

1965 No. 536

POLICE

ENGLAND AND WALES

The Special Constables Regulations 1965

<i>Made - - - -</i>	<i>19th March 1965</i>
<i>Laid before Parliament</i>	<i>26th March 1965</i>
<i>Coming into Operation</i>	<i>1st April 1965</i>

In exercise of the powers conferred on me by section 34 of the Police Act 1964(a), I hereby make the following Regulations:—

Qualifications for appointment

1. No person shall be appointed a special constable unless he has attained the age of 18 years and is of good character and in good health.

Suspension

2.—(1) Where a report, allegation or complaint is received from which it appears that a special constable may have been remiss or negligent in the discharge of his duty or otherwise unfit for the same the chief constable may suspend him from his office as constable until such time as either—

- (a) it is decided that no action need be taken in his case in consequence of the report or allegation, or
- (b) any such action has been taken.

(2) A chief constable may delegate his powers under this Regulation to the deputy chief constable or to a member of the police force acting in the place of the deputy chief constable.

Retirement

3.—A special constable may retire subject to his having given to the chief constable a month's written notice of his intention to retire or such shorter notice as may have been accepted by the chief constable:

Provided that a special constable may not, without the consent of the chief constable, give notice for the purposes of this Regulation, or retire in pursuance of a notice previously given, while suspended under these Regulations.

(2) The chief constable may require a special constable to retire on such date as he may specify—

- (a) on account of age;
- (b) on the grounds that he is disabled to perform the ordinary duties of special constable and the disablement is likely to be permanent, or
- (c) as an alternative to dismissal, where he has been remiss or negligent in the discharge of his duty or otherwise unfit for the same.

Expenses and allowances

4.—(1) A special constable may be reimbursed any out-of-pocket expenses reasonably incurred by him in the execution of his duty or paid an allowance in lieu of such reimbursement.

(2) A special constable may be paid an allowance—

(a) in respect of loss of remuneration in his private employment while required for duty, or

(b) in respect of such other matters as the Secretary of State may from time to time approve.

(3) An allowance paid under this Regulation shall be of such amount and subject to such conditions as the Secretary of State may from time to time approve.

(4) Except as provided in these Regulations, a special constable shall not be entitled to any remuneration in respect of his services as such.

Sick pay

5.—(1) Where a special constable loses remuneration in his private employment in consequence of an injury received or disease contracted—

(a) in the execution of his duty, or

(b) while on duty or while on a journey necessary to enable him to report for duty or to return home after duty,

he shall be entitled to an allowance by way of sick pay, as hereinafter provided.

(2) The sick pay shall be payable for so long as the special constable continues to lose remuneration in his private employment or for a period of 26 weeks, whichever is the less; and, subject to paragraph (3) of this Regulation, the rate thereof shall be whichever is the lower of the following rates, that is to say:—

(a) the rate of such loss of remuneration, or

(b) the rate of pay to which he would have been entitled if he had been a member of a police force holding the rank of constable and his service as a special constable had been service as such a member.

(3) There shall be deducted from the sick pay an amount equal to the amount of any of the following benefits to which the special constable is entitled, that is to say:—

(a) any sickness benefit under the National Insurance Act 1946(a), and

(b) any injury benefit under the National Insurance (Industrial Injuries) Act 1946(b).

Interpretation

6.—(1) In these Regulations the expression “special constable” means a special constable appointed for a police area in England and Wales and a reference to duty is a reference to duty as such a special constable.

(2) In these Regulations a reference to the chief constable or deputy chief constable is, in relation to a special constable, a reference to the chief constable or, as the case may be, the deputy chief constable for the area

(a) 9 & 10 Geo. 6. c. 67.

(b) 9 & 10 Geo. 6. c. 62.

for which the special constable is appointed, except that, in relation to a special constable appointed for the metropolitan police district or the City of London, such a reference shall be construed as a reference to the commissioner of police or an assistant commissioner of police of the metropolis or, as the case may be, City of London.

(3) The Interpretation Act 1889(a) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

Revocations

7.—(1) The Orders specified in the Schedule to this Order are hereby revoked.

(2) Section 38 of the Interpretation Act 1889 shall apply in relation to the said Orders as if this Regulation were an Act of Parliament and the said Orders were Acts of Parliament repealed by an Act of Parliament.

Citation and commencement

8. These Regulations may be cited as the Special Constables Regulations 1965 and shall come into operation on 1st April 1965.

Frank Soskice,
One of Her Majesty's Principal
Secretaries of State.

Home Office,
Whitehall.
19th March 1965.

SCHEDULE

Regulation 7

ORDERS REVOKED

<i>Orders</i>	<i>References</i>
The Special Constables Order 1923 ...	S.R. & O. 1923/905 (Rev. XVIII, p. 180: 1923, p. 147).
The Special Constables (No. 2) Order 1940	S.R. & O. 1940/1274 (Rev. XVIII, p. 180: 1940 I, p. 199).
The Special Constables Order 1942 ...	S.R. & O. 1942/1904 (Rev. XVIII, p. 185: 1942 I, p. 76).
The Special Constables Order 1948 ...	S.I. 1948/866 (Rev. XVIII, p. 180: 1948 I, p. 3480).

(a) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations, which come into operation on 1st April 1965 (when the provisions of the Police Act 1964 relating to special constables come into force), relate to the qualifications for appointment, suspension, retirement and allowances of special constables in England and Wales. They also revoke the Special Constables Order 1923 and the Orders amending that Order.

Printed in England and published by
HER MAJESTY'S STATIONERY OFFICE: 1965

(17/33058) (E. 53) K32 3/65 St.S.

ISBN 0 11 024679 9