

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2013 No. 35**

**The Police Service of Scotland Regulations 2013**

**PART 2**

**GOVERNMENT**

**Appointment of senior officers**

7.—(1) Subject to regulation 6, an individual may not be appointed to the office of chief constable or qualified for appointment to the office of deputy chief constable or assistant chief constable unless that individual holds or has held such rank, and for such period, as the Scottish Ministers must determine in respect of such appointments.

(2) The Scottish Ministers may determine any other requirements that must be satisfied in respect of such appointments and temporary appointments under paragraph (6) and the Authority may determine any additional requirements that must be satisfied in respect of any particular appointment.

(3) An appointment to the office of chief constable or deputy chief constable must be for a fixed term and the Scottish Ministers must determine the range within which a fixed term must fall and the circumstances in which a fixed term appointment may be extended.

[<sup>F1</sup>(4) Paragraph (3) is without prejudice to—

- (a) any provision whereby a term of appointment comes to an end on—
  - (i) promotion;
  - (ii) dismissal; or
  - (iii) the conclusion of disciplinary proceedings; and
- (b) regulation 10.]

(5) Subject to paragraph (6), appointment to any office or rank below deputy chief constable must not be for a fixed term.

(6) A constable who is required to perform the duties of a deputy chief constable or an assistant chief constable may be temporarily appointed to that office for such period and on such conditions as the Authority may determine and, in relation to a constable to be temporarily appointed as deputy chief constable, any determination made under paragraph (3) does not apply.

(7) The Scottish Ministers must determine the circumstances in which a vacancy in the office of a senior officer must be advertised; if a vacancy is to be advertised, the advertisement must contain such detail and be published in such manner as the Scottish Ministers may determine. The Scottish Ministers may determine that no appointment is to be made until after a date to be specified in the advertisement.

---

**Textual Amendments**

**F1** [Reg. 7\(4\) substituted \(18.5.2013\) by \*The Police Service of Scotland \(Amendment\) \(No. 2\) Regulations 2013 \(S.S.I. 2013/125\)\*, regs. 1, 2\(3\)](#)

---

**Changes to legislation:** There are currently no known outstanding effects for the The Police Service of Scotland Regulations 2013, Section 7. (See end of Document for details)

---

**Commencement Information**

**II** [Reg. 7](#) 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, Section 7.