
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 35

The Police Service of Scotland Regulations 2013

PART 2

GOVERNMENT

Business interests

5.—(1) A constable must not have a business interest without the consent of—

- (a) the Authority, in the case of a senior officer;
- (b) the chief constable, in the case of any other constable, provided that, in the case of any such constable in whose case the chief constable has an interest otherwise than as chief constable, the chief constable must refer the matter to the Authority for it to consider whether to consent.

(2) If a constable acquires or is likely to acquire a business interest, the constable must forthwith give written notice of that interest to the chief constable or, in the case of a senior officer, the Authority.

(3) If a constable has a business interest and is appointed to the office of chief constable, deputy chief constable or assistant chief constable, the constable must forthwith give written notice of that interest to the Authority unless the constable has previously disclosed that interest to the Authority.

(4) An individual applying for appointment to the Police Service, other than an individual referred to in paragraph (5), must give written notice to the chief constable of any business interest which that individual has or is likely to acquire after appointment.

(5) An individual applying for appointment to the office of chief constable, deputy chief constable or assistant chief constable must give written notice to the Authority of any business interest which that individual has or is likely to acquire after appointment.

(6) An individual or constable is regarded as having a business interest if—

- (a) that individual or constable carries on any business or holds any office or employment for hire or gain (otherwise than as a constable) in the United Kingdom;
- (b) that individual or constable resides at any premises where any member of that individual's or constable's family keeps a shop or carries on any like business in Scotland;
- (c) that individual or constable holds, or any member of that individual's or constable's family living with that individual or constable holds, any licence, certificate or permit granted in pursuance of the laws relating to liquor licensing or betting and gaming or regulation of places of public entertainment in Scotland or has any pecuniary interest in such licence, certificate or permit; or
- (d) that individual's or constable's spouse (not being separated from that individual or constable), civil partner (not being separated from that individual or constable) or cohabitant (not being separated from that individual or constable) keeps a shop or carries on any like business in Scotland.

(7) For the purposes of this regulation—

Changes to legislation: *The Police Service of Scotland Regulations 2013, Section 5 is up to date with all changes known to be in force on or before 01 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (a) “member of that individual’s or constable’s family” includes parent, son, daughter, dependant, brother, sister, spouse (not being separated from that individual or constable), civil partner (not being separated from that individual or constable) or cohabitant (not being separated from that individual or constable); and
- (b) “cohabitant” means a member of a couple consisting of—
 - (i) a man and a woman who are living together as if they were husband and wife; or
 - (ii) two individuals of the same sex who are living together as if they were civil partners.

Commencement Information

II [Reg. 5](#) in force at 1.4.2013, see [reg. 1](#)

Changes to legislation:

The Police Service of Scotland Regulations 2013, Section 5 is up to date with all changes known to be in force on or before 01 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 18(4) inserted by [S.S.I. 2024/179 reg. 6\(b\)](#)
- reg. 25(6A) inserted by [S.S.I. 2024/179 reg. 7\(a\)](#)
- reg. 31(1)(ba) inserted by [S.S.I. 2024/179 reg. 8\(1\)\(b\)](#)