

## STATUTORY INSTRUMENTS

# 1988 No. 2208

## POLICE

### The Ministry of Defence Police(Defence Police Federation) Regulations 1988

<i>Made</i>	- - - -	<i>13th December 1988</i>
<i>Laid before Parliament</i>		<i>20th December 1988</i>
<i>Coming into force</i>	- -	<i>23rd January 1989</i>

The Secretary of State for Defence in exercise of the powers conferred by section 3(6) of the Ministry of Defence Police Act 1987<sup>(1)</sup> and of all other powers enabling him in that behalf and after consultation with the management committee of the Defence Police Federation in accordance with the provisions of section 3(6) of that Act, hereby makes the following Regulations:—

PROSPECTIVE

#### Citation and Commencement

1. These Regulations may be cited as the Ministry of Defence Police (Defence Police Federation) Regulations 1988 and shall come into force on 23rd January 1989.

#### Commencement Information

**II** Reg. 1 in force at 23.1.1989, see [reg. 1](#)

#### Interpretation

2. In these Regulations:—

“the Chief Constable” means the Chief Constable of the Ministry of Defence Police Force;

“the Defence Police Force” means the Ministry of Defence Police Force;

“the Federation” means the Defence Police Federation;

“the Management Committee” means the Management Committee of the Defence Police Federation;

*Status: This version of this Instrument contains provisions that are prospective.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Ministry of Defence Police(Defence Police Federation) Regulations 1988. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

“the Officers” means the Chairman, the Vice Chairman, the General Secretary and the National Treasurer of the Defence Police Federation for the time being;

“the Rules” means the Rules and Constitution of the Defence Police Federation in force at the date hereof or from time to time in force;

“subscriptions” means subscriptions to the Defence Police Federation from the members thereof.

**Commencement Information**

**I2** Reg. 2 in force at 23.1.1989, see [reg. 1](#)

**Membership of the Defence Police Federation and branches thereof**

**3.—(1)** Membership of the Federation shall be open to every member of the Defence Police Force below the rank of Assistant Chief Constable, subject to the Rules.

(2) No member of the Federation may belong to any other staff association or trade union except that a member of the Defence Police Force may, on becoming a member of the Federation and with the written consent of the Chief Constable, retain his existing membership of any other staff association or trade union in order to receive any benefits to which he is entitled.

(3) The Management Committee shall have the power at its discretion and subject to the Rules to expel any member from the Federation subject to such member having the right to appeal to the next Annual Conference of the Federation following such expulsion.

**Commencement Information**

**I3** Reg. 3 in force at 23.1.1989, see [reg. 1](#)

**The Organisation of the Federation**

**4.—(1)** The management of the Federation shall be vested in the Management Committee and the Officers who shall act in accordance with the Rules.

(2) In addition to the Management Committee, the Federation shall also be made up of regional and branch committees.

(3) The Federation may make rules concerning those matters relating to the management of the Federation not referred to in these Regulations.

(4) The Federation shall submit to the Secretary of State for Defence a copy of any proposed addition change alteration or amendment to the Rules at least two months before the Annual Conference at which such proposed addition change alteration or amendment shall be considered.

(5) The Federation shall hold a conference of its members each year for the purpose of conducting such business as may be prescribed in these Regulations or in the Rules.

**Commencement Information**

**I4** Reg. 4 in force at 23.1.1989, see [reg. 1](#)

**The Raising of Funds**

**5.—(1)** The Federation may raise funds by:—

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- (a) the collection of subscriptions;
  - (b) the sale of publications or other articles;
  - (c) the acceptance of donations from members of the Federation, from members of the public or from other police federations or branches thereof;
  - (d) the receipt of sums, whether by way of commissions or otherwise, arising from the provision of benefits for members of the Federation which provision shall be consistent with the objects of the Federation contained in the Rules.
- (2) The subscriptions shall be collected in accordance with the Rules.
- (3) The Federation shall determine the amount of the subscriptions each year at the Annual Conference of the Federation.

#### Commencement Information

**I5** Reg. 5 in force at 23.1.1989, see [reg. 1](#)

#### Accounts

6.—(1) The Management Committee and all regional committees shall, in relation to the Federation funds held by the committee in question, keep accounts showing all monies received or paid out and shall cause the accounts for each year to be audited by an independent auditor.

(2) The independent auditor shall be a person who is qualified for appointment as an auditor of a company within the meaning of section 389 of the Companies Act 1985(2).

#### Commencement Information

**I6** Reg. 6 in force at 23.1.1989, see [reg. 1](#)

#### Use of Federation Funds

7.—(1) Notwithstanding anything contained in this Regulation 7, the funds of the Federation shall not be used:

- (a) to support a political party or to promote directly or indirectly a person's candidature in a Parliamentary, European Assembly or local government election; or
- (b) to contribute to the funds of a political party or trade union or of any body or organisation not connected with the police service or its welfare or with the carrying out of charitable work for the welfare of others.

(2) Subject as aforesaid and to any provisions contained in the Rules, the funds of the Federation may be used for any purposes which the Management Committee may determine to be necessary or expedient in the interests of the Federation, its members or its former members.

#### Commencement Information

**I7** Reg. 7 in force at 23.1.1989, see [reg. 1](#)

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## Consultation

8.—(1) Representatives of the Federation shall continue to have access to Ministers of the Ministry of Defence in accordance with such consultation machinery as may be agreed from time to time between the Secretary of State and the Federation.

(2) Representatives of the Federation may not attend meetings of the Ministry of Defence Police Committee except at the invitation of that Committee.

### Commencement Information

**18** Reg. 8 in force at 23.1.1989, see [reg. 1](#)

*GEORGE YOUNGER*  
One of Her Majesty's Principal Secretaries of  
State  
13th December 1988

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PROSPECTIVE

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations relate to the organisation, financial arrangements and rights of consultation of the Ministry of Defence Police Federation.

Regulation 3 relates to the membership of the Federation.

Regulation 4 makes provision for the organisation of the Federation.

Regulation 5 provides for the way in which Federation funds may be raised and

Regulation 6 relates to the requirements for the keeping and auditing of accounts.

Regulation 7 sets out how and for what purposes Federation funds may be used.

Regulation 8 makes provision for representatives of the Federation to have access to Ministers and, by invitation, attend meetings of the Ministry of Defence Police Committee.

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**Changes and effects yet to be applied to :**

- reg. 1 coming into force by [S.I. 1988/2208 reg. 1](#)
- reg. 2 coming into force by [S.I. 1988/2208 reg. 1](#)
- reg. 3 coming into force by [S.I. 1988/2208 reg. 1](#)
- reg. 4 coming into force by [S.I. 1988/2208 reg. 1](#)
- reg. 5 coming into force by [S.I. 1988/2208 reg. 1](#)
- reg. 6 coming into force by [S.I. 1988/2208 reg. 1](#)
- reg. 7 coming into force by [S.I. 1988/2208 reg. 1](#)
- reg. 7(1)(a) words revoked by [S.I. 2018/1310 Sch. 1 Pt. 2](#) (This S.I. is amended by [S.I. 2019/1389, reg. 2](#))
- reg. 8 coming into force by [S.I. 1988/2208 reg. 1](#)