

SCHEDULE 3

REPLACEMENT ALLOWANCE

1.—(1) This paragraph has effect for defining expressions used in paragraphs 2 to 7.

(2) “Qualifying member” means a member of a police force who—

- (a) immediately before 1st September 1994 was a member of that or another police force,
- (b) was not then on unpaid leave,
- (c) has at all times after 31st August 1994 been a member of a police force, and
- (d) has not after that date been on unpaid leave.

(3) Where a member of a police force in Scotland or Northern Ireland in receipt of a replacement allowance under a corresponding regulation which has effect there transfers to a police force in England and Wales he shall be treated from the date of his transfer as if he were a qualifying member.

(4) Where a member of the British Transport Police Force in receipt of a housing allowance transfers on or after 1st September 1994 to a police force in England and Wales he shall be treated from the date of his transfer as if he were a qualifying member.

[^{F1}(4A) Where a member of the Royal Parks Constabulary in receipt of a housing allowance transfers on or after 1st July 2004 to a police force in England and Wales he shall be treated from the date of his transfer as if he were a qualifying member.]

(5) “Re-joining member” means a member of a police force who by reason only of a relevant absence is not a qualifying member.

(6) “Relevant absence” means—

- (a) a period of central service or overseas service, or
- (b) a period of relevant service within the meaning of paragraph (ca), (cb) or (cc) of section 97(1) of the Police Act 1996 or any corresponding provision for the time being in force in Scotland or Northern Ireland, or
- (c) a period of unpaid leave,

ending after 31st August 1994.

(7) “Housing emoluments” means a housing allowance paid to members of the British Transport Police Force [^{F2}or Royal Parks Constabulary] or any one or more of the following kinds of payments under the revoked provisions ^{M1} as they had effect before 1st September 1994—

- (a) a housing allowance under regulation 49,
- (b) a transitional rent allowance and a transitional supplementary rent allowance under regulation 49B,
- (c) a supplementary housing allowance under regulation 50,
- (d) a compensatory grant under regulation 52, and
- (e) a compensatory allowance under regulation 52B,

and in relation to a re-joining member includes a rent allowance under regulation 49 as it had effect before 1st April 1990; and “housing allowance” and “transitional rent allowance” mean respectively the allowances mentioned in (a) and (b) above.

(8) “The revoked provisions” means the provisions of the 1987 Regulations relating to housing and housing payments that were revoked on 1st September 1994, that is to say regulations 49 to 52, 52B and 72, paragraphs 16 to 18 of Schedule 1A and paragraph 4(1) and (2) of Schedule 4 ^{M2}.

(9) “The 1987 Regulations” means the Police Regulations 1987 ^{M3}.

Status: Point in time view as at 07/11/2005.

Changes to legislation: There are currently no known outstanding effects for the
The Police Regulations 2003, Paragraph 1. (See end of Document for details)

Textual Amendments

- F1** Sch. 3 para. 1(4A) inserted (7.11.2005) by [The Police \(Amendment\) Regulations 2005 \(S.I. 2005/2834\)](#), regs. 1(1), **6(1)**
- F2** Words in Sch. 3 para. 1(7) inserted (7.11.2005) by [The Police \(Amendment\) Regulations 2005 \(S.I. 2005/2834\)](#), regs. 1(1), **6(2)**
-

Marginal Citations

- M1** By [S.I. 1994/2195](#).
- M2** Regulations 49, 49A, 49B, 49C, 49D, 50 and 51 were inserted by [S.I. 1990/1127](#), 1990/1573 and 1993/1198; regulation 52B was substituted by [S.I. 1994/1308](#); regulations 52 and 72 and paragraph 4(1) and (2) of Schedule 4 were amended by [S.I. 1990/401](#); and paragraphs 16 to 18 of Schedule 1A were inserted by [S.I. 1992/1278](#).
- M3** [S.I. 1987/851](#).

Status:

Point in time view as at 07/11/2005.

Changes to legislation:

There are currently no known outstanding effects for the The Police Regulations 2003, Paragraph 1.