

---

STATUTORY INSTRUMENTS

---

**1995 No. 215**

**The Police Regulations 1995**

**PART I**

**COMMENCEMENT AND INTERPRETATION**

**Citation and commencement**

**1.** These Regulations may be cited as the Police Regulations 1995 and shall come into force on 8th March 1995, but—

- (a) the increase (from £1,290 to £1,315) in the maximum amount authorised by regulation 52(8) (removal allowance) shall have effect from 1st April 1994, and
- (b) the increase (from £1,344 to £1,365) in the amount authorised by paragraph 3(2) of Schedule 5 (university scholars) shall have effect from 1st July 1993.

**References to transfers**

**2.—(1)** Except where the context otherwise requires, a reference in these Regulations to a member of a police force voluntarily transferring from one force to another shall be construed as a reference to such a member leaving a force for the purpose of joining another force and joining that other force, where—

- (a) he left the force first mentioned in this regulation on or after 1st January 1963 for the purposes aforesaid with, in the case of the chief officer of police, the consent of the police authority;
- (b) he left the force first mentioned in this regulation before 1st January 1963 for the purposes aforesaid with the written consent of the chief officer of police.

**(2)** Except where the context otherwise requires, a reference in these Regulations to a member of a police force being statutorily transferred from one force to another shall be construed as a reference to such a member being transferred—

- (a) by or under the Local Government Act 1933<sup>(1)</sup>, the Police Act 1946<sup>(2)</sup>, the Local Government Act 1958<sup>(3)</sup>, the London Government Act 1963<sup>(4)</sup>, the Police Act 1964 (including that Act as amended by the Police and Magistrates' Courts Act 1994<sup>(5)</sup>), the Local Government Act 1972<sup>(6)</sup> or the Local Government Act 1992<sup>(7)</sup>;
- (b) in the case of a person who was a member of the River Tyne police force, under the Harbours Act 1964<sup>(8)</sup>.

---

(1) 1933 c. 51.  
(2) 1946 c. 46.  
(3) 1958 c. 55.  
(4) 1963 c. 33.  
(5) 1994 c. 29; the relevant amendment is made by section 14 of the 1994 Act.  
(6) 1972 c. 70.  
(7) 1992 c. 19.  
(8) 1964 c. 40.

(3) Except where the context otherwise requires, a reference in these Regulations to a member of a police force transferring from one force to another shall be construed as a reference to his either voluntarily so transferring or being statutorily so transferred.

### References to provisions of these Regulations

3. 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, a reference to a Schedule shall be construed as a reference to a Schedule to these Regulations, a reference to a paragraph shall be construed as a reference to a paragraph in the same regulation or, as the case may be, the same Part of the same Schedule and a reference to a sub-paragraph shall be construed as a reference to a sub-paragraph contained in the same paragraph.

### Meanings assigned to certain expressions, etc.

4.—(1) In these Regulations, unless the context otherwise requires—

“1964 Act” means the Police Act 1964;

“central police officer” has the same meaning as in the Police Pensions Regulations; “chief officer” means chief officer of police;

“Discipline Regulations” means the regulations relating to discipline from time to time in force under section 33 of the Police Act 1964 and section 94(5), 101 and 102 of the Police and Criminal Evidence Act 1984<sup>(9)</sup>;

“joint branch board” means the joint branch board mentioned in regulation 7(3) of the Police Federation Regulations 1969<sup>(10)</sup>;

“overseas policeman” has the same meaning as in the Police Pensions Regulations;

“pensionable service” has the same meaning as in the Police Pensions Regulations;

“Police Pensions Regulations” means the regulations from time to time in force under the Police Pensions Act 1976<sup>(11)</sup>;

“Promotion Regulations” means the regulations relating to qualification and selection for promotion from time to time in force under section 33 of the Police Act 1964;

“public holiday” means Christmas Day, the 26th December (if it falls on a Saturday or a Sunday), the 1st January (if it so falls), Good Friday or a bank holiday;

“the representative bodies” means the Police Federation for England and Wales and all bodies for the time being recognised by the Secretary of State for the purposes of section 47 of the Police Act 1964;

“reversionary member of a home police force” has the same meaning as in the Police Pensions Regulations;

“rostered rest day” has the meaning assigned thereto by regulation 27(1);

“university scholar” and, in relation to such a scholar, “course” and “study” have the meanings respectively assigned to them in paragraph 1 of Schedule 5.

(2) In these Regulations, unless the context otherwise requires, a reference to a police force shall include a reference to the Royal Ulster Constabulary and a police force maintained under the Police (Scotland) Act 1967<sup>(12)</sup>, so however that nothing in these Regulations shall be construed as relating

---

<sup>(9)</sup> 1984 c. 60.

<sup>(10)</sup> S.I. 1969/1787, to which there are amendments not relevant to these Regulations.

<sup>(11)</sup> 1976 c. 35.

<sup>(12)</sup> 1967 c. 77.

to the government, administration or conditions of service of the Royal Ulster Constabulary or such a force.

(3) In these Regulations a reference to an aerodrome constabulary is a reference to such a constabulary within the meaning of the Aviation Security Act 1982(13); and a reference to a rank in such a constabulary corresponding to a rank in a police force is a reference to a rank in that constabulary designated for the purposes hereof by the Secretary of State as the rank corresponding to the rank in question.

(4) Nothing in these Regulations shall be construed as authorising pay or allowances payable to any person to be reduced retrospectively.

### **Modification of Regulations in relation to metropolitan police force**

5.—(1) All payments required to be made under these Regulations by the Secretary of State as police authority for the metropolitan police district shall be paid out of the metropolitan police fund.

(2) Any reference to a police authority in a provision of these Regulations concerned with property shall in relation to the metropolitan police force be construed as including a reference to the Receiver for the metropolitan police district.

## **PART II**

### **GOVERNMENT**

#### **Ranks**

6.—(1) Subject to paragraphs (2) to (4), the ranks of a police force shall be known by the following designations—

- Chief Constable;
- Assistant Chief Constable;
- Superintendent;
- Chief Inspector;
- Inspector;
- Sergeant;
- Constable.

(2) Notwithstanding anything in paragraph (1), in the metropolitan police force ranks other than those specified in that paragraph may be adopted with the approval of the Secretary of State.

(3) In its application to the City of London police force, paragraph (1) shall have effect as if the reference to Assistant Chief Constable was to Commander.

(4) Until 1st April 1995, paragraph (1) shall have effect as if it included a reference to deputy chief constable and chief superintendent.

(5) On 1st April 1995 the rank of chief superintendent shall cease to exist.

(6) Any person who on 1st April 1995 would hold the rank of chief superintendent but for this regulation shall hold the rank of superintendent for all purposes except those of Schedule 6 (determination of pay).

### **Part-time appointments**

7.—(1) A chief officer of police may, after consultation with local representatives of the representative bodies and with the approval of the Secretary of State, appoint persons to perform part-time service in any rank specified in the approval.

(2) A person serving as a full-time member of a police force may not be appointed to perform part-time service without his consent.

(3) A person may be appointed under this regulation in the rank of constable only if he has, as a full-time member of a police force, completed the period of probation in that rank that was required by regulation 14.

(4) Any appointment under this regulation in any rank above that of sergeant may only be made on terms that provide for the holder to share with one other person appointed under this regulation in the rank in question the performance of duties that would otherwise fall to be performed by a single person appointed in that rank as a full-time member of the force; if either of the persons sharing the duties ceases to hold his appointment and is not replaced, the other continues to hold the rank in which he was appointed under this regulation but is to be treated as having become a full-time member of the force.

(5) In this regulation “full-time member” means a member appointed otherwise than under this regulation.

(6) In relation to persons appointed under this regulation to perform part-time service these Regulations have effect with the modifications set out in Schedule 1.

### **Beats, sections, sub-divisions and divisions**

8. The area to which a constable is assigned for duty either generally or for a particular period of hours shall be known as a beat; a number of beats grouped for supervision by a sergeant or an inspector shall be known as a section; a number of sections grouped for supervision by an inspector, chief inspector or superintendent shall be known as a sub-division; a number of sections or sub-divisions grouped for supervision by a chief superintendent shall be known as a division.

### **Restrictions on the private life of members**

9. The restrictions on private life contained in Schedule 2 shall apply to all members of a police force; and no restrictions other than those designed to secure the proper exercise of the functions of a constable shall be imposed by the police authority or the chief officer of police on the private life of members of a police force except such as may temporarily be necessary or such as may be approved by the Secretary of State after consultation with the Police Advisory Board for England and Wales, and any such restriction temporarily imposed shall be reported forthwith to the Secretary of State.

### **Business interests incompatible with membership of a police force**

10.—(1) If a member of a police force or a relative included in his family proposes to have, or has, a business interest within the meaning of this regulation, the member shall forthwith give written notice of that interest to the chief officer of police unless that business interest was disclosed at the time of his appointment as a member of the force.

(2) On receipt of a notice given under paragraph (1), the chief officer of police shall determine whether or not the interest in question is compatible with the member concerned remaining a member of the force and, within 28 days of the receipt of that notice, shall notify the member in writing of his decision.

(3) Within 10 days of being notified of the chief officer’s decision as aforesaid, or within such longer period as the police authority may in all the circumstances allow, the member concerned may

appeal to the police authority against that decision by sending written notice of his appeal to the police authority.

(4) Upon receipt of such notice, the police authority shall forthwith require the chief officer of police to submit to them, within the next following 10 days, a notice setting out the reasons for his decision and copies of any documents on which he relies in support of that decision; and the police authority shall send to the member concerned copies of such notice and documents and shall afford him a reasonable opportunity, being in no case less than 14 days, to comment thereon.

(5) Where a member of a police force has appealed to the police authority under paragraph (3) the police authority shall, within 28 days of receiving his comments on the notice and any other documents submitted by the chief officer of police under paragraph (4), or of the expiration of the period afforded for making comments if none have by then been received, give him written notice of their determination of the appeal but, where they have upheld the decision of the chief officer of police and, within 10 days of being so notified or within such longer period as the police authority may in all the circumstances allow, the member makes written request to the police authority for the reference of the matter to the Secretary of State, the matter shall be so referred and, unless and until the determination of the police authority is confirmed by the Secretary of State, it shall be of no effect and in particular, no action in pursuance thereof shall be taken under paragraph (6).

(6) Where a member of a police force, or a relative included in his family, has a business interest within the meaning of this regulation which the chief officer of police has determined, under paragraph (2), to be incompatible with his remaining a member of the force and either the member has not appealed against that decision under paragraph (3) or, subject to paragraph (5), on such appeal, the police authority has upheld that decision, then, the chief officer of police may, subject to the approval of the police authority, dispense with the services of that member; and before giving such approval, the police authority shall give the member concerned an opportunity to make representations and shall consider any representations so made.

(7) For the purposes of this regulation, a member of a police force or, as the case may be, a relative included in his family, shall have a business interest if—

- (a) the member holds any office or employment for hire or gain (otherwise than as a member of a police force) or carries on any business;
- (b) a shop is kept or a like business carried on by the member's spouse (not being separated from him) at any premises in the area of the police force in question or by any relative included in his family at the premises at which he resides; or
- (c) the member, his spouse (not being separated from him) or any relative included in his family living with him holds, or possesses a pecuniary interest in, any such licence or permit as is mentioned in paragraph (8);

and a reference to a relative included in a member's family shall include a reference to his spouse, parent, son, daughter, brother or sister.

(8) The licence or permit referred to in paragraph (7)(c) is a licence or permit granted in pursuance of the law relating to liquor licensing, refreshment houses or betting and gaming or regulating places of entertainment in the area of the police force in question.

(9) If a member of a police force or a relative included in his family has a business interest within the meaning of this regulation and, on that interest being notified or disclosed as mentioned in paragraph (1), the chief officer of police has, by written notice, required the member to furnish particulars of such changes in that interest, as respects its nature, extent or otherwise, as may be mentioned in the notice then, in the event of any such change in that interest being proposed or occurring, this regulation shall have effect as though the changed interest were a newly proposed, or newly acquired, interest which has not been notified or disclosed as aforesaid.

(10) In its application to a chief constable or assistant chief constable, this regulation shall have effect as if—

- (a) for any reference therein to the chief officer of police there were substituted a reference to the police authority;
- (b) for any reference in paragraph (3), (5) or (6) to an appeal there were substituted a reference to a request for reconsideration; and
- (c) the references in paragraph (6) to the approval of the police authority were omitted;

but a police authority shall not dispense with the services of a chief constable or assistant chief constable under this regulation without giving him an opportunity of making representations and shall consider any representations so made.

(11) In its application to a member of the metropolitan police force, this regulation shall have effect as if—

- (a) for any reference to the chief officer of police there were substituted a reference to an assistant commissioner of police of the metropolis; and
- (b) for any reference to the police authority there were substituted a reference to the commissioner of police of the metropolis;

except that nothing in this paragraph shall affect the power of the commissioner of police, subject to the approval of the police authority, to dispense with the services of a member of the metropolitan police force in pursuance of paragraph (6).

#### **Business interests precluding appointment to a police force**

**11.—**(1) Save in so far as the chief officer of police may allow at the request of the candidate concerned, a person shall not be eligible for appointment to a police force if he or a relative included in his family has a business interest within the meaning of regulation 10, and paragraphs (7) and (8) thereof shall apply for the purposes of the interpretation of this regulation as they apply for the purposes of that regulation.

(2) In its application to a candidate for appointment as chief officer of police or assistant chief constable, paragraph (1) shall have effect as if for any reference to the chief officer of police there were substituted a reference to the police authority.

#### **Qualifications for appointment to a police force**

**12.—**(1) A candidate for appointment to a police force—

- (a) must produce satisfactory references as to character, and, if he has served in any police force, in the armed forces, in the civil service or as a seaman, produce satisfactory proof of his good conduct while so serving;
- (b) must have attained the age of 18 years 6 months;
- (c) must be 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 on which he will be employed after appointment;
- (d) must, if a candidate for appointment in the rank of constable, satisfy the chief officer of police that he is sufficiently educated by passing a written or oral examination in reading, writing and simple arithmetic, or an examination of a higher standard, as may be prescribed by the chief officer of police;
- (e) must, if a candidate for appointment in the rank of sergeant, or inspector, be qualified for promotion to such rank in accordance with the provisions of the Promotion Regulations;
- (f) must give such information as may be required as to his previous history or employment or any other matter relating to his appointment to the police force;

- (g) shall be given a notice in terms approved by the Secretary of State drawing attention to the conditions of service contained therein.
- (2) For the purposes of this regulation—
  - (a) “armed forces” means the naval, military or air forces of the Crown including any women’s service administered by the Defence Council, and
  - (b) “seaman” has the same meaning as in the Merchant Shipping Act 1894<sup>(14)</sup>.

### **Appointment of chief constable**

**13.** Without prejudice to section 4(2) of the 1964 Act or, on or after 1st April 1995, section 5A(1) of that Act<sup>(15)</sup> and regulations 11 and 12, no person shall be appointed to the office of chief constable in a police force unless he has at least 2 years’ experience in some other force in the rank of superintendent or a higher rank.

### **Probationary service in the rank of constable**

**14.—(1)** This regulation applies to a member of a police force appointed in the rank of constable other than such a member who transferred to the force from another police force, having completed the required period of probation therein.

(2) A member of a police force to whom this regulation applies shall, unless paragraph (3) applies to his case, be on probation for the first 2 years of his service as a constable in that police force following his last appointment thereto or for such longer period as the chief officer of police, with the approval of the Secretary of State, determines in the circumstances of a particular case:

Provided that where, in the opinion of the chief officer of police, the said period of probation was seriously interrupted by a period of absence from duty by reason of injury or illness, the chief officer of police may at his discretion extend the period of probation for such longer period not exceeding 12 months as he determines in the circumstances of that particular case.

(3) A member of a police force to whom this regulation applies who has served on probation for a period of not less than a year following a previous appointment to that or any other police force shall be on probation for the first year of his service as a constable in the police force first mentioned in this paragraph following his last appointment thereto or for such longer period as the chief officer of police, with the approval of the Secretary of State, determines in the circumstances of a particular case:

Provided that the chief officer of police may at his discretion—

- (a) reduce the period of probation, so however that the reduced period, when aggregated with the previous period of probation, shall not be less than 2 years, or
  - (b) dispense with the period of probation, if the member, following his previous appointment, completed the required period of probation in the force in question.
- (4) For the purposes of this regulation—
- (a) in reckoning service, any period of unpaid leave shall be disregarded;
  - (b) in the case of a university scholar, in reckoning service his period of study shall be disregarded;
  - (c) in the case of a member who has been statutorily transferred from one force to some other force, his service in those two forces shall be treated as if it were service in the same police force;

---

<sup>(14)</sup> 1894 c. 60.

<sup>(15)</sup> Section 5A(1) was inserted by section 5 of the Police and Magistrates’ Courts Act 1994 (c. 29).

(d) in the case of a member of a police force who has been transferred thereto from an aerodrome constabulary by an order under section 30 of the Aviation Security Act 1982, his service in that constabulary shall be treated as if it were service in that police force.

(5) In its application to the metropolitan police force this regulation shall have effect as if “chief officer” included an assistant commissioner of police.

### **Discharge of probationer**

**15.**—(1) Subject to the provisions of this regulation, during his period of probation in the force the services of a constable may be dispensed with at any time if the chief officer of police considers that he is not fitted, physically or mentally, to perform the duties of his office, or that he is not likely to become an efficient or well conducted constable.

(2) A constable whose services are dispensed with under this regulation shall be entitled to receive a month’s notice or a month’s pay in lieu thereof.

(3) A constable’s services shall not be dispensed with in accordance with this regulation and any notice given for the purposes thereof shall cease to have effect if he gives written notice to the police authority of his intention to retire and retires in pursuance of the said notice on or before the date on which his services would otherwise be dispensed with; and such a notice taking effect on that date shall be accepted by the police authority notwithstanding that less than a month’s notice is given.

(4) Where a constable has received a notice under this regulation that his services are to be dispensed with and he gives written notice of his intention to retire and retires under paragraph (3), he shall nevertheless be entitled to receive pay up to and until the date on which the month’s notice he has received would have expired or where he has received or is due to receive a month’s pay in lieu of notice he shall remain entitled to that pay notwithstanding the notice he has given under paragraph (3).

(5) In its application to the metropolitan police force this regulation shall have effect as if “chief officer” included an assistant commissioner of police.

### **Retirement**

**16.**—(1) Without prejudice to the provisions mentioned in paragraph (3) and subject to paragraph (2), a member of a police force may retire only if he has given to the police authority one month’s written notice of his intention to retire or such shorter notice as may have been accepted by that authority:

Provided that, while suspended under the Discipline Regulations, a member may not, without the consent of the chief officer of police, give notice for the purposes of this regulation or retire in pursuance of a notice previously given.

(2) In the case of a chief officer of police or assistant chief constable, paragraph (1) shall have effect as if for the reference to the chief officer of police there were substituted a reference to the police authority.

(3) The provisions referred to in paragraph (1) are—

- (a) prior to 1st April 1995, the provisions of sections 5 and 6 of the 1964 Act relating to retirement in the interests of efficiency;
- (b) on or after 1st April 1995, the provisions of sections 5A(2) to (4) and 6(3) of the 1964 Act<sup>(16)</sup> relating to retirement in the interests of efficiency and effectiveness;
- (c) the provisions of section 58(3) of the 1964 Act relating to the retirement of chief constables affected by amalgamations or local government reorganisation;

---

<sup>(16)</sup> Sections 5A and 6 were substituted by section 5 and 6 of the Police and Magistrates’ Courts Act 1994.



- (d) the provisions of the Police Pensions Regulations relating to compulsory retirement, and
- (e) the provisions of the Discipline Regulations relating to resignation as an alternative to dismissal.

### **Contents of personal records**

**17.**—(1) The chief officer of police shall cause a personal record of each member of the police force to be kept.

(2) The personal record shall contain—

- (a) a personal description of the member;
- (b) particulars of the member's place and date of birth;
- (c) particulars of his marriage (if any) and of his children (if any);
- (d) a record of his service (if any) in any branch of Her Majesty's naval, military or air forces or in the civil service;
- (e) a record of his service (if any) in any other police force and of his transfers (if any) from one police force to another;
- (f) a record of whether he passed or failed to pass any qualifying examination at which he was a candidate;
- (g) a record of his service in the police force including particulars of all promotions, postings, removals, injuries received, periods of illness, commendations, rewards, punishments other than cautions, and the date of his ceasing to be a member of the police force with the reason, cause or manner thereof:

Provided that—

- (i) a punishment of a fine or of a reprimand shall be expunged after 3 years free from punishment other than a caution;
- (ii) any other punishment shall be expunged after 5 years free from punishment other than a caution,

but in the case of a period free from punishment other than a caution which expired before 1st January 1989 only if the member so requests.

(3) A member of a police force shall, if he so requests, be entitled to inspect his personal record.

### **Transfer of personal records**

**18.** Where a member of a police force transfers to another police force his personal record shall be transferred to the chief officer of police of that other police force.

### **Personal record of member leaving force**

**19.**—(1) Where a member of a police force ceases to be a member of that police force the member shall, unless he transfers to another police force, be given a certificate showing his rank and setting out the period of his service in that police force and in any other police force.

(2) The chief officer of police may append to the certificate any recommendation which he feels justified in giving, such as that—

- his conduct was exemplary;
- his conduct was very good;
- his conduct was good.

(3) Where a member of a police force ceases to be a member of that police force, otherwise than by transferring to another police force, his personal record shall be kept for such time as the chief officer of police may think fit and shall then be destroyed.

### **Fingerprints**

**20.**—(1) Every member of a police force shall in accordance with the directions of the chief officer of police have his fingerprints taken.

(2) Fingerprints of members of a police force taken in accordance with paragraph (1) shall be kept separate from the fingerprints of persons whose fingerprints have been taken otherwise than in accordance with that paragraph.

(3) The fingerprints of a member of a police force taken in accordance with paragraph (1) and all copies and records thereof shall be destroyed on his ceasing to be a member of that force, except that, where by reason of a statutory transfer he becomes a member of another force, his fingerprints and all copies and records thereof shall be transferred to the chief officer of police of that other police force.

## **PART III**

### **DUTY, OVERTIME AND LEAVE**

#### **Duty to carry out lawful orders**

**21.** Every member of a police force shall carry out all lawful orders and shall at all times punctually and promptly perform all appointed duties and attend to all matters within the scope of his office as a constable.

#### **Limitations on duties to be assigned to members statutorily transferred**

**22.**—(1) Where a member of a police force has previously served in a police force for an area comprised in whole or in part in the area for which his present force is maintained and he ceased to be a member of his former force and became a member of his present force by reason only of one or more such statutory transfers as are mentioned in paragraph (2), then, subject to paragraph (3), he shall not be assigned to duties which, in the opinion of the Secretary of State, make it necessary for him to move his home to a place which is outside the area for which his former force was maintained.

(2) In paragraph (1) the reference to a statutory transfer is a reference to a statutory transfer being—

- (a) prior to 1st April 1995, a transfer in accordance with the provisions of an amalgamation scheme under the 1964 Act,
- (b) on or after 1st April 1995, a transfer in accordance with an order made under section 21 or 21A of the 1964 Act<sup>(17)</sup>, or
- (c) a transfer taking effect on 1st April 1974,

except that where the former force was the police force for a borough, the said reference is to any statutory transfer.

(3) Paragraph (1) shall not apply to a person by reason of his previous service in a particular police force if—

- (a) since he became a member of that police force he has been a chief officer of police, or

---

<sup>(17)</sup> Sections 21 and 21A were substituted by section 14 of the Police and Magistrates' Courts Act 1994.

- (b) after he was statutorily transferred from that police force he has given written notice to the chief officer of the police force of which he was at the time a member that the protection accorded by paragraph (1) should cease to apply to him, or
- (c) that force was a county or combined police force and after he was statutorily transferred therefrom but before 1st February 1968 he was assigned to such duties as are mentioned in paragraph (1),

without prejudice, however, to the application of paragraph (1) to him by reason of service in another police force after his statutory transfer from the force first mentioned in this paragraph and before his statutory transfer to his present force.

(4) Paragraph (1) shall apply in the case of a member of a police force who ceased to be such and became a serviceman, a reversionary member of a home police force or a central police officer—

- (a) where on ceasing to be such, he resumed service in, or, as the case may be, exercised his right of reversion to, his former force, as if he had not ceased to be a member of that force, or
- (b) where on ceasing to be such, he resumed service in, or, as the case may be, exercised his right of reversion to some other force to which members of his former force had been transferred as mentioned in paragraph (2), as if he had been so transferred from his former force to that other force.

(5) In this regulation “present force” and “former force” mean, respectively, the force first mentioned and that secondly mentioned in paragraph (1).

### **Work not required to be performed**

**23.** A member of a police force shall not be required to perform—

- (a) the regular duty of cleaning or any part of the cleaning of a particular police station which the Secretary of State has directed is not a duty which the police may be required to perform;
- (b) any other work not connected with police duty which, in the opinion of the Secretary of State, the police may not properly be required to perform.

### **Normal daily period of duty**

**24.—(1)** This regulation applies to every member of a police force below the rank of inspector who is not assigned to duties which the Secretary of State has specially excepted from the provisions of this regulation.

(2) The normal daily period of duty (including the period for refreshment referred to in paragraph (3)) of a member of a police force to whom this regulation applies shall be 8 hours.

(3) As far as the exigencies of duty permit—

- (a) the normal daily period of duty shall be performed in one tour of duty; and
- (b) subject to paragraph 4 of Schedule 4, an interval of 45 minutes shall be allowed for refreshment.

(4) Where a member is required to perform his normal daily period of duty in more than one tour of duty and does not travel to and from his home between tours, an interval for refreshment and rest shall normally be included at the beginning or end of one of those tours.

### **Meaning of “day” in Part III**

**25.**—(1) In this Part of these Regulations, “day”, in relation to members of a police force, means a period of 24 hours commencing at such time or times as the chief officer shall fix and the chief officer may fix different times in relation to different groups of members.

(2) In discharging his functions under paragraph (1), the chief officer shall have regard to the wishes of the joint branch board.

### **Variable shift arrangements**

**26.**—(1) This regulation applies to members of a police force below the rank of inspector appointed otherwise than under regulation 7 (part-time appointments).

(2) A chief officer of police may, if he has obtained the consent of the Secretary of State to his doing so, bring into operation variable shift arrangements agreed by him with the joint branch board for all members to whom this regulation applies or for any particular class of such members.

(3) Variable shift arrangements must provide, as respects members for whom they are in operation—

- (a) for hours of duty equivalent to those resulting from the application of regulations 24(2) and 29(2), and
- (b) for annual leave equivalent to that resulting from the application of regulation 34(1) and Schedule 4,

to other members of police forces.

(4) In relation to members of a police force for whom variable shift arrangements are in operation these Regulations have effect with the modifications set out in Schedule 3.

### **Rostering of duties**

**27.**—(1) A chief officer shall cause to be published, in accordance with this regulation, annual duty rosters for members of his force below the rank of inspector and in these Regulations—

- (a) a reference to a rostered rest day is to be construed, in relation to a member of a police force who is required to do duty on that day, as a reference to a day which according to the duty roster was, immediately before he was so required to do duty, to have been a rest day for the member; and
- (b) a day off granted in lieu of a rostered rest day shall be treated as a rostered rest day.

(2) Each such roster shall be published at intervals not exceeding 12 months and not later than one month before the date on which it is to come into force.

(3) Each such roster shall set out, for the 12 months following the date on which it comes into force, in relation to each member of the force to which it relates—

- (a) his rest days;
- (b) those days, being public holidays, on which he may be required to do duty; and
- (c) the times at which his scheduled daily periods of duty are to begin and end.

(4) Subject to paragraph (5), a duty roster shall make provision for—

- (a) an interval of not less than 8 hours between the ending of each of a member’s daily periods of duty and the beginning of the next; and
- (b) an interval between each of his rostered rest days not exceeding 7 days;

unless the joint branch board agrees otherwise.

(5) Where, owing to the exigencies of duty, it is necessary to alter a duty roster, the officer responsible for making the alteration shall endeavour, so far as practicable, to avoid thereby requiring a member to do an additional daily period of duty such that the condition in paragraph (4)(a) would not be satisfied in relation thereto.

## **Overtime**

**28.—**(1) Subject to, and in accordance with, the provisions of this regulation a member of a police force shall be compensated in respect of time—

- (a) for which he remains on duty after his tour of duty ends, or
- (b) for which he is recalled between two tours of duty, or
- (c) which forms part of a tour of duty which he is required to begin earlier than the rostered time without due notice and on a day when he has already completed his normal daily period of duty;

and such time is referred to hereafter in these Regulations as “overtime”.

(2) Such a member shall not be compensated under this regulation for overtime for which he receives an allowance or time off under regulation 29 (public holidays and rest days for ranks below inspector) or regulation 61 (allowance for recurring escort duty, etc.).

(3) A member of a police force below the rank of inspector to whom regulation 24 applies shall, subject to paragraph (6), be granted an allowance in respect of each week at the rate of a twenty-fourth of a day’s pay for each completed period of 15 minutes of overtime worked by him on any occasion during that week, except that on each of the first 4 occasions on which overtime in respect of which the member was not informed as mentioned in paragraph (6) is worked during a week 30 minutes of the overtime worked is to be disregarded.

(4) Where such a member, before the expiry of any pay period, elects in respect of specified overtime worked by him during the weeks ending within that period, to be granted in lieu of an allowance time off subject to and in accordance with paragraph (5), and in accordance therewith receives time off in respect of any overtime, no allowance in respect thereof shall be payable under paragraph (3).

(5) Subject to the exigencies of duty, where by virtue of an election under paragraph (4) time off falls to be granted to a member in respect of any overtime worked by him in any week then, within such time (not exceeding 3 months) after that week as the chief officer of police may fix, he shall grant to the member time off equal, subject to paragraph (6), to the period of that overtime worked by him during that week and, in addition, for each completed 45 minutes of such overtime, an additional 15 minutes off.

(6) For the purposes of paragraphs (3) and (5), no account shall be taken of any period of less than 30 minutes of overtime worked on any occasion other than a period of 15 minutes of overtime in respect of which the member was informed at the commencement of his tour of duty that he would be required to remain on duty after his tour of duty ended.

(7) In computing any period of overtime for the purposes of this regulation—

- (a) where the member is engaged in casual escort duty, account shall be taken only of—
  - (i) time during which he is in charge of the person under escort,
  - (ii) such other time as is necessarily spent in travelling to or from the place where the member is to take charge of, or hand over, the person under escort, as the case may be, and
  - (iii) any other time that may be allowed by the chief officer of police, so however, that, if the member is so engaged overnight and has proper sleeping accommodation, whether in a train or otherwise, the chief officer of police may exclude such period

not exceeding eight hours, during which the member is not in charge of the person under escort as he considers appropriate in the circumstances;

- (b) subject to sub-paragraph (d), where the tour or tours of duty does not or do not amount in the aggregate to more than the normal daily period of duty, no account shall be taken of any overtime except so much as together with the tour or tours of duty exceeds the normal daily period of duty;
  - (c) where a member is recalled to duty between two rostered tours of duty and is entitled to reckon less than 4 hours of overtime in respect of any period for which he is recalled, disregarding any overtime reckonable by virtue of regulation 32 (travelling time treated as duty), he shall be deemed to have worked for such period 4 hours of overtime in addition to any overtime reckonable by virtue of regulation 32; and
  - (d) where the time at which a member is required to begin a rostered tour of duty is brought forward without due notice so that he is required to begin that tour of duty on a day on which he has already completed his normal daily period of duty, the time for which he is on duty before the rostered commencement time—
    - (i) shall be reckonable as overtime, and
    - (ii) shall be taken into account as part of that tour of duty.
- (8) For the purposes of this regulation—
- “a day’s pay” means the member’s pay for the week in question divided by 5;
- “due notice” means notice given at least 8 hours before the revised starting time of the rostered tour of duty in question;
- “member recalled to duty” does not include a member who is only warned to be in readiness for duty if required;
- “pay period” means the period for which, in pursuance of regulation 49, a member is paid;
- “week” means the period of 7 days beginning with such day as is fixed by the chief officer of police.

### **Public holidays and rest days for ranks below inspector**

- 29.**—(1) This regulation applies to every member of a police force below the rank of inspector.
- (2) Subject to the following provisions of this regulation, a member shall, so far as the exigencies of duty permit, be allowed a day’s leave on each public holiday and be granted rest days at the rate of two rest days in respect of each week.
- (3) A member shall, if required to do duty on a day which is a rostered rest day, be granted—
- (a) where he receives less than 15 days’ notice of the requirement, an allowance at the appropriate rest-day rate; or
  - (b) in any other case, another rest day, which shall be notified to him within 4 days of notification of the requirement.
- (4) The appropriate rest-day rate is, for each completed 15 minutes of duty on a rostered rest day, the fraction of a day’s pay specified in paragraph (5).
- (5) The fraction is—
- (a) where the member received less than 8 days’ notice of the requirement, one sixteenth; and
  - (b) in any other case, three sixty-fourths.
- (6) A member shall, if required to do duty on a day which is a public holiday, be granted—
- (a) where he receives less than 8 days’ notice of the requirement—
    - (i) an allowance at the appropriate rate and, in addition,

(ii) another day off in lieu thereof, which shall be notified to him within 4 days of notification of the requirement, and which shall be treated for the purposes of this regulation as a public holiday;

(b) in any other case, an allowance at the appropriate rate.

(7) A member who is required to do duty on a day which is a public holiday or a rostered rest day may, within 28 days of the day in question, elect to receive, in lieu of an allowance as mentioned in paragraph (3)(a) or paragraph (6)(a) or (b), time off equal—

(a) in the case of a day which is a public holiday, to double, and

(b) in the case of a rostered rest day—

(i) where the member received less than 8 days' notice of the requirement, to double, and

(ii) in any other case, to one and a half times,

the period of completed quarters of an hour of duty on the day in question.

(8) Where such a member who is required to do duty on a day which is a public holiday or a rostered rest day has elected to receive time off as mentioned in paragraph (7), the chief officer of police shall, subject to the exigencies of duty, grant such time off within such time (not exceeding 3 months) as he may fix, and subject to such time off being taken, no allowance in respect of the day in question shall be payable under paragraph (3)(a) or, as the case may be, paragraph (6)(a) or (b).

(9) Subject to paragraph (10), for the purposes of this regulation—

(a) a member of a police force who is paid a dog handler's allowance shall not be treated as required to do duty by reason only of his being required to care for the dog;

(b) "a day's pay" means a week's pay at the rate at which the member was paid on the day in question divided by five;

(c) "the appropriate rate" means a sixteenth of a day's pay for each completed 15 minutes of duty done on a public holiday;

(d) a reference to a day which is a public holiday is to be construed, in relation to the member concerned, as a reference to a day within the meaning of regulation 25(1) commencing at any time on the calendar date of the public holiday in question;

(e) in paragraph (2) "week" means a period of 7 days beginning with such day as is fixed by the chief officer of police;

(f) where a member is required to do duty, or is recalled to duty, for a period of less than 4 completed hours on a day which is a public holiday or a rostered rest day, such period or, as the case may be, each such period, shall be treated as though it were a period of 4 completed hours, except that a period of not more than one hour of duty on a rostered rest day shall, if it immediately follows a period for which he was on duty as part of a normal daily period of duty, count as the number of periods of 15 minutes actually completed;

(g) where a member is required to do duty on a day which is a public holiday or on a rostered rest day, his period of duty shall include (save for the purposes of sub-paragraph (f)) the time occupied by him in going to, and returning from, his place of duty, not exceeding such reasonable limit as may be fixed by the chief officer of police, save that, for the purposes of this sub-paragraph, there shall be disregarded any period of time so occupied—

(i) which together with the member's period of duty exceeds 6 hours, or

(ii) which is treated as a period of duty under regulation 32 (travelling time treated as duty).

(10) Where it is at his own request that a member works on a day which is a public holiday or a rostered rest day he shall not be treated for the purposes of this regulation as having been required

to do duty on that day but shall be granted another day off in lieu thereof, which shall be treated as a public holiday or a rostered rest day as the case may be.

#### **Public holidays and rest days for inspectors and chief inspectors**

**30.**—(1) This regulation applies to every member of a police force of the rank of inspector or chief inspector.

(2) Such a member shall, so far as the exigencies of duty permit, be allowed a day's leave on each public holiday and be granted rest days at the rate of two rest days in each week.

(3) Where the exigencies of duty have precluded—

- (a) the allowance of a day's leave on a public holiday, or
- (b) the grant in any week of two rest days,

to such a member, he shall, during the next following twelve months and so far as the exigencies of duty permit, be allowed or (as the case may be) granted a day's leave in lieu of any such day not allowed or granted.

#### **Public holidays and monthly leave days for ranks above chief inspector**

**31.**—(1) This regulation applies to every member of a police force of, or above, the rank of superintendent.

(2) Such a member shall, so far as the exigencies of duty permit, be allowed a day's leave on each public holiday and be granted in each month—

- (a) in the case of a superintendent, 8 monthly leave days;
- (b) in any other case 1½ monthly leave days.

(3) Where the exigencies of duty have precluded—

- (a) the allowance of a day's leave on a public holiday, or
- (b) the grant in any month of eight monthly leave days,

to a superintendent, he shall, during the next twelve months and so far as the exigencies of duty permit, be allowed or (as the case may be) granted a day's leave in lieu of any such day not allowed or granted.

(4) Where the exigencies of duty have precluded the allowance of a day's leave on a public holiday to any such member other than a superintendent, he shall, during the next three months and so far as the exigencies of duty permit, be allowed a day's leave in lieu of any such day not allowed.

(5) For the purposes of this regulation "month" means that period of 28 days beginning with such day as is fixed by the chief officer of police.

#### **Travelling time treated as duty**

**32.**—(1) This regulation applies where a member of a police force is—

- (a) required to perform his normal daily period of duty in more than one tour of duty, or
- (b) recalled to duty between two tours of duty,

and travels to and from his home between tours or, as the case may be, in consequence of his recall (in this regulation referred to as "relevant travelling").

(2) In computing any period of overtime for the purposes of regulation 28 or any period of duty for the purposes of regulation 29 (save for the purposes of paragraph (9)(f) thereof) the time occupied by such a member in relevant travelling, not exceeding such reasonable limit as may be fixed by the chief officer of police, shall be treated as a period of duty.



(3) For the purposes of regulation 57, the use of a motor vehicle for relevant travelling shall be treated as such use for the purpose of duties performed by the member concerned.

(4) Relevant travelling expenses shall be treated as expenses incurred in the execution of duty and, unless they are expenses in respect of which an allowance is payable under these Regulations, the member concerned shall be reimbursed those expenses to the extent that they do not exceed such reasonable limit as the police authority may fix.

### **Meetings of Police Federation treated as police duty**

**33.**—(1) The attendance of a member of a police force at one of the following meetings of the Police Federation, that is to say, a quarterly meeting of a branch board, an ordinary meeting of a central committee, a meeting of the conferences arrangements committee, the annual meeting of the joint central committee with the joint central committee of the Scottish Police Federation and the central committee of the Police Federation for Northern Ireland, the annual meeting of a central conference or a women's regional conference shall be treated as an occasion of police duty.

(2) Subject to the approval of the chief officer of police, the attendance of a member of a police force at an additional meeting of a branch board of the Police Federation or at a meeting of a committee of a branch board shall be treated as an occasion of police duty.

(3) Subject to the approval of the Secretary of State, the attendance of a member of a police force at a meeting of the Police Federation, other than such a meeting as is mentioned in paragraph (1) or (2), shall be treated as an occasion of police duty.

### **Annual leave**

**34.**—(1) Every member of a police force shall, so far as the exigencies of duty permit, be granted annual leave in accordance with Schedule 4.

(2) The annual leave of a member of a police force shall be additional to the days upon which he is not required to perform police duties in accordance with—

- (a) regulation 29, in the case of a member below the rank of inspector, or
- (b) regulation 30 or 31, in the case of a member of, or above, that rank;

and a member below the rank of superintendent shall, so far as the exigencies of duty permit, be allowed to take his annual leave in one period continuous with such days as aforesaid falling within the period in which he desires to take annual leave.

### **Sick leave**

**35.**—(1) A member of a police force shall not be entitled to be absent from duty on account of injury or illness unless a registered medical practitioner has certified him to be unfit for duty:

Provided that—

- (a) with the consent of the police authority, a member may be so absent without such certificate of unfitness where the period of unfitness for duty does not exceed 7 days, including any day on which, even if he were fit to do so, he would not have been required to perform police duty;
- (b) if, notwithstanding such certificate of unfitness for duty, a registered medical practitioner appointed or approved by the police authority has examined the member and considers him to be fit for duty, the police authority shall, if the medical practitioner who issued the certificate of unfitness for duty agrees, within 28 days of the difference of opinion coming to their attention arrange for a third registered medical practitioner to examine the member and to report in writing to the other two practitioners concerned; the third registered practitioner shall be acceptable to the practitioner who issued the certificate

of unfitness for duty and to the practitioner who has examined the member on behalf of the police authority, except that in the event of a failure to agree, the police authority may appoint such third medical practitioner as it considers appropriate; and if the third registered medical practitioner certifies the member to be fit for duty, or if the medical practitioner who issued the certificate of unfitness for duty does not agree to such further examination, the member shall no longer be entitled to be absent from duty.

(2) This regulation applies to a member who is in quarantine as it applies to a member who is ill and any reference to fitness or unfitness for duty shall be construed accordingly.

### **Maternity leave**

**36.**—(1) During the maternity period a woman member of a police force shall not be entitled to any sick leave in respect of any injury, illness or incapacity for duty which is solely or mainly due to pregnancy or childbirth or their after effects but shall be entitled to take maternity leave for the whole or any part or parts of the period.

(2) The maternity leave granted in respect of any particular maternity period shall be paid maternity leave, as respects the first 3 months thereof, and unpaid maternity leave, as respects the remainder:

Provided that a member shall not be entitled to more than 3 months' paid maternity leave during any period of 12 months or, in the case of a constable, to any paid maternity leave before the end of her period of probation in the force.

(3) In this regulation the maternity period means, in relation to a woman member of a police force who is certified by a registered medical practitioner approved by the police authority to be pregnant, the period beginning 6 months before the date which is estimated by the said medical practitioner as being the probable date of birth and ending 9 months after the birth of the child.

### **Paternity leave**

**37.**—(1) So far as the exigencies of duty permit, a male member of a police force shall be granted 2 days' paternity leave during the relevant part of a woman's maternity period.

(2) A woman's maternity period is one beginning with the later of—

- (a) the date on which she is certified by a registered medical practitioner to be pregnant, and
- (b) the date 6 months before the one estimated by that practitioner as being the probable date of birth,

and ending 9 months after the birth of the child.

(3) The relevant part of a woman's maternity period is any part during which—

- (a) the member is married to and not separated from her, or
- (b) they are not married to each other but are living together as husband and wife.

### **University scholars**

**38.** This Part of these Regulations shall have effect in relation to a university scholar subject to the provisions of paragraph 2 of Schedule 5.

## PART IV

### PAY

#### Rate of pay

**39.**—(1) Schedule 6 shall have effect for determining the pay of members of police forces.

(2) Subject to regulations 43, 44 and 45, section 2(1) of the Police (Overseas Service) Act 1945<sup>(18)</sup> and prior to 1st April 1995 section 43(1) of the 1964 Act and on or after that date section 53C(3) of that Act<sup>(19)</sup>, in reckoning the service of a member of a police force in any rank for the purposes of pay, account shall be taken of all his service in that rank, whether in that or another police force; and service in a higher rank, on temporary promotion thereto or otherwise, shall be treated as if it had been service in that rank:

Provided that in reckoning a member's service in any rank—

- (a) that service shall be treated as unbroken by, and including, any period of service in Her Majesty's forces which he is entitled to reckon as pensionable service;
- (b) except where the police authority in the circumstances of a particular case otherwise determine with the approval of the Secretary of State, no account shall be taken of any previous service in that rank which terminated in his reduction in rank as a punishment but any previous service in a higher rank which so terminated shall be treated as if it had been service in the rank to which the member was reduced;
- (c) no account shall be taken of any performance of the duties of that rank in respect of which a temporary salary is payable under regulation 40;
- (d) any period of unpaid leave shall be disregarded;
- (e) any service performed pursuant to an appointment under regulation 7 (part-time appointments) shall be multiplied by the factor which was the appropriate factor within the meaning of regulation 4(5) or (6) as it applied to him by virtue of paragraph 1 of Schedule 1;

and, in the case of a member of a police force of a rank higher than that of chief inspector, this paragraph shall have effect subject to any contrary agreement so far as it relates to the reckoning of previous service in that or another force, not being a force from which he was statutorily transferred to his present force.

(3) Where a member of a police force which immediately prior to 1st April 1995 was a combined police force has been a member of a police force for an area comprised in whole or in part in the combined area (hereafter in this paragraph referred to as "the former force") and—

- (a) he ceased to be a member of the former force and became a member of the combined force by reason only of the provisions of one or more amalgamation schemes under the 1964 Act, and
- (b) immediately before he ceased to be a member of the former force he held the rank of deputy chief constable,

then, notwithstanding anything in paragraph (1), his pay may be increased by such amount as may be approved by the Secretary of State.

(4) Nothing in this regulation shall affect the operation of any provisions of the Discipline Regulations and, in relation to a member of a police force suspended or fined thereunder the provisions of paragraphs 1 and 3 of Schedule 7 or of paragraph 4 thereof shall have effect.

---

<sup>(18)</sup> 1945 c. 17, as read with section 11 of the Overseas Development and Co-operation Act 1980 (c. 63).

<sup>(19)</sup> Section 53C was inserted by section 26 of the Police and Magistrates' Courts Act 1994.

(5) Paragraph (1) and Schedule 6 shall have effect in relation to a university scholar subject to the provisions of paragraph 3 of Schedule 5.

### **Temporary salary**

**40.**—(1) A member of a police force of the rank of superintendent who is required for a continuous period exceeding 7 days to perform duties normally performed by a member of the force of a higher rank than his own, otherwise (subject to paragraph (2)) than as the direct or indirect result of the absence of any member of the force on a monthly or other leave day granted under regulation 31, shall be paid in respect of that period, other than the first 7 days thereof, at a rate equal to the lowest rate of pay for that higher rank.

(2) Where any member of the force is absent for a continuous period comprising both—

- (a) monthly or other leave days granted under regulation 31, and
- (b) one or more annual leave days granted under regulation 34,

paragraph (1) shall have effect as if the entire continuous period of absence were a period of annual leave.

(3) A member of a police force below the rank of superintendent who, in any year, has been required to perform duties normally performed by a member of the force of a higher rank than his own for 14 complete days shall be paid in respect of each further complete day in that year on which he is required to perform such duties at a rate equal to the lowest rate of pay to which he would be entitled on promotion to the higher rank:

Provided that where a member is entitled to be paid under this paragraph and the higher rank is that of superintendent or above there shall be no entitlement to an allowance, or time off, under regulation 28 or 29 in respect of such duties; but where in such a case the member is required to do duty on a public holiday or rostered rest day, he shall be granted a day's leave for each such day.

(4) Where a member of a police force—

- (a) on his last scheduled working day in any year is required to perform duties normally performed by a member of the force of a higher rank than his own, and
- (b) is paid in respect of that day a temporary salary under paragraph (3), and
- (c) on his first scheduled working day of the next following year continues for the complete day to perform such duties,

he shall be paid, in respect of the day mentioned in sub-paragraph (c) and any following complete day which together therewith forms a continuous period when he is required to perform such duties, as if that day or days had formed part of the year mentioned in sub-paragraph (a):

Provided that the said day or days shall be disregarded for the purposes of the application of paragraph (3) to that member in the year mentioned in sub-paragraph (c).

(5) For the purposes of this regulation “year” means a period of 12 months beginning on 1st April.

(6) For the purposes of this regulation, “day” means, in relation to a member of a police force below the rank of superintendent, his normal daily period of duty.

### **London weighting**

**41.** The annual pay of a member of the City of London or metropolitan police force shall be increased by £1,365, but any allowance under these Regulations calculated by reference to a member's pay, shall be calculated as if this regulation had not been made.

### **Reckoning of service in the Royal Ulster Constabulary**

**42.**—(1) Where a member of a police force joined or rejoined that force having left the Royal Ulster Constabulary, on or after 17th December 1969, for that purpose or on exercising the right of reversion conferred prior to 1st April 1995 by section 2(1) of the Police Act 1969<sup>(20)</sup> and on or after that date by section 53C of the 1964 Act<sup>(21)</sup> then, for the purposes of regulation 39, his service in any rank in the Royal Ulster Constabulary shall be treated as if it were service in the corresponding rank in the police force he joined or rejoined as aforesaid:

Provided that in the case of a member of a police force of a rank higher than that of chief inspector this paragraph shall have effect subject to any contrary agreement.

(2) A member of a police force of the rank of constable shall be entitled to reckon, for the purposes of pay for that rank, any period of service in the Royal Ulster Constabulary not reckonable under paragraph (1).

(3) In this regulation, any reference to a rank corresponding to a rank in a police force is a reference to a rank in the Royal Ulster Constabulary designated by the Secretary of State for the purposes hereof as the rank corresponding to the rank in question.

### **Reckoning by constables of service in certain constabularies**

**43.**—(1) A member of a police force of the rank of constable shall be entitled to reckon for the purposes of pay for that rank any period of service in a constabulary mentioned in paragraph (2).

(2) The constabularies referred to in paragraph (1) are—

- (a) the Ministry of Defence Police, that is to say the force established by section 1 of the Ministry of Defence of Police Act 1987<sup>(22)</sup> or, before the coming into force of that Act, comprising constables appointed under section 3 of the Special Constables Act 1923<sup>(23)</sup> on the nomination of the Defence Council or, before 1st April 1964, of the Admiralty, Army Council or Air Council;
- (b) the Port of London Authority's police force, that is to say the force of constables appointed under section 154 of the Port of London Act 1968<sup>(24)</sup>.

### **Reckoning of service in an airport constabulary**

**44.** Where a member of an aerodrome constabulary has been transferred to a police force by an order under section 30 of the Aviation Security Act 1982<sup>(25)</sup> then, for the purposes of regulation 39, his service in any rank in that constabulary shall be treated as if it were service in the corresponding rank in a police force.

### **Reckoning by constables of overseas police service**

**45.**—(1) A member of a police force of the rank of constable shall be entitled to reckon for the purposes of pay for that rank the following periods of service, that is to say, any period of—

- (a) certified overseas police service such as is mentioned in paragraph (2);
- (b) certified service in the British South Africa Police such as is mentioned in paragraph (3);
- (c) such service in a police force in the Channel Islands or the Isle of Man as is mentioned in paragraph (4),

---

(20) 1969 c. 63.

(21) Section 53C was inserted by section 26 of the Police and Magistrates' Courts Act 1994.

(22) 1987 c. 4.

(23) 1923 c. 11.

(24) 1968 c. xxxii.

(25) 1982 c. 36.

notwithstanding that such service is not service in the rank of constable in a police force in Great Britain.

- (2) The reference in paragraph (1) to certified overseas police service is a reference to—
- (a) continuous service as a member of a police force in any territory or country outside the United Kingdom, being a colony, protectorate or protected state within the meaning of the British Nationality Act 1948<sup>(26)</sup>, a dependent territory within the meaning of the British Nationality Act 1981<sup>(27)</sup> or, where appropriate, the territory or country wherein the colony, protectorate or protected state or dependent territory was incorporated after the inception of the service, subject to it having been certified by or on behalf of the Secretary of State that—
    - (i) the service was, at its inception, pensionable, and
    - (ii) in his opinion the person concerned ceased so to serve for reasons connected with constitutional developments in the territory or country in question, or
  - (b) continuous service for 6 years or more as a member of a police force outside the United Kingdom, subject to it having been certified by or on behalf of the Secretary of State that—
    - (i) the person concerned so served under a contract of service,
    - (ii) immediately before he ceased so to serve, the person concerned was, for the purposes of section 12 of the Overseas Development and Co-operation Act 1980<sup>(28)</sup>, a person designated in accordance with such an agreement as is therein mentioned, and
    - (iii) in his opinion the person concerned ceased so to serve for reasons connected with constitutional developments in the territory or country in question,
 except that the said reference in paragraph (1) does not include a reference to service as a reversionary member of a home police force.

(3) The reference in paragraph (1) to certified service in the British South Africa Police is a reference to continuous service as a member thereof, for a period which included 11th November 1965, up to such time, on or after that date, as the person concerned ceased to perform duties therein, subject to his having ceased to perform those duties before 2nd March 1970 and subject to it having been certified by or on behalf of the Secretary of State that he approves the application of this regulation in the case of the person concerned.

- (4) The reference in paragraph (1) to service in a police force in the Channel Islands or the Isle of Man is a reference to service in—
- (a) the Island police force maintained under the Police Force (Guernsey) Law 1986;
  - (b) the States of Jersey police force maintained under the Jersey Laws entitled the Police Force (Jersey) Law 1974, or
  - (c) the Isle of Man Constabulary maintained under the Police Act 1993 (an Act of Tynwald).
- (5) A certificate given by or on behalf of—
- (a) the Secretary for Technical Co-operation before 27th November 1964, or
  - (b) the Minister of Overseas Development on or after that date but before 12th November 1970,

shall be treated for the purposes of paragraph (2) as if it had been given by or on behalf of the Secretary of State.

---

<sup>(26)</sup> 1948 c. 56.

<sup>(27)</sup> 1981 c. 61.

<sup>(28)</sup> 1980 c. 63.

### **Pay during sick leave**

**46.**—(1) Subject to paragraphs (2) and (3), if on any relevant day a member of a police force has, during the period of 12 months ending with that day been on sick leave for 183 days, he ceases for the time being to be entitled to full pay, and becomes entitled to half pay, while on sick leave.

(2) Subject to paragraph (3), if on any relevant day a member of a police force has been on sick leave for the whole of the period of 12 months ending with that day, he ceases for the time being to be entitled to any pay while on sick leave.

(3) The chief officer of police may in a particular case determine that for a specified period—

- (a) a member who is entitled to half pay while on sick leave is to receive full pay, or
- (b) a member who is not entitled to any pay while on sick leave is to receive either full pay or half pay,

and may from time to time determine to extend the period.

(4) For the purposes of this regulation a relevant day is a day after 30th August 1995 on which a member is on sick leave, and in this regulation—

- (a) references to a member's being on sick leave are references to his being absent from duty while entitled to be so, or with the consent of the police authority, under regulation 35,
- (b) references to full pay are references to pay at the rate ascertained from regulation 39(1) and, where applicable, regulation 41, and
- (c) references to half pay are references to pay at half the rate of the member's full pay.

### **Deductions from pay of social security benefits and statutory sick pay**

**47.**—(1) There shall be deducted from the pay of a member of a police force—

- (a) the amount of any sickness benefit, invalidity pension or invalidity allowance to which he is entitled under the Social Security Contributions and Benefits Act 1992~~(29)~~, and
- (b) any statutory sick pay to which he is entitled under the Social Security Contributions and Benefits Act 1992,

and for the purposes of sub-paragraph (a) above any increase for adult and child dependants shall be treated as forming part of the benefit or allowance to which it relates.

(2) For the purposes of this regulation, a policewoman who as a married woman or widow has elected to pay contributions under section 19 of the Social Security Contributions and Benefits Act 1992 at the reduced rate, shall be deemed to be entitled to any social security benefits mentioned in paragraph (1) to which she would have been entitled had she not elected to contribute at the reduced rate.

### **Calculation of monthly, weekly and daily pay**

**48.**—(1) A month's pay shall be calculated, for all purposes, at a monthly rate of pay determined by dividing by 12 the annual rate.

(2) A week's pay shall be calculated, for all purposes, at a weekly rate of pay determined by dividing by 52# the annual rate.

(3) A day's pay shall be calculated, except for the purposes of regulations 28 and 29, at a daily rate determined by dividing by 7 the weekly rate, determined as aforesaid.

---

(29) 1992 c. 4.

### **Pay day**

**49.**—(1) Members of a police force shall be paid at such intervals as the police authority may fix and the police authority may fix different intervals for different classes of members.

(2) In fixing the interval for any class the police authority shall have regard to the wishes of the members of that class.

(3) The police authority may, if they think fit, pay to a member such part of his pay as they may determine in advance of the day on which it would otherwise be due to be paid in accordance with this regulation.

## **PART V**

### **ALLOWANCES AND OTHER EMOLUMENTS**

#### **Restriction on payment of allowances**

**50.**—(1) No allowances shall be paid to a member of a police force except as provided by these Regulations or approved by the Secretary of State, and the amounts and conditions of payment of such allowances shall be as so provided or approved.

(2) Subject to paragraph (3), nothing in this regulation shall apply to the reimbursement of expenses incurred by a member of a police force in the execution of his duty, being expenses authorised either generally or specifically by the police authority in respect of which no allowance is payable under these Regulations.

(3) A member of a police force of the rank of superintendent or above who is required to travel by train in the execution of his duty shall be entitled to travel in first-class accommodation and to be reimbursed his expenses accordingly.

#### **Restriction on payments for private employment of police**

**51.** Without prejudice to the generality of regulation 50, a member of a police force who is engaged on duty at the request of any person who has agreed to pay the police authority or, in the case of a member of the metropolitan police force, the Receiver for the metropolitan police district for the member's services shall not be entitled to any payment for those services except as provided by these Regulations; and any payments made in pursuance of that agreement shall be made by that person to the police authority or to the Receiver for the metropolitan police district, as the case may be.

#### **Removal allowance**

**52.**—(1) Where a member of the police force moves his home in circumstances to which this paragraph applies, the police authority—

- (a) shall either reimburse the reasonably incurred cost of removal or carry out the removal;
- (b) shall, where the member was the owner of his former home, reimburse expenses reasonably incurred by him in connection with the disposal thereof;
- (c) shall, where the member is the owner of his new home, reimburse expenses reasonably incurred by him in connection with the acquisition thereof if—
  - (i) he was the owner of his former home, or
  - (ii) the police authority, after consulting the chief officer of police, are satisfied that he could neither have been provided with a suitable house or quarters nor have been reasonably expected to find suitable rented accommodation within a reasonable distance of his normal place of duty,



so, however, that where the police authority are of opinion that the member could have acquired a suitable home for a consideration less than that actually paid, they may restrict the reimbursement of expenses directly related to the consideration paid by him to expenses which would have been reasonably incurred had he paid that lesser consideration;

- (d) shall reimburse the member payments made by him to meet relevant liabilities in respect of the first 26 weeks following the move and may, if they think fit, reimburse him such payments in respect of such further period as they may determine so, however, that where the police authority are of opinion that the member has not taken all reasonable steps to reduce or terminate his liability to make such payments as aforesaid they may restrict the reimbursement to payments which the member would have been liable to make had he taken all such steps.

(2) Paragraph (1) applies where the member moves his home—

- (a) on joining the force in the rank of assistant chief constable or a higher rank; or
- (b) except as a consequence of joining the force otherwise than on being statutorily transferred thereto, and the removal is, in the opinion of the chief officer of police, due to the exigencies of police duty or is made at the request of the chief officer of police and is, in his opinion, in the interests of the efficiency of the force.

(3) For the purposes of paragraph (1)(d) relevant liabilities are—

- (a) liabilities in respect of mortgage interest or rent payable in connection with his former home; and
- (b) in respect of any days in respect of which he is liable to pay council tax in respect of his former home, the amount by which that tax and any council tax he is liable to pay in respect of his new home exceeds the council tax that he would have been liable to pay in respect of his former home if he had not moved from it.

(4) Where a member of a police force moves his home in consequence of his voluntarily transferring from one force to another, otherwise than in circumstances to which paragraph (2) applies, the police authority of the force to which he transfers—

- (a) may either reimburse the reasonable cost of removal or carry out the removal;
- (b) may, in the circumstances mentioned in paragraph (1)(b), reimburse the expenses there mentioned;
- (c) may, in the circumstances and subject to the conditions mentioned in paragraph (1)(c), reimburse the expenses there mentioned;
- (d) may, subject to the conditions mentioned in paragraph (1)(d), reimburse the expenses there mentioned.

(5) Where the cost of removal is reimbursed or the removal is carried out by the police authority under paragraph (1) or (4), then, subject to paragraph (6), in respect of expenditure incidental to the move the police authority shall pay the member an allowance of the amount hereinafter provided.

(6) An allowance under paragraph (5)—

- (a) shall not be payable, where a member who has never been married moves from furnished accommodation;
- (b) shall only be payable if the chief officer of police so decides, where a member moves from unfurnished into furnished accommodation.

(7) In the case of a member who—

- (a) moves into furnished accommodation; or
- (b) moves into unfurnished accommodation but has not previously, while a member of a police force, lived in such accommodation,

the amount of the allowance under paragraph (5) shall be £20.

(8) In the case of any other member the amount of the allowance under paragraph (5) shall not exceed £1,315 nor be less than the minimum amount mentioned in paragraph (9) but, subject as aforesaid, shall equal the aggregate of the following amounts—

- (a) the amount of the expenditure incidental to the move reasonably incurred by the member, and
- (b) where he satisfies the police authority that, in consequence of the move, he has failed to benefit, in whole or in part, from expenditure reasonably incurred by him prior to the move (other than such payments as are referred to in paragraph (1)(d)), the whole or the proportionate part of that expenditure so far as it is not recoverable by him.

(9) The minimum amount referred to in paragraph (8) shall be—

- (a) where the member holds, or is transferring to be appointed in, a rank higher than that of superintendent, such amount as may be determined by the police authority;
- (b) where he holds, or is transferring to be appointed in, the rank of superintendent, £129;
- (c) where he holds, or is transferring to be appointed in, the rank of inspector or chief inspector, £102;
- (d) where he holds, or is transferring to be appointed in, any rank lower than inspector, £82.

(10) Where a member of a police force has been requested by the chief officer of police, in the interests of the efficiency of the force, to move his home, and—

- (a) the member has, in consequence, in connection with the contemplated disposal of his home and acquisition of a new home, incurred any expenses; and
- (b) he would, if he had moved his home, have been reimbursed those expenses by the police authority in pursuance of paragraph (1)(b) or (c); but
- (c) in consequence of a subsequent decision of the chief officer of police, the member does not in fact move his home,

he shall be entitled, notwithstanding that he has not moved his home, to be reimbursed those expenses by the police authority.

(11) In this regulation—

- (a) any reference to an owner of any property is a reference to an occupier thereof whose interest therein is either a freehold interest or a leasehold interest which is neither a yearly or shorter tenancy nor a furnished tenancy, and
- (b) any reference to expenses incurred in connection with the disposal or acquisition of any property shall be construed as including, in particular, estate agent's, auctioneer's and solicitor's fees, stamp duty and expenses in connection with the redemption, transfer or taking out of a mortgage; and any reference to expenses incurred in connection with the acquisition of any property shall be construed as also including expenses in connection with the contemplated acquisition of a property other than that acquired.

### **Plain clothes allowances**

**53.**—(1) A member of a police force below the rank of assistant chief constable who is required for a continuous period of not less than a week to do duty in plain clothes shall be paid a plain clothes allowance at such annual rate as shall be determined by the Secretary of State.

(2) A member of a police force below the rank of superintendent who is required to perform duties in plain clothes for not less than 40 hours in the aggregate in any period of 6 months shall, subject to paragraph (3), be paid a plain clothes allowance in respect of such duties at such hourly rate as shall be determined by the Secretary of State.

(3) For the purposes of paragraph (2) and the calculation of the aggregate duration of the duties there referred to—

- (a) where the duties were performed on an occasion falling within such a continuous period of plain clothes duty as is mentioned in paragraph (1), no account shall be taken of those duties;
- (b) where the duties performed on any occasion lasted less than 4 complete hours, no account shall be taken of those duties;
- (c) where the duties performed on any occasion lasted for a completed number of hours and a fraction of an hour, no account shall be taken of that fraction.

(4) Notwithstanding anything in paragraph (1) or (2), where a member of a police force is provided with overalls when doing duty in plain clothes or for any other reason is, in the opinion of the Secretary of State, put to substantially less or substantially more than the normal expense caused by wearing his own clothes, a plain clothes allowance payable to him under paragraph (1) or (2) shall be payable not at the rate determined under the paragraph in question but at such rate as may be approved by the Secretary of State having regard to the circumstances of the case.

#### **Detective expenses allowance**

**54.**—(1) This regulation applies in the case of a member of a police force who is assigned, for a period of not less than a week, to detective duty and, while so assigned, is, in the opinion of the chief officer of police, usually engaged in outside duty.

(2) Such a member of the rank of superintendent shall be paid a detective expenses allowance at the rate of £5 a week; and shall not be eligible for the reimbursement of expenses incurred in the execution of his duty in respect of any individual item of expenditure of £1.25 or less.

(3) Such a member below the rank of superintendent shall be paid a detective expenses allowance at the rate of £3 a week; and shall not be eligible for the reimbursement of expenses incurred in the execution of his duty in respect of any individual item of expenditure of 75 pence or less.

#### **Subsistence, refreshment and lodging allowances**

**55.**—(1) A member of a police force of or below the rank of superintendent who, having been retained on duty beyond his normal daily period of duty or engaged on duty away from his usual place of duty, certifies that, by reason of being so retained or engaged, he has been unable to obtain a meal in his usual way and that, as a consequence thereof, he has incurred additional expenditure to obtain food, shall—

- (a) if the period for which he is so retained or engaged is not less than 2 hours but does not exceed 5 hours, be paid a refreshment allowance;
- (b) if the period for which he is so retained or engaged exceeds 5 hours, be paid a subsistence allowance.

(2) A member of a police force of or below the rank of superintendent who, having been retained on duty beyond his normal daily period of duty or engaged on duty away from his usual place of duty, certifies that he has incurred additional expense for the purpose of obtaining lodging which he would not have required if he had not been so retained or engaged shall be paid a lodging allowance.

(3) A member of a police force of or below the rank of superintendent who satisfies the chief officer of police that during his normal daily period of duty he has, though not away from his usual place of duty, been prevented by the exigencies of duty from obtaining a meal in his usual way and that he has, as a consequence thereof, incurred additional expenditure to obtain food, may be paid a refreshment allowance.

(4) For the purposes of this regulation “usual place of duty” means—

- (a) in the case of a member of the rank of superintendent, the divisional or sub-divisional headquarters or other police establishment, or
- (b) in the case of a member below the rank of superintendent, the police station or other police establishment,

in which the member is stationed or, where such place of duty has been temporarily changed, and after such period from the date of change as the chief officer of police may determine, in which he is temporarily stationed, as the case may be.

(5) A subsistence, refreshment or lodging allowance payable under the foregoing provisions of this regulation shall be of an amount determined in accordance with Schedule 8.

(6) A member of a police force above the rank of superintendent may be paid an allowance, at such annual rate as is determined by the police authority, to cover additional expenditure incurred by him in obtaining food and lodging by reason of the exigencies of duty.

#### **Advances to cover expenses when away on duty**

**56.** Where a member of a police force of or below the rank of chief inspector is required to do duty away from his usual place of duty he shall, if he so requests, be given an advance to cover, as far as practicable, any expenses which he will probably incur.

#### **Motor vehicle allowances**

**57.—**(1) Where the chief officer of police is of opinion that the duties normally performed by a member of a police force are of such a nature that it is—

- (a) essential, or
- (b) desirable,

that the member in question should, at all material times, have a motor vehicle at his disposal, he may authorise that member to use (subject to his directions) a motor vehicle owned by the member for the purposes of duties performed by him and, subject as hereinafter provided, in respect of such use the member shall be paid a motor vehicle allowance.

(2) A motor vehicle allowance shall not be payable in respect of the authorised use of a motor vehicle unless there was in force in relation thereto a policy of insurance in terms approved by the police authority, in relation to the use in question, for the purposes thereof.

(3) A motor vehicle allowance shall not be payable in respect of the authorised use of a motor car of a cylinder capacity exceeding 500 c.c. unless the member concerned was willing to carry passengers for the purposes of the duties performed by him or, in the case of passengers being members of a police force, by those members.

(4) A motor vehicle allowance in respect of the authorised use of a motor car of a cylinder capacity exceeding 500 c.c. shall, subject as aforesaid, be payable—

- (a) where the chief officer of police is of the opinion mentioned in paragraph (1)(a), at the essential user's rate;
- (b) where the chief officer of police is of the opinion mentioned in paragraph (1)(b), at the casual user's rate,

as provided in Schedule 9:

Provided that where the member concerned holds a rank above that of superintendent he may instead be paid a flat-rate motor vehicle allowance at such annual rate as is determined by the police authority on such basis as is approved by the Secretary of State.

- (5) A motor vehicle allowance in respect of the authorised use of—
  - (a) a motor car of a cylinder capacity not exceeding 500 c.c., or

(b) a motor bicycle,

shall, subject as aforesaid, be payable on such conditions and at such rate as is approved by the Secretary of State.

(6) In its application to a chief officer of police this regulation shall have effect as if any reference therein to that officer were a reference to the police authority.

(7) Paragraph 1 of Schedule 9 shall have effect for the purposes of the interpretation of this regulation.

#### **Dog handler's allowance**

**58.**—(1) Where a dog owned by the police authority is kept and cared for by a member of a police force at his home, the member shall be paid a dog handler's allowance in respect of the care accorded to the dog on the member's rest days and on public holidays.

(2) A dog handler's allowance shall be of an amount determined in accordance with Schedule 10.

(3) For the purposes of this regulation and of Schedule 10 a member of a police force shall be treated as keeping and caring for a dog at his home if he would be so doing but for his being on annual leave.

#### **Allowance in respect of medical charges**

**59.**—(1) A member of a police force, if the charges are incurred by reason of an injury received without his default in the execution of his duty as a constable, shall be reimbursed any charges incurred in his case under section 77, 78 or 79 of the National Health Service Act 1977<sup>(30)</sup>(which sections relate to charges for certain drugs, medicines and appliances and for dental treatment).

(2) For the purposes of paragraph (1) "injury" and "injury received in the execution of duty" have the same meanings as they have in the Police Pensions Regulations.

#### **London allowance**

**60.** A member of the City of London or metropolitan police force shall be paid a London allowance at the rate of £1,011 a year.

#### **Allowance for recurring escort duty, etc.**

**61.** An allowance may be paid, of such amount and under such conditions as may be approved by the Secretary of State on the recommendation of the police authority, in respect of recurring escort duty or other specific duties involving recurring retention on duty beyond the normal daily period and not covered by any other payment.

#### **Continuance of allowances when member ill**

**62.** If a member of a police force who is regularly in receipt of a plain clothes allowance, detective expenses allowance or any allowance to meet an expense which ceases during his or her absence from duty is placed upon the sick list or is on maternity leave, the allowance shall be payable during his or her absence from duty up to a period of a month, but thereafter, during the remainder of his or her absence from duty, payment may be suspended at the discretion of the chief officer of police.

---

<sup>(30)</sup> 1977 c. 49; sections 78 and 79 were amended by the Health and Medicines Act 1988 (c. 49), section 11, Schedule 2, paragraph 5 and Schedule 3.

### **Allowances in respect of periods of suspension**

63. This Part of these Regulations shall have effect in relation to a member of a police force suspended under the Discipline Regulations, subject to the provisions of paragraphs 2 and 3 of Schedule 7.

### **University scholars**

64. This Part of these Regulations shall have effect in relation to a university scholar subject to the provisions of paragraph 4 of Schedule 5.

### **Allowance under regulation 59 of the Police Regulations 1971**

65. Where immediately before 1st September 1978 a member of a police force, other than the City of London or metropolitan police force, was entitled to an allowance under regulation 59 of the Police Regulations 1971(31)he shall be entitled to an allowance as follows—

- (a) in the case of an inspector or chief inspector, at the rate of £50 a year;
- (b) in the case of a sergeant or constable, at the rate of £72 a year;

while he remains a member of that force.

## **PART VI**

### **UNIFORM AND EQUIPMENT**

#### **Issue of uniform and equipment**

66.—(1) Uniform and equipment shall be issued by the police authority free of charge to sergeants and constables in accordance with the provisions of Schedule 11.

(2) Uniform and equipment may, if the police authority so determine, be issued as required to a member of the police force of or above the rank of inspector.

#### **Re-issue of uniform and equipment**

67. Uniform and equipment handed back to the police authority shall not be re-issued to another member of the police force until it has received any necessary cleaning or renovation and is in serviceable condition.

#### **Ownership of uniform and equipment**

68. Subject to regulation 69 the uniform and equipment issued by the police authority shall not become the property of the member of the police force to whom they are issued and shall be handed back by him to the police authority on his leaving the force.

#### **Replacement of uniform and equipment**

69. On any article of uniform or equipment being replaced by the police authority the article shall be handed back to the police authority unless the member, with the consent of the police authority, buys such article at a price to be fixed by the police authority or, with such consent, retains it without payment.

---

(31) [S.I. 1971/156](#); regulation 59 was revoked by [S.I. 1978/1169](#).

## PART VII

### REVOCATIONS AND SAVINGS

#### **Revocations and savings**

- 70.**—(1) The Regulations specified in Part I of Schedule 12 are revoked to the extent specified.  
(2) The revocations have effect subject to the savings in Part II of Schedule 12.

#### **Temporary provision about deputy chief constable**

- 71.** Until 1st April 1995 the following regulations, namely—  
regulation 10(10) (business interests incompatible with membership of a police force);  
regulation 11(2) (business interests precluding appointment to a police force); and  
regulation 16(2) (retirement),

shall have effect as if any reference to assistant chief constable (or, as the case may be, officer) included a reference to deputy chief constable (or officer).

Home Office  
30th January 1995

*David Maclean*  
Minister of State