

STATUTORY INSTRUMENTS

1995 No. 2020

The Police (Amendment No. 2) Regulations 1995

9.—(1) Schedule 6 to the principal Regulations (determination of pay) shall be amended in accordance with paragraphs (2) and (3) below.

(2) In paragraph 1(1) for the words “paragraph 2” there shall be substituted “paragraphs 2 and 3”.

(3) After paragraph 2 there shall be inserted—

“3.—(1) This paragraph applies for the determination of the annual pay of any person who holds the rank of chief constable or assistant chief constable in police forces maintained under section 2 of the Police Act 1964⁽¹⁾ or of commander in the metropolitan police force or the City of London police force or of assistant commissioner in the latter force.

(2) The annual pay of a chief constable shall be an amount, determined by the police authority in accordance with sub-paragraph (12), which shall be within the range specified in the relevant entry (determined in accordance with paragraph 4(2)) in the table below, but shall not be less than the minimum amount:

Table

1 <i>Population of police area</i>	2 <i>Officer appointed under regulation 13A</i>	3 <i>Officer not appointed under regulation 13A</i>
Up to 500,000	£60,903 to £69,654	£58,002 to £66,336
500,001 to 1,000,000	£64,020 to £75,285	£60,972 to £71,700
1,000,001 to 2,000,000	£69,654 to £80,916	£66,336 to £77,064
Over 2,000,000	£77,079 to £86,988	£73,494 to £82,944

(3) Subject to sub-paragraphs (4) and (5), the annual pay of an assistant chief constable in a police force maintained under section 2 of the Police Act 1964 or a commander in the metropolitan police force or the City of London police force shall be an amount, determined by the police authority in accordance with sub-paragraphs (7) and (13), which amount—

(a) in the case of such a person who has been appointed under regulation 13A⁽²⁾ shall be within the range of £51,756 to £59,409, but shall not be less than the minimum amount; and

(b) in the case of a person who has not been so appointed, shall be within the range of £49,290 to £56,580, but shall not be less than the minimum amount.

(4) In the case of—

(a) an assistant chief constable in respect of a period during which he remains designated under section 6(4) of the Police Act 1964⁽³⁾, and

⁽¹⁾ Section 2 was substituted by section 2 of the Police and Magistrates' Courts Act 1994.

⁽²⁾ Regulation 13A was inserted by S.I.1995/547.

⁽³⁾ Section 6 was substituted by section 6 of the Police and Magistrates' Courts Act 1994.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) an assistant chief constable who held the rank of deputy chief constable on 31st March 1995,

the annual pay shall be an amount, determined by the police authority in accordance with sub-paragraphs (7) and (13), which shall be within the range specified in the relevant entry (determined in accordance with paragraph 4(2)) in the table below, but shall not be less than the minimum amount:

Table

1 <i>Population of police area</i>	2 <i>Officer appointed under regulation 13A</i>	3 <i>Officer not appointed under regulation 13A</i>
Up to 500,000	£51,756 to £59,409	£49,290 to £56,580
500,001 to 1,000,000	£51,756 to £60,228	£49,290 to £57,360
1,000,001 to 2,000,000	£55,723 to £64,733	£53,069 to £61,651
Over 2,000,000	£61,663 to £69,590	£58,795 to £66,355

(5) In the case of a commander in the metropolitan police force in respect of a period during which he remains designated under arrangements which satisfy the requirements of paragraph 4(7), the annual pay shall be an amount, determined by the police authority in accordance with sub-paragraphs (7) and (13), which amount—

- (a) in the case of a person who has been appointed under regulation 13A, shall be within the range of £61,663 to £64,733, but shall not be less than the minimum amount; and
- (b) in the case of a person who has not been so appointed, shall be within the range of £58,795 to £61,651, but shall not be less than the minimum amount.

(6) In the case of an assistant commissioner in the City of London police force, the annual pay shall be an amount, determined by the police authority in accordance with sub-paragraphs (7) and (13), which amount—

- (a) in the case of a person who has been appointed under regulation 13A, shall be within the range of £64,650 to £69,492, but shall not be less than the minimum amount; and
- (b) in the case of a person who has not been so appointed, shall be within the range of £61,491 to £66,090, but shall not be less than the minimum amount.

(7) A police authority shall consult the chief officer of police before making a determination under sub-paragraph (3), (4), (5) or (6).

(8) In relation to a person to whom sub-paragraph (2), (3), (5) or (6) applies, “minimum amount” means an amount which shall not be less than the amount that the annual pay of the person would have been in the rank in question if the Police (Amendment No. 2) Regulations 1995 had not been made.

(9) In relation to a person to whom sub-paragraph (4) applies, “minimum amount” means an amount which shall not be less than either—

- (a) the amount that the annual pay of the person would have been in the rank in question if the Police (Amendment No. 2) Regulations 1995 had not been made; or
- (b) subject to sub-paragraphs (10) and (11), four-fifths of the annual pay of the chief officer of police of the force in which that person serves,

whichever is greater.

(10) Where the person to whom sub-paragraph (4) applies has been appointed under regulation 13A, but his chief officer has not been so appointed, the annual pay of that chief officer shall be treated for the purposes of sub-paragraph (9) as though it was at the equivalent point of the pay scale that would be applicable if he had been appointed under regulation 13A.

(11) Where the person to whom sub-paragraph (4) applies has not been appointed under regulation 13A, but his chief officer has been so appointed, the annual pay of that chief officer shall be treated for the purposes of sub-paragraph (9) as though it was at the equivalent point of the pay scale that would be applicable if he had not been appointed under regulation 13A.

(12) In making a determination under sub-paragraph (2), a police authority shall have regard to—

- (a) whether the population of the police area is at the higher or lower end of the range in column 1 of the table set out in that sub-paragraph;
- (b) the pay of the head of the paid service of any district, county borough or county council in its police area;
- (c) any social, economic or cultural characteristics that distinguish its police area from others; and
- (d) the extent to which the population of its police area live in urban surroundings;

and the police authority may have regard to any other consideration which it considers to be relevant, other than the performance of the officer in question.

(13) In making a determination under sub-paragraph (3), (4), (5) or (6), a police authority shall have regard to—

- (a) the pay of those members of the police force immediately above and below the officer whose pay is being determined; and
- (b) his responsibilities;

and the police authority may have regard to any other consideration which it considers to be relevant, other than the performance of the officer in question.

4.—(1) This paragraph supplements paragraph 3.

(2) For the purposes of paragraph 3(2) and (4), the relevant entry is determined by—

- (a) selecting the description of the size of the population of the police area as set out in the first column of the table in paragraph 3(2) or, as the case may be, (4) which describes the population of the police area for the police force of which the person in question is a member;
- (b) where the person has been appointed under regulation 13A, the relevant entry is the entry opposite that description in the second column of the table; and
- (c) where the person has not been so appointed, the relevant entry is the entry opposite that description in the third column of the table.

(3) The population of a police area for the purposes of the tables in paragraph 3(2) and (4) and the determination under sub-paragraph (2) shall be—

- (a) determined by the police authority, and
- (b) subject to sub-paragraph (6), revised by the police authority not later than 1st July in any year after the initial determination,

by adding the figure calculated in accordance with sub-paragraph (4) to the most recent estimates given by the Director General of Ordnance Survey as to the number of persons resident in that police area.

(4) Subject to sub-paragraph (5), the figure referred to in sub-paragraph (3) is one quarter of the number reached by adding—

- (a) the number of persons who, in the opinion of the police authority using such published data as appears to it to be appropriate, are not resident in the police area but—
 - (i) work in it; or
 - (ii) visit it for recreational purposes on any weekday in the summer picked at random; and
- (b) the number of additional persons expected to be resident in the police area where, in the opinion of the police authority, an increase in police services in anticipation of the increase in population has taken place or is being planned.

(5) Where the number produced by adding the number of persons referred to in paragraphs (a) and (b) of sub-paragraph (4) is less than either—

- (a) 50,000, or
- (b) where the number representing 15% of the number of persons who, according to the most recent estimates given by the Director General of Ordnance Survey are resident in the police area is less than 50,000, the number representing that percentage,

the number so produced shall be disregarded.

(6) Where on any revision by a police authority under sub-paragraph (3)(b) the number produced is less than the number currently used for the purposes of determining the relevant entry of any person to whom paragraph 3(2) or (4) applies, the number so produced shall be disregarded for those purposes.

(7) In order to constitute a designation for the purposes of paragraph 3(5), a commander must—

- (a) have been designated by his chief officer, after consultation with his police authority, to exercise all the powers and duties under these Regulations of an Assistant Commissioner of Police of the Metropolis specified in the designation—
 - (i) during any absence, incapacity or suspension from duty of the Assistant Commissioner, or
 - (ii) during any vacancy in the office of the Assistant Commissioner; and
- (b) be the only person so authorised to act by virtue of the designation at any one time.”.