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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 43**

The Police Service of Scotland  
(Special Constables) Regulations 2013

PART 2

GOVERNMENT

**Qualifications for appointment as a special constable**

- 5.—(1) A candidate for appointment as a special constable must—
- (a) produce satisfactory references as to character, and, if that candidate has served in any police force, in the armed forces, in the civil service of the State or as a seaman, produce satisfactory proof of good conduct while so serving;
  - (b) have attained the age of 18 years;
  - (c) be certified by a registered medical practitioner approved by the Authority to be fitted both physically and mentally to perform the duties on which that candidate will be employed after appointment;
  - (d) meet the standard of eyesight determined by the Scottish Ministers;
  - (e) if the Scottish Ministers have determined a standard, meet the standard of hearing so determined;
  - (f) satisfy the chief constable that he or she is sufficiently educated, including being sufficiently competent in written and spoken English and sufficiently numerate, by passing an assessment to a standard approved by the chief constable and the Scottish Ministers after consultation with those persons mentioned in section 54(2)(a)(i) to (vi) of the 2012 Act;
  - (g) give to the chief constable such information as to his or her current employment, previous history of employment or any other matter relating to his or her appointment as may be required [<sup>F1</sup>; and]
  - [<sup>F2</sup>(h) if not a national of [<sup>F3</sup>the United Kingdom or] an EEA State, have leave to enter or remain in the United Kingdom for an indefinite period.]
- (2) A candidate for appointment as a special constable must be given a notice in terms approved by the Scottish Ministers drawing attention to the terms and conditions of service.
- (3) An individual who is appointed as a special constable must not be appointed for a fixed term.
- (4) In this regulation “armed forces” means the naval, military or air forces of the Crown including any women’s service administered by the Defence Council.
- [<sup>F4</sup>(5) For the purposes of this regulation, “national of the United Kingdom” means—
- (a) a British citizen;
  - (b) a person who is a British subject by virtue of Part 4 of the British Nationality Act 1981 and who has the right of abode in the United Kingdom; or

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**Changes to legislation:** There are currently no known outstanding effects for the The Police Service of Scotland (Special Constables) Regulations 2013, Section 5. (See end of Document for details)

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- (c) a person who is a British overseas territories citizen by virtue of a connection with Gibraltar.]

- F1** Word in [reg. 5\(1\)\(g\)](#) inserted (13.5.2013) by [The Police Service of Scotland \(Amendment\) Regulations 2013 \(S.S.I. 2013/122\)](#), regs. 1, **3(3)(a)**
- F2** [Reg. 5\(1\)\(h\)](#) inserted (13.5.2013) by [The Police Service of Scotland \(Amendment\) Regulations 2013 \(S.S.I. 2013/122\)](#), regs. 1, **3(3)(b)**
- F3** Words in [reg. 5\(1\)\(h\)](#) inserted (31.12.2020) by [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **36(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** [Reg. 5\(5\)](#) inserted (31.12.2020) by [The Immigration, Nationality and Asylum \(EU Exit\) Regulations 2019 \(S.I. 2019/745\)](#), regs. 1(2), **36(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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**Commencement Information**

- I1** [Reg. 5](#) 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 (Special Constables) Regulations 2013, Section 5.