STATUTORY RULES OF NORTHERN IRELAND

2004 No. 3

Police Service of Northern Ireland Reserve (Part-Time) Regulations 2004

PART III

DUTY AND PAY

Duty

16.—(1) A member may only exercise the powers and privileges of a constable when on duty.

(2) A member shall carry out all lawful orders.

(3) A member shall, at all times, punctually and promptly, perform all appointed duties and attend to all matters within the scope of his office as a reserve constable.

(4) A member shall be required to perform –

(a) in each financial year after the first financial year, 144 hours of duty, and

(b) in the first financial year the appropriate proportion of 144 hours calculated on a pro rata basis in respect of the period –

(i) in the case of a member appointed on or after 8th February 2004, from the date of his appointment as a member and ending with the first 31st March after that date, or

(ii) in the case of a member to whom these regulations apply with effect from a date specified under regulation 4(5), from the date so specified and ending with the first 31st March after that date,

at such times as the Chief Constable may require and in accordance with any directions which he may issue.

(5) In the case of a member to whom these regulations apply with effect from a date specified under regulation 4(5), the Chief Constable may, for the purposes of this regulation, treat training parades attended, or patrol duty performed, before that date as duty performed on or after that date.

(6) The Chief Constable may at any time direct members to perform periods of duty in excess of those that may be required under paragraph (4).

(7) In this regulation –

(a) "financial year" means the twelve months ending with 31st March; and

(b) "first financial year" means the period –

(i) in the case of a member appointed on or after 8th February 2004, from the date of his appointment as a member and ending with the 31st March after that date, or

(ii) in the case of a member to whom these regulations apply with effect from a date specified under regulation 4(5), from the date so specified and ending with the first 31st March after that date.

Rate of pay

17.—(1) The pay of members shall be determined by the Secretary of State.

(2) A determination under paragraph (1) may be made with retrospective effect to any date specified in the determination, but nothing in this paragraph shall be construed as authorising the pay payable to any person to be reduced retrospectively.

(3) A determination under paragraph (1) may make different provision for different cases and circumstances.

Pay day

18.—(1) Members shall be paid at such intervals as the Chief Constable may fix.

(2) In fixing intervals under paragraph (1) the Chief Constable shall have regard to the wishes of members.

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

Sick pay

19.—(1) Where a member loses remuneration in his private employment in consequence of an injury received in the execution of his duty as a member, he shall be entitled to an allowance by way of sick pay as hereinafter provided.

(2) Except where the Secretary of State, at the request of the Chief Constable, determines otherwise in specific cases, the sick pay shall be payable for so long as the member continues to lose remuneration or for a period of 26 weeks, whichever is the less; and, subject to regulation 20, the rate thereof shall be whichever is the lower of the following rates, that is to say –

(a) the rate of such loss of remuneration, or

(b) the rate of pay to which he would have been entitled if he had been a member of the Police Service of Northern Ireland holding the rank of constable and his service as a reserve constable had been service as such a member.

Deductions from pay of social security benefits and statutory sick pay

20.—(1) There shall be deducted from the pay of a member –

(a) the amount of any short-term or long-term incapacity benefit to which he is entitled under the Social Security (Incapacity for Work) (Northern Ireland) Order 1994(**1**), and

(b) any statutory sick pay to which he is entitled under the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**2**),

and for the purposes of sub-paragraph (a) 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 woman member who, as a married woman or widow, has elected to pay contributions under section 19 of the Social Security Contributions and Benefits (Northern Ireland) 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.

(**1**) S.I.1994/1898 (N.I. 12)
(**2**) 1992 c. 7