

1966 No. 97 (S. 7)

POLICE

The Police (Special Constables) (Scotland) Regulations 1966

<i>Made</i>	- - -	31st January 1966
<i>Laid before Parliament</i>		9th February 1966
<i>Coming into Operation</i>		12th February 1966

In exercise of the powers conferred on me by sections 8, 9(1) and 11 of the Police (Scotland) Act 1956(a), and of all other powers enabling me in that behalf, and having considered the representations made by the Police Advisory Board for Scotland following the submission of a draft of the regulations in accordance with section 11(6) of the said Act of 1956, I hereby make the following Regulations:—

Citation, Commencement and Interpretation

1.—(1) These Regulations may be cited as the Police (Special Constables) (Scotland) Regulations 1966 and shall come into operation on 12th February 1966.

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

Ranks, etc.

2.—(1) The ranks which may be held by special constables shall be as follows:—

- Commandant.
- Assistant Commandant.
- Special Superintendent.
- Special Inspector.
- Special Sergeant.
- Special Constable.

(2) As from the coming into operation of these Regulations no person other than a member of the special constabulary shall be qualified for appointment as Commandant.

(3) No member of the special constabulary shall give an order to a regular constable.

Disqualifications for Appointment

3.—(1) No person shall be appointed to or retained in the office of special constable if he holds, or any member of his family living with him holds, any certificate, licence or permit granted in pursuance of the laws relating to liquor licensing or betting and gaming or regulating places of public entertainment or if he is employed in any of the occupations or holds any of the appointments set out in Schedule 1 to these Regulations.

(2) For the purpose of this Regulation, the expression “ member of his family ” shall include parent, son, daughter, brother, sister or wife.

Qualifications for Appointment

4. Subject to the provisions of Regulation 13, no person shall be appointed to the office of special constable unless—

- (a) he has attained the age of 18 years;
- (b) he is a British subject;
- (c) he is not less in height than five feet six inches;
- (d) he has been certified by a registered medical practitioner approved by the police authority to be in good health, of sound constitution and fitted both physically and mentally to perform the duties of constable;
- (e) he has attained a reasonable standard of education; and
- (f) the chief constable is satisfied that he would faithfully discharge his duties as a special constable.

Declaration on Appointment

5. The declaration to be made under section 8 of the said Act of 1956 by a person appointed to the office of special constable shall be in the following terms:—

“I hereby do solemnly and sincerely and truly declare and affirm that I will faithfully discharge the duties of the office of constable.”

Promotion

6. No special constable shall be promoted to a superior rank unless the chief constable is satisfied that he is fit to carry out the duties of the superior rank.

Discipline

7.—(1) Without prejudice to Regulation 8 of these Regulations, a special constable who in the execution of his duty acts in a disorderly manner or any manner prejudicial to discipline or likely to bring discredit on the reputation of the force or the police service may be punished by the chief constable of the force by—

- (a) dismissal;
- (b) a requirement to resign as an alternative to dismissal;
- (c) reduction in rank;
- (d) reprimand; or
- (e) caution.

Provided that he shall not be so punished without first being given an opportunity of being heard.

(2) The chief constable's decision shall be final.

Resignation

8. A special constable may be required by the chief constable of the police force to which he belongs to resign his appointment otherwise than in respect of an offence against discipline if the chief constable considers that such resignation is in the interests of the police force:

Provided that he shall not be so required without first being given an opportunity of being heard.

9. A special constable who desires to resign his appointment voluntarily shall give to the chief constable of the police force to which he belongs notice in writing of his intention to do so.

10. Every special constable shall be required to retire:—

- (a) if he is a Commandant, Assistant Commandant or Special Superintendent, on attaining the age of 65 years and
- (b) if he is a Special Inspector, Special Sergeant, or Special Constable, on attaining the age of 60 years.

Allowances

11.—(1) The allowances to be paid by a police authority to a special constable of the police force maintained by them may include:—

- (a) sums equal to any expenses necessarily incurred by the special constable in, or by reason of, the performance of his duty as such;
- (b) sums not exceeding the amount of any wages lost by him by reason of his being required to perform duty as a special constable (including wages so lost by reason of his incapacity for following his ordinary employment caused by infirmity of body or mind occasioned by an injury received, or illness contracted, in the performance of his duties as a special constable and without his own default);
- (c) such other allowances as may be approved from time to time, or in any particular case, by the Secretary of State.

(2) Except as provided by the preceding paragraph of this Regulation a special constable shall not be entitled to any remuneration in respect of his services as such.

Uniform and Equipment

12.—(1) Uniform and equipment shall be issued by the police authority free of charge to special constables in accordance with the provisions of and scale indicated in Schedule 2 to these Regulations.

(2) The uniform and equipment are for use in the performance of duty.

(3) Such uniform and equipment shall not become the property of the special constable to whom they are issued and shall be handed back by him to the police authority on his ceasing to be a special constable.

(4) On any article of uniform or equipment being replaced by the police authority the article shall be returned to the police authority.

Application to Women Special Constables

13.—(1) These Regulations shall apply to women special constables with the following modification:—

In Regulation 4, for the height of five feet six inches shall be substituted the height of five feet four inches.

(2) Without prejudice to the provisions of Regulations 3 and 8 of these regulations, no woman special constable shall be required to resign on marriage.

Revocation

14. The Police (Special Constables) (Scotland) Regulations 1956(a) are hereby revoked.

William Ross

One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

31st January 1966.

SCHEDULE 1

Regulation 3

OCCUPATIONS AND APPOINTMENTS DISQUALIFYING FOR
APPOINTMENT AS SPECIAL CONSTABLE

Private Detective
 Private Enquiry Agent
 Bailiff
 Private Security Officer
 Manager or Servant of Licensed Premises or Betting Office
 Justice of the Peace
 Magistrate
 Messenger at Arms
 Clerk to Justices of the Peace
 Clerk of Court
 Member of Police Authority
 Public Prosecutor
 Sheriff Officer

SCHEDULE 2

Regulation 12

ISSUE OF UNIFORM, CLOTHING AND EQUIPMENT

The uniform specified in the following Tables for men and women respectively shall be issued to special constables on appointment subject to any modification or supplementation as may from time to time be approved by the Secretary of State.

PART I—MEN

Article	Replacement
Jacket	As required after fair wear and tear or after damage incurred in the execution of duty without the special constable's own default.
Trousers	
Raincoat	
Cap	
Shirt	
Collars	
Ties	

PART II—WOMEN

Article	Replacement
Jacket	As required after fair wear and tear or after damage incurred in the execution of duty without the special constable's own default.
Skirt	
Raincoat	
Headdress	
Shirt	
Collars	
Tie	
Stockings	Annually

PART III—EQUIPMENT

Issues shall be made as circumstances require and may include the issue of the following articles:—

Baton	Haversack
Detachable raincoat lining	Overalls
Electric lamp	Pocket Note Book
Gloves	Waist belt
Handcuffs	Warrant card
	Whistle and chain

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations revoke and re-enact, with amendments, the Police (Special Constables) (Scotland) Regulations 1956. The principal changes are as follows:—

- (1) The ranks which may be held by special constables correspond more closely to those of the regular police (Regulation 2);
- (2) no person may be appointed as Commandant from outwith the special constabulary (Regulation 2);
- (3) no member of the special constabulary may give an order to a regular policeman (Regulation 2);
- (4) certain occupations are disqualified for appointment (Regulation 3 and Schedule 1);
- (5) provision is made for new qualifications of physical fitness and education (Regulation 4);
- (6) promotion is dependent on the chief constable's being satisfied that the special constable is fit for higher rank (Regulation 6);

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- (7) a summary discipline procedure is introduced (Regulation 7);
 - (8) retirement ages are specified (Regulation 10);
 - (9) provision is made for the issue of uniform and equipment (Regulation 12 and Schedule 2);
 - (10) the height qualification for women special constables is reduced to five feet four inches (Regulation 13); and
 - (11) it is provided that women special constables need not resign on marriage (Regulation 13).