

1990 No. 1575

POLICE

The Police Federation (Amendment) Regulations 1990

<i>Made</i> - - - -	<i>31st July 1990</i>
<i>Laid before Parliament</i>	<i>8th August 1990</i>
<i>Coming into force</i> -	<i>1st September 1990</i>

In exercise of the powers conferred on me by section 44 of the Police Act 1964(a), and after consultation with the three Central Committees of the Police Federation for England and Wales sitting together as a Joint Committee, I hereby make the following Regulations:

1. These Regulations may be cited as the Police Federation (Amendment) Regulations 1990 and shall come into force on 1st September 1990.

2. In these Regulations "the principal Regulations" means the Police Federation Regulations 1969(b).

3. Regulation 6 of the principal Regulations shall be amended as follows:

- (a) in paragraph (10), the words which follow sub-paragraph (c) shall be omitted;
- (b) there shall be inserted after paragraph (10) the following paragraph—

"(10A) Where a member of a joint branch board has been chosen as the secretary thereof he shall, by virtue of this paragraph and without prejudice to the filling of the casual vacancy, become an additional member of the appropriate branch board and shall remain such until the end of the month in which elections are first held under this regulation following the date on which he ceases to hold that office."

4. There shall be substituted for regulation 15 of the principal Regulations the following provisions:

"Federation Rules

15A.—(1) Subject to these Regulations, Rules made under this regulation ("Federation Rules") may make provision relating to—

- (a) the raising of funds for Federation purposes and the manner in which such funds may be dealt with;
- (b) the expenses of the joint central committee;
- (c) the use to which Federation funds may be put.

(2) Subject to the following provisions of this regulation, Federation Rules shall

(a) 1964 c.48; section 44 was amended by section 109 of the Police and Criminal Evidence Act 1984 (c.60).

(b) S.I. 1969/1787; the relevant amending instruments are S.I. 1971/1498, 1975/1739, 1977/583, 1985/809, 1986/1846, 1987/1062.

be prepared in draft by the joint central committee and submitted to the joint central conference for approval of their general purpose and intent.

(3) Where it appears to the joint central committee that the case is one of urgency, it shall not be necessary for that committee to submit Rules in draft to the joint central conference for such approval and it shall be sufficient for the Rules to be approved by the Secretary of State in accordance with paragraph (4); but in such a case the Rules shall cease to have effect unless they are ratified at the next meeting of the joint central conference.

(4) After approval of their general purpose and intent by the joint central conference, Federation Rules shall be submitted to the Secretary of State for his approval, and shall not have effect until approved by him.

Emoluments etc. of officers of Federation

15B.—(1) The Federation shall make such contributions to the police authorities maintaining the police forces of which the chairman, the secretary and the treasurer of the joint central committee are members, in respect of the pay, pension or allowances payable to or in respect of them, as may be agreed between the joint central committee and the police authorities concerned or, in default of agreement, as may be determined by the Secretary of State.

(2) The Regulations for the time being in force under—

(a) section 33 of the Police Act 1964, in so far as they relate to leave, pay and allowances, and

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

shall have effect in relation to the chairman, the secretary and the treasurer of the joint central committee as provided by paragraph (3).

(3) Subject to paragraph (4), the said Regulations shall have effect—

(a) in relation to the said chairman and secretary, as if they held the rank of chief inspector in the metropolitan police force; and

(b) in relation to the said treasurer, as if he held the rank of inspector in that force;

so, however, that nothing in this paragraph shall be construed as transferring any rights or liabilities to the police authority maintaining that force.

(4) Notwithstanding paragraph (3), regulation 65 of the Police Regulations 1987(b) (London allowance) shall not apply in the case of a person to whom that paragraph applies unless that regulation would apply in his case apart from that paragraph.”.

5. There shall be substituted for regulation 16(1) of the principal Regulations the following provisions:

“16.—(1) The Federation may raise funds by—

(a) the collection of voluntary subscriptions from the members thereof;

(b) the acceptance of donations from such members, from reversionary members of home police forces or servicemen within the meaning of the regulations from time to time in force under the Police Pensions Act 1976 or from persons with a contingent right of reversion to a home police force under section 2 of the Police Act 1969(c),

and by such other means, and subject to such conditions, as Federation Rules may provide.

(1A) Without prejudice to paragraph (1), Federation Rules may make provision in particular for the raising of funds by—

(a) the borrowing of money;

(a) 1976 c.35.

(b) S.I. 1987/851.

(c) 1969 c.63.

- (b) the acceptance of donations from individuals or bodies; and
- (c) the sale of publications or other articles, and the receipt of commission in connection with the sale thereof.

(1B) Subject to these Regulations, any funds so raised shall be dealt with in accordance with Federation Rules.

(1C) Each joint branch board shall maintain a fund to be known as the Joint Branch Board Fund or, in the case of the metropolitan police force, the Joint Executive Committee Fund; and in addition each of the inspectors', sergeants' and constables' branch boards may maintain a fund.

(1D) The joint central committee shall maintain a fund to be known as the Police Federation Joint Fund; and each of the three central committees shall maintain a fund to be known respectively as the Police Federation (Constables') Fund, the Police Federation (Sergeants') Fund and the Police Federation (Inspectors') Fund."

6. There shall be substituted for regulation 19 of the principal Regulations the following provision:

"Use of Federation funds

19.—(1) Federation funds 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 election; or
- (b) to contribute to the funds of a political party or trade union or of any other body or organisation not being connected with the police service or its welfare or carrying out charitable work for the welfare of others.

(2) Subject as aforesaid and to any provision made by Federation Rules, a branch board, a joint branch board, the Metropolitan Police Joint Executive Committee and a central committee may use for any purpose which the joint central committee may determine to be necessary or expedient in the interests of the Federation or its members the Federation funds which it holds."

7. Schedule 2 to the principal Regulations shall be amended as follows:

(a) in paragraph 2 there shall be substituted for the word "Each" the words "Subject to paragraph 2A, each";

(b) there shall be inserted after paragraph 2 the following paragraph—

"2A. The chairman and secretary of a joint branch board shall be elected from among its members; elections shall be held for the purposes of this paragraph at some time in 1993 and in every third year thereafter; an additional election may be held before the end of 1990 by any joint branch board, and in any such election the candidates may include any person who, immediately before such election, is discharging the duties and functions of the office concerned notwithstanding that he is not then a member of the joint branch board."

Home Office

31st July 1990

David Waddington
One of Her Majesty's Principal Secretaries of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Federation Regulations 1969. Regulations 3 and 7 amend the provision concerning branch board members who hold certain offices. New regulation 15A (inserted by regulation 4 of these Regulations) authorises the Police Federation for England and Wales to make rules relating to the matters specified in paragraph (1) thereof. Regulations 5 and 6 of these Regulations make fresh provision in relation to the raising of funds by the Federation and the use of such funds respectively, so as to give the Federation greater control over those matters. Regulation 4 of these Regulations also revises the provision concerning the defrayment from Federation funds of the emoluments of officers of the Federation.

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