
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 35

The Police Service of Scotland Regulations 2013

PART 6

ALLOWANCES AND EXPENSES

Allowances

26.—(1) Except in relation to replacement allowance under the Police (Scotland) Regulations 2004⁽¹⁾, the Scottish Ministers must determine the entitlement of constables to any allowance, and in making such a determination the Scottish Ministers may confer on—

- (a) the Authority;
- (b) the chief constable,

such functions—

- (i) in relation to the calculation of an allowance;
- (ii) where the payment of any allowance is subject to such conditions as may be specified in the determination, in relation those conditions,

as they think fit.

(2) No allowances may be paid to a constable except as provided by or under these Regulations or approved by the Scottish Ministers, and the amounts and conditions of payment of such allowances must be as so provided or approved.

(3) Nothing in this regulation applies to the reimbursement of expenses incurred by a constable in the execution of that constable's duty, being expenses authorised either generally or specifically by the Authority in respect of which no allowance is payable under these Regulations and no determination has been made under regulation 27.

Commencement Information

II [Reg. 26](#) in force at 1.4.2013, see [reg. 1](#)

Expenses

27.—(1) The Scottish Ministers must determine the entitlement of a constable to reimbursement of any expenses incurred by that constable in or in connection with the execution of that constable's duty.

(2) Where, in making a determination under paragraph (1), the Scottish Ministers specify conditions subject to which expenses are to be reimbursed, they may in that determination confer on—

- (a) the Authority;

(1) [S.S.I. 2004/257](#).

(b) the chief constable,
such functions in relation those conditions as they think fit.

(3) The expenses that may be reimbursed under a determination made under paragraph (1) include tax paid by the chief constable in connection with removal or relocation expenses associated with a constable's appointment to the Police Service.

Commencement Information

I2 [Reg. 27](#) in force at 1.4.2013, see [reg. 1](#)

Continuance of allowances – absence from duty

28. If a constable who is regularly in receipt of an allowance to meet an expense which ceases during that constable's absence from duty is placed upon the sick list or is on maternity leave [^{F1}, shared parental leave] or adoption leave, the allowance is payable during that constable's absence from duty up to a period of a month, but thereafter, during the remainder of that constable's absence from duty, payment may be suspended at the discretion of the chief constable.

Textual Amendments

F1 Words in [reg. 28](#) inserted (9.2.2017) by [The Police Service of Scotland \(Amendment\) Regulations 2016 \(S.S.I. 2016/419\)](#), [regs. 1, 2\(4\)](#)

Commencement Information

I3 [Reg. 28](#) in force at 1.4.2013, see [reg. 1](#)

Allowances in respect of periods of suspension

29. This Part of these Regulations has effect in relation to a constable suspended under the Conduct Regulations, subject to the provisions of paragraphs 2 and 3 of Schedule 2 to these Regulations.

Commencement Information

I4 [Reg. 29](#) in force at 1.4.2013, see [reg. 1](#)

Restriction on payments for private employment of police

30. Without prejudice to the generality of regulation 26(2), a constable who is engaged on duty at the request of any person who has agreed to pay the Authority for the constable's services is not entitled to any payment for those services except as provided by or under these Regulations; and any payments made in pursuance of that agreement must be made by that person to the Authority.

Commencement Information

I5 [Reg. 30](#) in force at 1.4.2013, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Police Service of Scotland Regulations 2013, PART 6.