
 STATUTORY INSTRUMENTS

1985 No. 1531 (S. 116)

POLICE

The Police Federation (Scotland) Regulations 1985

<i>Made - - - -</i>	<i>27th September 1985</i>
<i>Laid before Parliament</i>	<i>11th October 1985</i>
<i>Coming into Operation</i>	
<i>For the purposes of regulation 17</i>	<i>1st November 1985</i>
<i>For all other purposes</i>	<i>1st May 1986</i>

In exercise of the powers conferred on me by section 44 of the Police Act 1964 (a), and of all other powers enabling me in that behalf, and after consultation with the three Central Committees of the Police Federation for Scotland sitting together as a Joint Committee, I hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Police Federation (Scotland) Regulations 1985 and shall come into operation for the purposes of regulation 17 on 1st November 1985 and for all other purposes on 1st May 1986.

Interpretation

2. In these regulations, unless the context otherwise requires, a reference to a regulation shall be construed as a reference to a regulation contained in these regulations and a reference to a paragraph shall be construed as a reference to a paragraph in the same regulation.

Revocation

3. The Police Federation (Scotland) Regulations 1975 (b) are hereby revoked.

Transitional provisions

4. Until the first elections under the provisions of these regulations, any election to a branch board, central conference or central committee held before the coming into operation of these regulations shall have effect for the purposes of these regulations as if it had been held in accordance therewith and, without prejudice to the application of the Interpretation Act 1978 (c), any other thing done before the coming into operation of regulation 3 under, or for the purposes of, any provision of the regulations revoked by that regulation, shall have effect as if done under, or for the purposes of, the corresponding provision of these regulations or of rules made under regulation 17.

(a) 1964 c.48; section 44(3) was amended by section 109 of the Police and Criminal Evidence Act 1984 (c.60).
 (b) S.I. 1975/630.
 (c) 1978 c.30.

Membership of Police Federation for Scotland and branches thereof

5.—(1) The Police Federation for Scotland (hereinafter in these regulations referred to as “the Federation”) shall be known and referred to as the “Scottish Police Federation”.

(2) There shall be a branch of the Federation for each police force, consisting of the following persons:—

- (a) every constable of that force below the rank of superintendent, and
- (b) every police cadet undergoing training with a view to becoming a member of that force,

and every such person shall be a member of the Federation.

Proceedings of branches

6.—(1) General meetings of the members of a branch of the Federation may be held in accordance with arrangements made by—

- (a) a board or joint branch board of that branch constituted under regulation 7, or
- (b) a central committee or the joint central committee of the Federation constituted under regulation 10.

(2) The chief constable of the force in whose area such a meeting is to be held shall be given at least 10 days’ notice of the date of the meeting.

Branch boards

7.—(1) In each branch of the Federation there shall be constituted an inspectors’, a sergeants’ and a constables’ branch board.

(2) Each branch board may hold quarterly meetings, each lasting not more than one day, and, with the consent of the chief constable, such additional meetings and meetings of committees thereof as may be deemed necessary.

(3) In any branch of the Federation the three branch boards may, by agreement, sit together for the purpose of discussing matters of common interest, and when so sitting they shall constitute the joint branch board.

(4) Representations to the police authority or chief constable or to the Secretary of State, in relation to matters in which the Federation may represent members of the police force, may be made in writing by the joint branch board or by a branch board; and the joint branch board or a branch board may, if the opportunity is given to make oral representations to the police authority or chief constable or to the Secretary of State, appoint a delegation to make such representations.

Sub-branch boards

8.—(1) In each branch of the Federation there may, with the consent of the chief constable, be constituted by any branch board such sub-branch boards as may appear to them expedient having regard to the size and organisation of the force.

(2) A sub-branch board may hold quarterly meetings, each lasting not more than half a day and, with the consent of the chief constable, such additional meetings as may be deemed necessary.

Central conferences

9.—(1) There shall be constituted an inspectors’, a sergeants’ and a constables’ central conference.

(2) Each central conference shall hold an annual meeting lasting not more than two days or, with the consent of the Secretary of State, three days.

(3) The three central conferences may, by agreement, sit together for the purpose of discussing matters of common interest, and when so sitting they shall constitute the joint central conference.

(4) The joint central committee constituted under regulation 10(3) may, with the consent of the Secretary of State and on satisfying him that the business proposed to be discussed at the meeting is urgent and cannot reasonably be deferred until the next annual meeting of the appropriate central conference, call a special meeting of any conference or the joint central conference for the purpose of that business.

Central committees

10.—(1) There shall be constituted, an inspectors', a sergeants' and a constables' central committee of the Federation.

(2) Each central committee may hold an ordinary meeting once in two months, each lasting not more than two days.

(3) The three central committees may, by agreement, sit together for the purpose of discussing matters of common interest and when so sitting they shall constitute the joint central committee of the Federation.

(4) Expenses incurred by the joint central committee shall, to the extent that the Secretary of State has agreed with the joint central committee that such expenses should be defrayed by him, be so defrayed.

(5) Any central committee or the joint central committee may, with the consent of the Secretary of State and on satisfying him that the business proposed to be discussed at the meeting is urgent and cannot reasonably be deferred until their next ordinary meeting, hold a special meeting for the purpose of that business.

(6) The joint central committee shall, at the request of the Secretary of State, meet for the purpose of considering any question referred to them by him.

(7) The joint central committee may, in addition to any other meetings, hold one meeting each year, lasting not more than 2 days, with the joint central committee of the Police Federation for England and Wales and the central committee of the Police Federation for Northern Ireland.

(8) Representations to a police authority or chief constable or to the Secretary of State, in relation to matters in which the Federation may represent members of the police force, may be made in writing by the joint central committee or by a central committee; and the joint committee or a central committee may, if the opportunity is given to make oral representations to a police authority or chief constable or to the Secretary of State, appoint a delegation to make such representations.

Provision of accommodation by Police Authority

11.—(1) A police authority may, at its discretion, make available to a body to which this regulation applies accommodation in premises provided for police purposes, and where such accommodation is made available that body shall be under no obligation to make payment for the use of the accommodation.

(2) This regulation applies to the following bodies, namely, any branch, any

branch board or joint branch board, any sub-branch board, any central conference or joint central conference, and any central committee or the joint central committee.

Chairman and secretary of joint central committee

12.—(1) There shall be elected by the joint central committee from among its members a chairman and a secretary each of whom shall, during his tenure of office, be one of that committee's representatives on the Police Negotiating Board for the United Kingdom and on the Police Advisory Board for Scotland.

(2) The chairman and the secretary shall each during his tenure of office be *ex officio* a member of the branch board appropriate to his rank in the force of which he is a member and of the central conference appropriate to his rank; and accordingly any provisions as to the election of members of such boards or, as the case may be, such conferences, shall have effect as if the chairman and the secretary were not members.

13.—(1) The Federation shall make such financial contribution in respect of the pay, pension and allowances payable to or in respect of the chairman and the secretary of the joint central committee as may be determined by the Secretary of State.

(2) If either the chairman or the secretary of the joint central committee is below the rank of inspector in the police force of which he is a member, the regulations for the time being in force under—

(a) section 26 of the Police (Scotland) Act 1967 (a), insofar as they relate to leave, pay and allowances, and

(b) the Police Pensions Act 1976 (b), except insofar as they relate to compulsory retirement on account of age,

shall have effect in relation to him as if he held the rank of inspector in that force.

Subscriptions

14. Subscriptions to the Federation shall be payable on a voluntary basis by the members thereof.

Accounts of the joint central committee

15.—(1) The joint central committee shall keep accounts showing all the monies received or paid out and shall cause the accounts for each financial year to be audited by an independent auditor.

(2) The independent auditor shall be a person who is a member, or a firm all of whose partners are members, of a body of accountants established in the United Kingdom and for the time being recognised by the Secretary of State for the purposes of section 389(1)(a) of the Companies Act 1985(c).

(3) After the end of each financial year a summary of the accounts for that year, together with a copy of an independent auditor's report thereon, shall be sent by the joint central committee to the Secretary of State.

Use of Federation funds

16. Federation funds shall not be used—

(a) to promote the interests of a political party or, directly or indirectly, a

(a) 1967 c.77.

(b) 1976 c.35.

(c) 1985 c.6.

person's candidature in a parliamentary or local government election;
or

(b) to contribute to the funds of a trade union or a political party.

Federation rules

17.—(1) Without prejudice and subject to the foregoing provisions of these regulations, the Federation may, by decision of the joint central conference, make rules concerning its constitution and proceedings which make provision as to—

- (a) the membership of branch boards, sub-branch boards, central conferences and central committees, including arrangements for the holding of elections thereto, the period for which members shall be elected, cessation of membership, filling of casual vacancies and the election of office-bearers;
- (b) the functions and powers of these bodies, and the manner of conducting their business;
- (c) the raising of funds for Federation purposes, including in particular the manner in which the voluntary subscriptions shall be collected from members and the amount of such subscriptions;
- (d) the manner in which the funds and property of the Federation shall be administered, and the uses to which they may be put;
- (e) the services and benefits which may be provided for members and the circumstances in which members shall be entitled to such services and benefits; and
- (f) the manner in which the joint central conference may amend or replace the rules.

(2) In paragraph (1) above, the reference to the joint central conference is, in relation to the first occasion on which rules are made, a reference to a joint central conference constituted in accordance with, and by virtue of, the provisions of the Police Federation (Scotland) Regulations 1975(a).

George Younger,
One of Her Majesty's Principal
Secretaries of State.

New St Andrew's House,
Edinburgh.
27th September 1985.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations replace the Police Federation (Scotland) Regulations 1975. Their effect is that many detailed matters relating to the conduct of the internal affairs of the Scottish Police Federation cease to be governed by regulations. Instead, regulation 17 provides for them to be dealt with by rules which are to be made by the Federation itself. Certain matters continue to be governed by the Regulations, however, the principal ones being the establishment, and the right to hold statutory meetings, of branch boards (regulation 7), sub-branch boards (regulation 8), central conferences and the joint central conference (regulation 9) and central committees and the joint central committee (regulation 10); provision as to the chairman and secretary of the joint central committee (regulations 12 and 13); the voluntary nature of subscriptions (regulation 14); the requirement to prepare accounts (regulation 15); and certain restrictions on the uses to which Federation funds may be put (regulation 16).

The Federation's power to make rules under regulation 17 comes into operation on 1st November 1985, and the remaining provisions of these regulations on 1st May 1986.

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