
STATUTORY INSTRUMENTS

2003 No. 527

The Police Regulations 2003

PART 2

GOVERNMENT

Ranks

4.—(1) Subject to paragraphs [^{F1}(2) and (3)], the ranks of a police force shall be known by the following designations—

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

(2) In its application to the metropolitan police force, paragraph (1) shall have effect as if—

- (a) the references to Chief Constable, Deputy Chief Constable and Assistant Chief Constable were omitted; and
- (b) there were references to Commissioner, Deputy Commissioner, Assistant Commissioner and Deputy Assistant Commissioner of Police of the Metropolis and to Commander.

(3) In its application to the City of London police force (in respect of which a Commissioner of the City of London Police is appointed under the Acts relating to that force) paragraph (1) shall have effect as if—

- (a) the references to Chief Constable, Deputy Chief Constable and Assistant Chief Constable were omitted; and
- (b) there were references to Assistant Commissioner and Commander.

^{F2}(4)

Textual Amendments

F1 Words in [reg. 4\(1\)](#) substituted (1.4.2006) by [The Serious Organised Crime and Police Act 2005 \(Consequential and Supplementary Amendments to Secondary Legislation\) Order 2006 \(S.I. 2006/594\)](#), art. 1, [Sch. para. 34\(3\)](#)

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F2 Reg. 4(4) revoked (1.4.2006) by [The Serious Organised Crime and Police Act 2005 \(Consequential and Supplementary Amendments to Secondary Legislation\) Order 2006 \(S.I. 2006/594\)](#), art. 1, **Sch. para. 34(2)(e)**

Part-time appointments

5.—(1) ^{F3} ... A chief officer may, after consultation with local representatives of the representative bodies, appoint persons to perform part-time service in any rank.

(2) In these Regulations a person appointed to perform part-time service includes a person appointed to share a job with another person.

(3) A person appointed to perform part-time service may not be appointed to serve as a full-time member without his consent.

(4) A person appointed to perform part-time service immediately after serving as a full-time member may give notice in writing of his intention to be re-appointed as a full-time member and shall be so appointed—

- (a) within one month of the date the notice is received by the police authority, where the authority has a suitable vacancy, or
- (b) except where sub-paragraph (a) applies, when 3 months have elapsed since the day the notice was received, or from an earlier date if reasonably practicable.

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

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

(7) In relation to persons appointed under this regulation to perform part-time service:

- (a) regulation 12 has effect as if the words “, other than such a member who transferred to the force from another police force having completed the required period of probation therein,” were omitted; and
- (b) regulation 25 has effect as if—
 - (i) in paragraph (1) for all the words after “compensated in respect of time” there were substituted “spent on duty in excess of such period as the Secretary of State may determine”; and
 - (ii) paragraph (2) were omitted.

^{F4}(8)

Textual Amendments

F3 Words in reg. 5(1) revoked (1.4.2006) by [The Serious Organised Crime and Police Act 2005 \(Consequential and Supplementary Amendments to Secondary Legislation\) Order 2006 \(S.I. 2006/594\)](#), art. 1, **Sch. para. 34(2)(f)**

F4 Reg. 5(8) revoked (1.4.2006) by [The Serious Organised Crime and Police Act 2005 \(Consequential and Supplementary Amendments to Secondary Legislation\) Order 2006 \(S.I. 2006/594\)](#), art. 1, **Sch. para. 34(2)(g)**

Restrictions on the private life of members

6.—(1) The restrictions on private life contained in Schedule 1 shall apply to all members of a police force.

(2) 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 on the private life of members of a police force except—

- (a) such as may temporarily be necessary, or
- (b) such as may be approved by the Secretary of State after consultation with the Police Advisory Board for England and Wales.

(3) Any restriction temporarily imposed under paragraph (2) shall be reported forthwith to the Secretary of State.

Business interests incompatible with membership of a police force

7.—(1) If a member of a police force ^{F5}... 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 unless that business interest [^{F6} has previously been disclosed].

[^{F7}(1A) If a member of a police force is or becomes aware that a relative included in his family proposes to have, or has, a business interest within the meaning of this regulation which in the opinion of that member interferes, or could be seen as interfering, with the impartial discharge of his duties, then that member shall forthwith give written notice of that interest to the chief officer unless that business interest has previously been disclosed.]

(2) On receipt of [^{F8}a notice given under paragraph (1) or (1A) or a referral given under paragraph (5A)], the chief officer 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 [^{F9}or, as the case may be, that referral], shall notify the member in writing of his decision.

[^{F10}(2A) In making a determination under paragraph (2) the chief officer shall have regard to whether as a result of the interest in question the member's conduct fails, or would fail, to meet the appropriate standard set out in the Code of Conduct in Schedule 1 to the Police (Conduct) Regulations 2004.]

(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 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, [^{F11}subject to paragraph (5A),] within 28 days of receiving his comments on the notice and any other documents submitted by the chief officer 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 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).

[^{F12}(5A) In a case where it appears to the police authority that—

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- (a) the member has adduced substantive reasons why he or a relative included in his family should be permitted to have the business interest in question and those reasons have not been considered by the chief officer, or
- (b) in reaching his determination under paragraph (2) the chief officer failed to apply fair procedures,

then the authority may refer the matter back to the chief officer for redetermination under paragraph (2).]

(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 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 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.

Textual Amendments

- F5** Words in reg. 7(1) omitted (1.2.2007) by virtue of [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), regs. 1(2), **2(2)(a)**
- F6** Words in reg. 7(1) substituted (1.2.2007) by [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), regs. 1(2), **2(2)(b)**
- F7** Reg. 7(1A) inserted (1.2.2007) by [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), regs. 1(2), **2(3)**
- F8** Words in reg. 7(2) substituted (1.2.2007) by [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), regs. 1(2), **2(4)(a)**
- F9** Words in reg. 7(2) inserted (1.2.2007) by [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), regs. 1(2), **2(4)(b)**
- F10** Reg. 7(2A) inserted (1.2.2007) by [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), regs. 1(2), **2(5)**
- F11** Words in reg. 7(5) inserted (1.2.2007) by [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), regs. 1(2), **2(6)**
- F12** Reg. 7(5A) inserted (1.2.2007) by [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), regs. 1(2), **2(7)**

Business interests: supplementary

8.—(1) For the purposes of regulation 7, 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; ^{F13}or]
- ^{F14}(b)
- (c) the member, [^{F15}his spouse or civil partner (in each case 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 (2);

and a reference to a relative included in a member’s family shall include a reference to his spouse, parent, son, daughter, brother ^{F16}, sister, civil partner or any person living with the member as if they were his spouse or civil partner].

(2) The licence or permit referred to in paragraph (1)(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.

(3) If a member of a police force or a relative included in his family has a business interest within the meaning of regulation 7 and, on that interest being notified or disclosed as mentioned in regulation 7(1) [F17 or (1A)], the chief officer 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, regulation 7 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.

(4) In its application to a chief constable, deputy chief constable or assistant chief constable, regulation 7 and this regulation shall have effect as if—

- (a) for any reference therein to the chief officer there were substituted a reference to the police authority;
- (b) for any reference in regulation 7(3), (5) or (6) to an appeal there were substituted a reference to a request for reconsideration; and
- (c) the references in regulation 7(6) to the approval of the police authority were omitted;

but a police authority shall not dispense with the services of a chief constable, deputy chief constable or assistant chief constable under regulation 7 without giving him an opportunity of making representations and shall consider any representations so made.

(5) In its application to a member of the metropolitan police force, regulation 7 and this regulation shall have effect as if for any reference to the chief officer there were substituted a reference to an assistant commissioner of police of the metropolis; except that nothing in this paragraph shall affect the power of the commissioner, subject to the approval of the police authority, to dispense with the services of a member of the metropolitan police force in pursuance of regulation 7(6).

F18(6)

Textual Amendments

F13 Word in reg. 8(1)(a) inserted (1.2.2007) by [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), regs. 1(2), **3(2)**

F14 Reg. 8(1)(b) omitted (1.2.2007) by virtue of [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), regs. 1(2), **3(3)**

F15 Words in reg. 8(1)(c) substituted (1.2.2007) by [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), regs. 1(2), **3(4)**

F16 Words in reg. 8(1) substituted (1.2.2007) by [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), regs. 1(2), **3(5)**

F17 Words in reg. 8(3) inserted (1.2.2007) by [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), regs. 1(2), **3(6)**

F18 Reg. 8(6) revoked (1.4.2006) by [The Serious Organised Crime and Police Act 2005 \(Consequential and Supplementary Amendments to Secondary Legislation\) Order 2006 \(S.I. 2006/594\)](#), art. 1, **Sch. para. 34(2)(h)**

Business interests precluding appointment to a police force

9.—(1) Save in so far as the chief officer 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 7, and paragraphs (1) and (2) of regulation 8

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shall apply for the purposes of the interpretation of this regulation as they apply for the purposes of regulation 7.

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

Qualifications for appointment to a police force

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

- [^{F19}(a) must, if not a national of a Member State, Norway, Iceland or Liechtenstein, have leave to enter or remain in the United Kingdom for an indefinite period;]
- (b) 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;
- (c) must have attained the age of [^{F20}18 years];
- (d) 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;
- (e) must meet the standard of eyesight determined by the Secretary of State;
- (f) must, if a candidate for appointment in the rank of constable, satisfy the chief officer that he is sufficiently competent in written and spoken English, and sufficiently numerate, by passing such assessments in written and spoken English, and numeracy, as may be approved by the Secretary of State;
- (g) 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;
- (h) 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;
- [^{F21}(i) must, unless he is applying to transfer to the force from another police force, on being so required by the chief officer of the force to which he is a candidate for appointment give a sample of saliva or urine to be tested in accordance with procedures determined by the Secretary of State for evidence of such controlled drugs as the Secretary of State may determine.]

(2) A candidate for appointment to a police force shall be given a notice in terms approved by the Secretary of State drawing attention to the terms and conditions of service which shall be contained therein.

(3) 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 1995 ^{M1}.

Textual Amendments

F19 Reg. 10(1)(a) substituted (7.11.2005) by [The Police \(Amendment\) Regulations 2005 \(S.I. 2005/2834\)](#), regs. 1(1), 2(2)

F20 Words in reg. 10(1)(c) substituted (19.9.2006) by [The Police \(Minimum Age for Appointment\) Regulations 2006 \(S.I. 2006/2278\)](#), regs. 1, 3

F21 Reg. 10(1)(i) inserted (7.11.2005) by [The Police \(Amendment\) Regulations 2005 \(S.I. 2005/2834\)](#), regs. 1(1), 2(3)

Marginal Citations

M1 1995 c. 21.

Appointment of senior officers

11.—(1) Subject to section 11(1) of the Act and regulations 9 and 10, no person shall be appointed as a chief constable of a police force unless he holds or has held such rank and for such period as the Secretary of State shall determine in respect of such appointments.

[^{F22}(2) An appointment to the rank of—

- (a) chief constable or deputy chief constable in a police force maintained under section 2 of the Act;
- (b) commissioner, deputy commissioner, assistant commissioner or deputy assistant commissioner in the metropolitan police force; or
- (c) assistant commissioner in the City of London police force,

shall be for a fixed term.

(2A) Subject to paragraph (2B), an appointment for a fixed term shall be for a maximum of five years.

(2B) An appointment for a fixed term may be extended, by agreement of the police authority and the person appointed, for a further term of a maximum of three years and for subsequent terms each of a maximum of one year, provided that any extension or subsequent extension which is due to expire more than one year after the expiry of the original fixed term shall require the consent of the Secretary of State.]

(3) Paragraph (2) is without prejudice to any provision whereby a term of appointment comes to an end on promotion, dismissal, the conclusion of disciplinary proceedings or transfer to another police force and regulation 14 (retirement).

(4) The Secretary of State shall determine the circumstances in which a vacancy in a rank specified in paragraph (2) [^{F23}or the rank of assistant chief constable in a police force maintained under section 2 of the Act, or commander in the metropolitan police force or City of London police force] shall be advertised; if a vacancy is to be advertised, the advertisement shall contain such detail and be published in such manner as the Secretary of State may determine. The Secretary of State may determine that no appointment shall be made until after a date to be specified in the advertisement.

Textual Amendments

F22 Reg. 11(2)-(2B) substituted for reg. 11(2) (1.7.2006) by [The Police \(Amendment\) Regulations 2006](#) (S.I. 2006/1467), regs. 1, **2(2)** (with reg. 3)

F23 Words in reg. 11(4) inserted (1.7.2006) by [The Police \(Amendment\) Regulations 2006](#) (S.I. 2006/1467), regs. 1, **2(3)** (with reg. 3)

Probationary service in the rank of constable

12.—(1) Subject to paragraphs (2) and (3), 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, shall be on probation for such period as the Secretary of State shall determine in respect of such appointments.

(2) In making a determination under paragraph (1), the Secretary of State may, subject to paragraph (3), confer on the chief officer discretion to determine the required period of probation in a particular case.

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(3) For the purposes of a determination under paragraph (1), the periods to be counted or disregarded in reckoning service shall be such as may be determined by the Secretary of State.

Discharge of probationer

13.—(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 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).

Retirement

14. Members of a police force may retire in such circumstances as shall be determined by the Secretary of State, and in making such a determination the Secretary of State may—

- (a) require such notice of intention to retire as may be specified in the determination, or such shorter notice as may have been accepted by the police authority, to be given to that authority,
- (b) require the consent of the chief officer to be obtained before giving such notice.

Contents of personal records

15.—(1) The chief officer of a police force 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 [^{F24}or civil partnership] (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;

[^{F25}(ea) a record of his service (if any) in the Royal Parks Constabulary;]

- (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 and the date of his ceasing to be a member of the police force with the reason, cause or manner thereof.

(3) The record of service kept in accordance with paragraph (2)(g) shall include particulars of all promotions, postings, removals, injuries received, periods of illness, commendations, rewards, sanctions other than cautions imposed under regulation 31 of the Police (Conduct) Regulations 1999^{M2} or under regulation 17 of the Police (Efficiency) Regulations 1999^{M3} but, subject to paragraph (4)

(i) a sanction of a fine or of a reprimand shall be expunged after 3 years free from sanction other than a caution;

(ii) any other sanction shall be expunged after 5 years free from sanction other than a caution,

(iii) a sanction under regulation 17 of the Police (Efficiency) Regulations 1999 shall be expunged after 2 years free from any such sanction.

(4) In the case of a period free from sanction other than a caution which expired before 1st January 1989, a sanction shall be expunged under paragraph (3) only if the member so requests.

(5) Where following a review of a sanction imposed under regulation 31 of the Police (Conduct) Regulations 1999 or under regulation 17 of the Police (Efficiency) Regulations 1999 the reviewing officer substitutes for the decision of the conduct hearing or, as the case may be, inefficiency hearing a decision that the member concerned had not failed to meet the appropriate standard or, as the case may be, that the performance or attendance of the member concerned was not unsatisfactory, the sanction imposed by that hearing shall be expunged forthwith.

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

Textual Amendments

F24 Words in [reg. 15\(2\)\(c\)](#) inserted (1.2.2007) by [The Police \(Amendment\) \(No. 2\) Regulations 2006 \(S.I. 2006/3449\)](#), [regs. 1\(2\), 4](#)

F25 [Reg. 15\(2\)\(ea\)](#) inserted (7.11.2005) by [The Police \(Amendment\) Regulations 2005 \(S.I. 2005/2834\)](#), [regs. 1\(1\), 3](#)

Marginal Citations

M2 [S.I. 1999/730](#).

M3 [S.I. 1999/732](#).

Transfer of personal records

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

Personal record of member leaving force

17.—(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 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.

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(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 may think fit and shall then be destroyed.

Fingerprints

18.—(1) Every member of a police force shall in accordance with the directions of the chief officer 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 [^{F26}or regulation 1A(1) of the Special Constables Regulations 1965].

[^{F27}(3) The fingerprints of a member of a police force taken in accordance with paragraph (1) or regulation 1A(1) of the Special Constables Regulations 1965 and all copies and records of those fingerprints shall be destroyed on his ceasing to be a member of that force, except that—

- (a) if on his ceasing to be a member of that force he becomes a special constable for the police area for which that force is maintained, his fingerprints shall be kept in accordance with regulation 1A(2) of the Special Constables Regulations 1965, and
- (b) if by reason of a statutory transfer he becomes a member of another force, or if he is appointed as a special constable for another police area, his fingerprints and all copies and records of those fingerprints shall be transferred to the chief officer of that other police force and kept in accordance with paragraph (2) or regulation 1A(2) of the Special Constables Regulations 1965 as the case may be.]

Textual Amendments

F26 Words in [reg. 18\(2\)](#) inserted (1.5.2007) by [The Police \(Fingerprints\) Regulations 2007 \(S.I. 2007/1162\)](#), regs. 1, [3\(2\)](#)

F27 [Reg. 18\(3\)](#) substituted (1.5.2007) by [The Police \(Fingerprints\) Regulations 2007 \(S.I. 2007/1162\)](#), regs. 1, [3\(3\)](#)

Samples

19.—(1) Every member of a police force, except those members appointed following their transfer from another police force, shall on appointment and in accordance with the directions of the chief officer have a sample taken.

(2) Samples or the information derived from samples of members of a police force taken in accordance with this regulation shall be kept separate from the samples or the information derived from samples taken in accordance with section 63 of the Police and Criminal Evidence Act 1984 ^{M4}.

(3) The samples or information derived from samples of a member of a police force taken in accordance with this regulation, and all copies and records thereof shall be destroyed on his ceasing to be a member of that police force except by reason of a transfer to another force.

(4) In this regulation “sample” means—

- (a) a sample of hair, other than pubic hair, complete with roots;
- (b) saliva; or
- (c) a swab taken from the mouth.

Marginal Citations

M4 [1984 c. 60.](#)

[^{F28}Testing for substance misuse

19A.—(1) The chief officer of a police force may require any member of the force who—

- (a) gives the chief officer reasonable cause to suspect that he has used a controlled drug;
- (b) is on a period of probation under regulation 12;
- (c) has been identified by the chief officer as being vulnerable because of a specific responsibility for dealing with drugs; or
- (d) is of a description specified in a determination of the Secretary of State;

to give a sample of saliva or urine to be tested for evidence of controlled drugs in accordance with procedures determined by the Secretary of State.

(2) The chief officer of a police force may require a member of the force who falls within paragraph (1)(d) to give a sample of breath to be tested for evidence of alcohol in accordance with procedures determined by the Secretary of State.

(3) A member of a police force who—

- (a) on giving a sample under paragraph (1) is found to have taken a controlled drug specified in a determination of the Secretary of State; or
- (b) falls within paragraph (1)(d) and who, on giving a sample under paragraph (2), is found to have more than 13 microgrammes of alcohol in 100 millilitres of breath

shall face such consequences as are specified in that determination.]

Textual Amendments

F28 [Reg. 19A](#) inserted (7.11.2005) by [The Police \(Amendment\) Regulations 2005 \(S.I. 2005/2834\)](#), regs. 1(1), 4

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