

SCHEDULE 1

Regulation 6

RESTRICTIONS ON THE PRIVATE LIFE OF MEMBERS OF POLICE FORCES

^[F1]1.—(1) A member of a police force shall at all times abstain from any activity which is likely to interfere with the impartial discharge of his duties or which is likely to give rise to the impression amongst members of the public that it may so interfere.

(2) A member of a police force shall in particular—

- (a) not take any active part in politics;
- (b) not belong to any organisation specified or described in a determination of the Secretary of State.]

Textual Amendments

F1 Sch. 1 para. 1 substituted (1.1.2005) by [The Police \(Amendment\) Regulations 2004 \(S.I. 2004/3216\)](#), regs. 1, 2

2. A member of a police force shall not reside at premises which are not for the time being approved by the chief officer.

3.—(1) A member of a police force shall not, without the previous consent of the chief officer, receive a lodger in a house or quarters with which he is provided by the ^[F2]local policing body] or sub-let any part of the house or quarters.

(2) A member of a police force shall not, unless he has previously given written notice to the chief officer, receive a lodger in a house in which he resides and in respect of which he receives an allowance under Schedule 3 or sub-let any part of such a house.

Textual Amendments

F2 Words in Sch. 1 para. 3(1) substituted (16.1.2012 in relation to the Metropolitan police district; 22.11.2012 in relation to the other police areas in E.W.) by [The Police \(Amendment\) Regulations 2011 \(S.I. 2011/3026\)](#), regs. 1(1), 4(2)(t)

4. A member of a police force shall not wilfully refuse or neglect to discharge any lawful debt.

SCHEDULE 2

Regulation 24 Regulation 37

EFFECT OF DISCIPLINARY ACTION ON PAY AND ALLOWANCES

1.—(1) Subject to paragraph 3, a member of a police force suspended under the Conduct Regulations who—

- (a) is detained in pursuance of a sentence of a court in a prison or other institution to which the Prison Act 1952 ^{M1} applies, or is in custody (whether in prison or elsewhere) between conviction by a court and sentence, or
- (b) has absented himself from duty and whose whereabouts are unknown to the chief officer (or an assistant chief officer acting as chief officer),

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

shall not, by virtue of regulation 24, be entitled to pay in respect of his period in detention or custody or, as the case may be, in respect of the period during which his whereabouts are unknown as aforesaid.

(2) Where the member suspended is a [^{F3}chief officer], sub-paragraph (1)(b) shall have effect as if for the words after “unknown” there were substituted “to the [^{F4}local policing body]”.

Textual Amendments

- F3** Words in Sch. 2 para. 1(2) substituted (16.1.2012 in relation to the Metropolitan police district; 22.11.2012 in relation to the other police areas in E.W.) by [The Police \(Amendment\) Regulations 2011 \(S.I. 2011/3026\)](#), regs. 1(1), **10**
- F4** Words in Sch. 2 para. 1(2) substituted (16.1.2012 in relation to the Metropolitan police district; 22.11.2012 in relation to the other police areas in E.W.) by [The Police \(Amendment\) Regulations 2011 \(S.I. 2011/3026\)](#), regs. 1(1), **4(2)(u)**

Marginal Citations

- M1** 1952 c. 52.

2. Subject to paragraph 3, a member of a police force suspended under the Conduct Regulations shall not, by virtue of Part 6 of these Regulations, be entitled to any allowance, in respect of the period of suspension, other than—

- (a) an allowance under Schedule 3; or
- (b) in the case of a member to whom paragraph 1(1) does not apply, such allowance as the Secretary of State may determine.

3. Where a member of a police force returns to duty when the period of suspension comes to an end and—

- (a) it has been decided that he shall not be charged with a disciplinary offence, or
- (b) he has been so charged and all the charges have been dismissed, or
- (c) he has been so charged and has been punished by a reduction in his rate of pay, fine, reprimand or caution,

he shall receive, as from the date of his suspension, the pay to which, but for paragraph 1, and the allowances to which, but for paragraph 2, he would have been entitled by virtue of these Regulations.

4. Where a member of a police force is fined under the Conduct Regulations, the fine shall, without prejudice to any other method of recovery, be recoverable by way of deductions from the member’s pay during the period of 13 weeks following the imposition of the fine so, however, that the aggregate sum which may be deducted in pursuance of this paragraph in respect of any one week (whether on account of one or more fines) shall not exceed a seventh of his weekly pay:

Provided that in the event of the member leaving the police force, the whole amount of any fine unpaid may be deducted from any pay then due.

SCHEDULE 3

Regulation 38

REPLACEMENT ALLOWANCE

1.—(1) This paragraph has effect for defining expressions used in paragraphs 2 to [^{F5}8].

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

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- (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.

[^{F6}(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, [^{F7}or
- (d) a period of ill-health retirement, or
- (e) a period of service as a specified employee of SOCA,]

ending after 31st August 1994.

[^{F8}(6A) In sub-paragraph (6), “period of ill-health retirement” means a period—

- (a) commencing when a member of a police force retires with an entitlement to an ill-health award under regulation B3 of the Police Pensions Regulations 1987 or with an ill-health pension under regulation 29 of the Police Pensions Regulations 2006, and
- (b) ending when the member rejoins the force in accordance with regulation K1(3) of the Police Pensions Regulations 1987 or regulation 51(4) of the Police Pensions Regulations 2006, as the case may be.]

(7) “Housing emoluments” means a housing allowance paid to members of the British Transport Police Force [^{F9}or Royal Parks Constabulary] or any one or more of the following kinds of payments under the revoked provisions ^{M2} 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.

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(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 ^{M3}.

(9) “The 1987 Regulations” means the Police Regulations 1987 ^{M4}.

[^{F10}(10) Where a qualifying member or a re-joining member resides in accommodation which he shares with a specified employee of SOCA falling within sub-paragraph (11), that member shall, for the purposes of this Schedule and the revoked provisions, be treated as if he shared the accommodation with a member of a police force.

(11) A specified employee of SOCA falls within this sub-paragraph if—

- (a) before becoming a specified employee of SOCA the employee was a qualifying member or a re-joining member; and
- (b) the employee is in receipt of an allowance equivalent to the replacement allowance he would receive if he continued to be a qualifying member or a re-joining member, as the case may be.]

Textual Amendments

- F5** Word in Sch. 3 para. 1(1) substituted (with effect in accordance with reg. 1(2)(3) of the amending S.I.) by [The Police \(Amendment\) Regulations 2007 \(S.I. 2007/1160\)](#), **reg. 2(2)**
- F6** Sch. 3 para. 1(4A) inserted (7.11.2005) by [The Police \(Amendment\) Regulations 2005 \(S.I. 2005/2834\)](#), [regs. 1\(1\)](#), **6(1)**
- F7** Sch. 3 para. 1(6)(d)(e) and word inserted (with effect from 1.4.2003) by [The Police \(Amendment\) Regulations 2012 \(S.I. 2012/192\)](#), [regs. 1\(2\)\(a\)](#), **7(2)**
- F8** Sch. 3 para. 1(6A) inserted (with effect from 1.4.2003) by [The Police \(Amendment\) Regulations 2012 \(S.I. 2012/192\)](#), [regs. 1\(2\)\(a\)](#), **7(3)**
- F9** 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)**
- F10** Sch. 3 para. 1(10)(11) inserted (23.2.2012) by [The Police \(Amendment\) Regulations 2012 \(S.I. 2012/192\)](#), [regs. 1\(2\)](#), **7(4)**

Marginal Citations

- M2** By [S.I. 1994/2195](#).
- M3** 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](#).
- M4** [S.I. 1987/851](#).

2.—(1) A qualifying member who ceases to occupy a house or quarters with which he was provided free of rent becomes entitled to a replacement allowance.

(2) The replacement allowance is, subject to paragraph 7, an allowance at a rate equal to the total of—

- (a) the rate at which housing allowance, or as the case may be transitional rent allowance, was payable, or would have been payable if he had not been occupying the house or quarters, immediately before 1st September 1994, and
- (b) the rate at which any allowance under regulation 49(11) or 50(3) was or would have been then payable.

3.—(1) A qualifying member who immediately before 1st September 1994 was in receipt of housing emoluments is entitled to a replacement allowance unless he is provided with a house or quarters free of rent.

(2) The replacement allowance is, subject to [F11 paragraphs 7 and 8], an allowance at the rate at which the housing emoluments were payable immediately before 1st September 1994.

Textual Amendments

F11 Words in Sch. 3 para. 3(2) substituted (with effect in accordance with reg. 1(2)(3) of the amending S.I.) by [The Police \(Amendment\) Regulations 2007 \(S.I. 2007/1160\)](#), **reg. 2(3)**

4.—(1) A re-joining member who immediately before the relevant absence began was occupying a house or quarters with which he was provided free of rent becomes entitled to a replacement allowance unless he is again provided with a house or quarters free of rent.

(2) The replacement allowance is, subject to paragraph 7, an allowance at the rate at which, if he had not been occupying the house or quarters, housing allowance, or as the case may be transitional rent allowance, would have been payable—

- (a) where the relevant absence began before 1st September 1994, immediately before it began, and
- (b) in any other case, immediately before 1st September 1994.

5.—(1) A re-joining member who immediately before the relevant absence began was in receipt—

- (a) of housing emoluments, or
- (b) of a replacement allowance under paragraph 2 or 3,

becomes entitled to a replacement allowance unless he is provided with a house or quarters free of rent.

(2) The replacement allowance is, subject to paragraph 7, an allowance—

- (a) where sub-paragraph (1)(a) applies [F12, and subject to paragraph 8], at the rate at which the housing emoluments were payable, and
- (b) where sub-paragraph (1)(b) applies, at the rate at which the previous replacement allowance was payable,

immediately before the relevant absence began.

Textual Amendments

F12 Words in Sch. 3 para. 5(2)(a) inserted (with effect in accordance with reg. 1(2)(3) of the amending S.I.) by [The Police \(Amendment\) Regulations 2007 \(S.I. 2007/1160\)](#), **reg. 2(4)**

6. A qualifying member or a re-joining member who—

- (a) is provided with a house or quarters free of rent, and
- (b) if the revoked provisions had continued in force would have been entitled to an allowance under regulation 49(11) or 50(3) of the 1987 Regulations,

is, subject to paragraph 7, entitled to an equivalent replacement allowance.

7.—(1) Subject to sub-paragraph (2), in circumstances in which—

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- (a) a housing allowance or transitional rent allowance payable as mentioned in paragraph 2(2) or 4(2), or
- (b) any of the housing emoluments mentioned in paragraphs 3(1), 5(1)(a) and 6,

would, if the revoked provisions had continued in force, have fallen to be reduced or discontinued, the replacement allowance in question is reduced accordingly or, if the effect of discontinuance would have been that no housing emoluments remained payable, terminated.

(2) For the purposes of sub-paragraph (1) it is to be assumed that a housing allowance or transitional rent allowance would not have fallen to be reduced by reason of the member's being married to or sharing accommodation with another member of a police force appointed after 31st August 1994.

(3) In circumstances in which any allowance or housing emoluments mentioned in sub-paragraph (1) would, if the revoked provisions had continued in force, have fallen to be increased otherwise than under regulation 49A of the 1987 Regulations (which provided for biennial adjustment of housing allowances), or in which any new housing emoluments would in that case have become payable, the replacement allowance in question is increased accordingly.

[^{F13}Modification of compensatory allowance

8.—(1) This paragraph applies to a member whose entitlement to a replacement allowance is calculated in whole or in part by reference to the rate at which he was in receipt of a compensatory allowance under regulation 52B of the 1987 Regulations.

(2) This paragraph also applies to a member who would be entitled to a replacement allowance calculated in whole or in part by reference to the rate at which he would have been in receipt of a compensatory allowance under regulation 52B of the 1987 Regulations had that regulation provided as set out in paragraph (3) before 1st September 1994.

(3) A member to whom this paragraph applies is entitled to a replacement allowance calculated as if for regulation 52B of the 1987 Regulations there were substituted the following regulation—

“Compensatory allowance

52B.—(1) This regulation applies where two or more persons, each of whom is a member of a police force, are living in the same accommodation and at least one of them is appointed to perform part-time service.

(2) Where this regulation applies those persons are entitled to a compensatory allowance of a proportion of the appropriate amount determined in accordance with guidance issued by the Secretary of State.

(3) Where there are only two persons living in the same accommodation and only one of them is appointed to perform part-time service, the appropriate amount is given by the formula

$$(A+B)-(C+D)$$

where—

A is the notional amount for the time being of any allowances that were payable under regulations 49 to 51 to the full-time member before the part-time member's appointment as such,

B is the notional amount for the time being of any allowances that were then so payable to the part-time member,

C is the amount for the time being of any allowances that are so payable to the full-time member,

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D is the amount for the time being of any allowances that are so payable to the part-time member.

(4) Where there are only two persons living in the same accommodation and each of them is appointed to perform part-time service, the appropriate amount is given by the formula

$$(A+B)-(C+D)$$

where—

A is the notional amount for the time being of any allowances that were payable under regulations 49 to 51 to one of the members (the “first part-time member”) before his appointment as such,

B is the notional amount for the time being of any allowances that were then so payable to the other member,

C is the amount for the time being of any allowances that are so payable to the first part-time member,

D is the amount for the time being of any allowances that are so payable to the other member.

(5) Where there are more than two persons living in the same accommodation, the appropriate amount is given by the formula

$$A-B$$

where—

A is the aggregate notional amount for the time being of any allowances that were payable under regulations 49 to 51 to those members before the appointment of one of them as a part-time member,

B is the aggregate amount for the time being of any allowances that are so payable to those members.

(6) For the purposes of this regulation the notional amount for the time being of an allowance is the amount that would for the time being be payable if the part-time member were a full-time member.”.]

Textual Amendments

F13 Sch. 3 para. 8 inserted (with effect in accordance with reg. 1(2)(3) of the amending S.I.) by [The Police \(Amendment\) Regulations 2007 \(S.I. 2007/1160\)](#), **reg. 2(5)**

[^{F14}Reduced arrears of replacement allowance for re-joining members in receipt of related allowances

9.—(1) This paragraph applies to a replacement allowance payable in respect of a relevant period to a member of a police force who—

- (a) is a re-joining member by reason of a relevant absence of a kind mentioned in paragraph 1(6)(d) or (e); and
- (b) received an allowance referred to in the determinations made by the Secretary of State under regulation 34(1) as a London Allowance or a South East England Allowance in respect of the relevant period.

(2) The annual rate of a replacement allowance to which this paragraph applies shall be reduced—

- (a) in the case of a member who received a London Allowance, by an amount calculated by the formula $A - B$, where—

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- (i) A is the annual rate at which the London Allowance was paid to the member; and
- (ii) B is the annual rate at which the London Allowance would have been paid to the member had it been known, at the time when the London Allowance was paid, that the member was entitled to receive a replacement allowance; and
- (b) in the case of a member who received a South East England Allowance, by the annual rate of that allowance.
- (3) For the purposes of this paragraph a relevant period is a period—
 - (a) beginning on the day after the last day of the relevant absence; and
 - (b) ending before 23rd February 2012.]

Textual Amendments

F14 Sch. 3 para. 9 inserted (with effect from 1.4.2003) by [The Police \(Amendment\) Regulations 2012 \(S.I. 2012/192\)](#), regs. 1(2)(a), **7(5)**

SCHEDULE 4

Regulation 47

REVOCATIONS AND SAVINGS

PART 1

REVOCATIONS

Instruments Revoked	References	Extent of revocation
The Police Regulations 1995	S.I. 1995/215	The whole Regulations
The Police (Amendment) Regulations 1995	S.I. 1995/547	The whole Regulations
The Police (Amendment No. 2) Regulations 1995	S.I. 1995/2020	The whole Regulations
The Police (Amendment) Regulations 1996	S.I. 1996/699	The whole Regulations
The Police (Amendment) Regulations 1998	S.I. 1998/493	The whole Regulations
The Police Pensions (Amendment) Regulations 1998	S.I. 1998/577	Regulation 5(4)
The Police (Efficiency) Regulations 1999	S.I. 1999/732	Regulation 23
The Greater London Authority Act 1999 (Consequential Amendments) (Police) Order 2000	S.I. 2000/1549	Article 4

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The Police (Amendment) Regulations 2000	S.I. 2000/2013	The whole Regulations
The Police (Amendment) Regulations 2001	S.I. 2001/3293	The whole Regulations
The Criminal Justice and Police Act 2001 (Consequential Amendments) (Police Ranks) Regulations 2001	S.I. 2001/3888	Regulation 3
The Police (Amendment) Regulations 2002	S.I. 2002/1758	The whole Regulations
The Police (Amendment) (No.2) Regulations 2002	S.I. 2002/2529	The whole Regulations
The Police (Amendment) (No.3) Regulations 2002	S.I. 2002/3162	The whole Regulations

PART 2

SAVINGS

In relation to a person performing part-time service in the rank of inspector or chief inspector pursuant to an appointment in the rank in question made under regulation 8A of the Police Regulations 1987^{M5} before 1st September 1994, these Regulations, and any determination made thereunder, shall have effect as if, for all purposes except that of determining pay, the appointment had been in a rank lower than inspector.

Marginal Citations

M5 [S.I. 1987/851](#); [regulation 8A](#) was inserted by [S.I. 1992/1278](#).

Marginal Citations

M5 [S.I. 1987/851](#); [regulation 8A](#) was inserted by [S.I. 1992/1278](#).

Status:

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Changes to legislation:

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