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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 61**

**The Scottish Crime and Drug Enforcement  
Agency (Scotland) Regulations 2011**

**PART 7**

**RECKONING OF SERVICE**

**Reckoning of service in a specified police force**

**32.**—(1) A person who becomes a police member having transferred from a specified police force for that purpose is, for the purposes of regulation 17, to be treated as though that person's service in any rank in such a force were service in the corresponding rank in the Agency.

(2) But paragraph (1) applies to a police member of a rank higher than that of chief inspector subject to any contrary agreement between the Authority and that police member.

(3) In this regulation—

- (a) the reference to a rank corresponding to a rank in the Agency is a reference to a rank in the specified police force designated by the Scottish Ministers for the purposes of this regulation as the rank corresponding to a rank in the Agency; and
- (b) “specified police force” means—
  - (i) a police force maintained under section 1 of the 1967 Act;
  - (ii) a police force maintained under section 2 of the Police Act 1996;
  - (iii) the metropolitan police force or the City of London police force;
  - (iv) the Police Service of Northern Ireland;
  - (v) the Ministry of Defence Police, that is to say the force established by section 1 of the Ministry of Defence Police Act 1987(1) or, before the coming into force of that Act, comprising constables appointed under section 3 of the Special Constables Act 1923 on the nomination of the Defence Council;
  - (vi) the British Transport Police Force;
  - (vii) the Civil Nuclear Constabulary;
  - (viii) the States of Jersey Police Force;
  - (ix) the salaried police force of the Island of Guernsey;
  - (x) the Isle of Man Constabulary;
  - (xi) the Port of Tilbury Constabulary or, before the coming into force of the Port of Tilbury Transfer Scheme 1991 Confirmation Order 1992(2), the Port of London

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(1) 1987 c.4. Section 1 has been amended by the Police Act 1996 (c.16), Schedule 7, paragraph 41; the Police (Northern Ireland) Act 1998 (c.32), section 74 and Schedule 4, paragraph 16; and the Police Reform Act 2002 (c.30), section 79.

(2) S.I. 1992/284.

- Authority’s police force, that is to say the force of constables appointed under section 154 of the Port of London Act 1968<sup>(3)</sup>; and
- (xii) an aerodrome constabulary within the meaning given by section 31(1) of the Aviation Security Act 1982<sup>(4)</sup>.

### **Reckoning of service in the Agency**

**33.** After regulation 43 of the 2004 Regulations, insert—

#### **“Reckoning of service in the Scottish Crime and Drug Enforcement Agency**

**43A.**—(1) Where a member of a police force joined or rejoined that force having left service as a police member of the Scottish Crime and Drug Enforcement Agency (“the Agency”) for that purpose then, for the purposes of regulation 24, that member’s service in any rank in the Agency is to be treated as if it were service in the corresponding rank in the police force that member joined or rejoined:

Provided that in the case of a member of a police force of a rank higher than that of chief inspector this paragraph shall have effect subject to any contrary agreement.

(2) In this regulation—

- (a) any reference to a rank corresponding to a rank in a police force is a reference to a rank in the Agency designated by the Scottish Ministers for the purposes of this regulation as the rank corresponding to the rank in question; and
- (b) the reference to “service as a police member of the Scottish Crime and Drug Enforcement Agency” is to service following appointment as a police member under paragraph 7(2)(c) of schedule 2 to the Police, Public Order and Criminal Justice (Scotland) Act 2006.”.

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(3) 1968 c.32.

(4) 1982 c.36. Section 31 has been amended by the Greater London Authority Act 1999 (c.29), sections 325 and 423, Schedule 27, paragraph 46 and Schedule 34, Part VII; the Police (Northern Ireland) Act 2000 (c.32), section 78 and Schedule 6, paragraph 8; the Police and Justice Act 2006 (c.48), Schedule 14, paragraph 8; and the Policing and Crime Act 2009 (c.26), Schedule 6, paragraph 12 and Schedule 8, Part 7.