irrespective of the location of their establishment.

(3) Subject to sub-paragraph (4), where the number of police cadets is fifty or more, they shall elect one of their number to be a member of the board for the region in which their training establishment is situated and, where their number is less than fifty, they shall nominate a constable on the board for the region in which their training establishment is situated to represent their interests.

(4) Where the training establishment for police cadets is outside Northern Ireland cadets shall nominate a constable in region 7 to represent their interests.

3.—(1) Each candidate for election shall be nominated and seconded by members of the same rank who will sign the printed nomination form having ascertained that the nominee is willing to accept the nomination.

(2) Outgoing members shall be eligible for nomination.

(3) Nominations from a division or department, as the case may be, shall be lodged with the divisional commander at least fourteen days before the date of the election.

(4) The divisional commander on receiving the nominations shall—

- (a) prepare a list for each rank showing the rank, surname, christian name(s), registered number and station of each candidate and the names of the proposer and seconder; and
- (b) cause such lists to be exhibited at each police establishment in the division in which men of similar rank are stationed, not less than seven days before the date of the election.

(5) No person shall control, direct, improperly influence or in any other way interfere with or cause to be controlled, directed, improperly influenced or interfered with, the nomination of a candidate.

(6) In the event that the number of nominations received does not exceed the number of members to be elected, those nominations in accordance with the provisions of this paragraph shall be declared elected by the divisional commander.

4.—(1) Each member of the rank represented on the board—

- (a) may, on the day of the election, between the hours of 8.00 a.m. and 8.30 p.m., vote for the candidate or candidates of his own rank and choice within the division on the voting paper supplied;
- (b) having voted, shall place the voting paper in an envelope, write his name, rank and division for which he is voting on the back and lodge the sealed envelope with the person in charge of the establishment.

(2) As soon as possible after the close of the poll, but not later than the following day, the person in charge of the establishment shall forward the envelopes containing the votes in a sealed packet to the divisional commander.

5.—(1) The divisional commander shall, as soon as possible after the date of the election, in the presence of the scrutineers appointed from the divisional headquarters station, one for each rank represented on the board, check each envelope against the voting roll for the region.

(2) The scrutineers shall extract the voting paper and destroy the envelope.

(3) The divisional commander shall in the presence of the scrutineers count the votes recorded.

(4) The divisional commander and the scrutineers shall jointly decide whether a voting paper is spoiled.

(5) Subject to a recount under paragraph 11, a spoiled vote shall not be valid.

6.—(1) On the completion of the counting of the votes the divisional commander shall—

- (a) in the presence of the scrutineers, add the number of votes recorded for each candidate; and
- (b) subject to sub-paragraph (2), declare elected those candidates who have the higher or highest number of votes.

(2) Where there is—

- (a) only one vacancy and two or more candidates each receive an equal number of votes, being the greatest number recorded; or
- (b) more than one vacancy and two or more candidates each receive an equal number of votes, being the first, second or third greatest number (as may be relevant) recorded

the election shall be decided by lot by the said candidates.

7.—(1) An elector absent for any reason from the division in which he is stationed shall—

- (a) be entitled to vote for a representative for that division only;
- (b) subject to sub-paragraph (2), be responsible for having his vote, if recorded as provided by this Schedule, lodged before the close of poll with the divisional commander for the division in which he is permanently stationed.

(2) A vote lodged in accordance with sub-paragraph (1)(b) may be dispatched to the divisional commander before the opening of the poll if it is enclosed in a secondary envelope.

8.—(1) Following the result of the poll the divisional commander shall—

- (a) in the presence of the scrutineers seal the voting papers in an envelope or envelopes; and
- (b) subject to sub-paragraph (2) retain them for a period of twenty-eight days before ordering their destruction.

(2) Where a complaint is made in accordance with paragraph 11 the envelope or envelopes shall be retained until the investigation, if any, is completed.

9. The divisional commander shall, as soon as practicable, cause the names of candidates and the number of votes recorded for each to be circulated to each police establishment in his division, the chief constable, and the secretary of the central committee of the Federation.

10. No person shall control, direct, improperly influence or in any other way interfere with or cause to be controlled, directed, improperly influenced or interfered with, the election of a candidate.

11.—(1) Should an elector have a complaint regarding the manner of nomination or election under this Schedule, such complaint shall be forwarded in writing to the divisional commander, within seven days from the date of the announcement of the result of the election. The complaint shall be investigated by the divisional commander, who may, on the complaint being proved, order a recount or re-election if he deems it necessary.

(2) A copy of the complaint referred to in paragraph (1) shall be immediately sent by the divisional commander to the chief constable who may issue any directions which he may consider necessary.

SCHEDULE IV

Regulation 18

Central committee

The composition of the central committee shall be as specified in the following Table:—

Region	Constables	Sergeants	Inspectors
1	2	1	} 1
2	2	1	
3	1	1	} 1
4	1	1	
5	1	1	} 1
6	1	1	
7	2	1	1

One additional member may be appointed under paragraph 2(3) of Schedule V

SCHEDULE V

Regulation 19

Elections to the central committee

1. The first election of board representatives to the central committee shall be held during 1971, in the month of July, and thereafter triennially in the month of February.

2.—(1) From each board and for membership of the central committee there shall be elected by—

- (a) constables of each board in regions 1, 2 and 7; two of their number;
- (b) constables of each board in regions 3 to 6; one of their number;
- (c) sergeants of each board in regions 1 to 7; one of their number.

(2) Inspectors of the boards shall elect representatives to the central committee as follows:—

- (a) jointly from regions 1 and 2; one of their number;
- (b) jointly from regions 3 and 4; one of their number;
- (c) jointly from regions 5 and 6; one of their number;
- (d) from region 7; one of their number.

(3) (a) If no representative of the women police from the board in region 7 is elected as provided by sub-paragraphs (1) and (2) the women representatives of that board shall elect one of their number to serve on the central committee.

(b) For the purposes of the election referred to in sub-paragraph (a), the woman superintendent shall act as divisional commander.

EXPLANATORY NOTE

(This note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations provide for the establishment of a Police Association for Northern Ireland for the purpose of representing members of the police force and police cadets in all matters affecting their welfare and efficiency, other than questions of promotions and discipline affecting individuals.

Regulation 25 provides for a contribution to the police authority by the Federation in respect of the emoluments, that is to say, the pay, allowances and pension, of the secretary of the central committee of the Federation and for his rank to be determined jointly by the chief constable, the central committee of the Federation and the police authority.

1971. No. 233

[NC]

**PLANNING AND LAND COMPENSATION ACT.
(NORTHERN IRELAND) 1971**

Appointed Day

ORDER, DATED 26TH JULY 1971, MADE BY THE MINISTER OF DEVELOPMENT UNDER SECTION 32(2) OF THE PLANNING AND LAND COMPENSATION ACT (NORTHERN IRELAND) 1971.

I, the Right Honourable Roy Hamilton Bradford, Minister of Development, in exercise of the powers conferred on me by Section 32(2) of the Planning and Land Compensation Act (Northern Ireland) 1971(a) (hereinafter referred to as "the Act") do hereby order as follows:—

1. This Order may be cited as the Planning and Land Compensation Act (Northern Ireland) 1971 (Appointed Day) Order (Northern Ireland) 1971.

2. Sections 18 to 21 of the Act shall come into operation on the 1st September 1971.

Dated this 26th day of July 1971.

Roy Bradford,
Minister of Development
for Northern Ireland.

EXPLANATORY NOTE

(This Note is not part of the Order but is intended to indicate its general purport.)

This Order brings into operation on 1st September 1971 the provisions of Sections 18 to 21 of the Planning and Land Compensation Act (Northern Ireland) 1971 which have the effect of introducing time limits on the duration of planning permissions.