

1976 No. 270

POLICE

Royal Ulster Constabulary (Amendment No. 2) Regulations 1976

Made 1st September 1976

Coming into operation 15th November 1976

To be laid before Parliament

The Secretary of State(a), in pursuance of Section 25 of the Police Act (Northern Ireland) 1970(b), read with Section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(c), and after consulting, in accordance with Section 34(2) of the said Act of 1970, the Police Authority for Northern Ireland and the Police Association for Northern Ireland and, in accordance with Section 4(4) of the Police Act 1969(d), the Police Council for the United Kingdom, hereby with the concurrence of the Minister for the Civil Service(e), makes the following regulations:—

Citation, commencement and effect

1.—(1) These regulations may be cited as the Royal Ulster Constabulary (Amendment No. 2) Regulations 1976.

(2) These regulations shall come into operation on 15th November 1976 and shall have effect from 1st January 1976.

Interpretation

2. In these regulations any reference to the principal regulations is a reference to the Royal Ulster Constabulary Regulations 1973(f).

Plain-clothes allowance

3.—(1) For paragraph (2) of regulation 47 of the principal regulations (plain-clothes allowance) there shall be substituted the following paragraph:

“(2) A plain-clothes allowance payable under paragraph (1) shall be payable at the rate of —

(a) £113 a year, in the case of a superintendent;

(b) £107 a year, in the case of an inspector;

(c) £96 a year, in the case of a sergeant;

(d) £89 a year, in the case of a constable.”

(2) For paragraph (4) of the said regulation 47 there shall be substituted the following paragraph:

“(4) A plain-clothes allowance payable under paragraph (3) shall be payable at the rate of—

(a) Formerly the Ministry of Home Affairs for Northern Ireland: see S.I. 1973/2163 (1973 III, p. 7541)

(b) 1970 c. 9 (N.I.)

(c) 1962 c. 7 (N.I.)

(d) 1969 c. 63

(e) Formerly the Ministry of Finance for Northern Ireland: see S.I. 1973/2163 (1973 III, p. 7541)

(f) S.R. & O. (N.I.) 1973 No. 31 (p. 108) as amended by S.R. 1975 No. 320 (II, p. 1595)

- (a) £0.051 an hour, in the case of an inspector;
- (b) £0.046 an hour, in the case of a sergeant;
- (c) £0.043 an hour, in the case of a constable."

Motor Vehicle allowances

4.—(1) In paragraph (7) of regulation 52 of the principal regulations (motor vehicle allowances) for the words "paragraph 5" there shall be substituted the words "paragraph 1".

(2) For schedule 7 to the principal regulations (motor vehicle allowances in respect of motor-cars) there shall be substituted the schedule set out in the appendix.

Northern Ireland Office
1st September 1976

Merlyn Rees
One of Her Majesty's Principal
Secretaries of State

The concurrence of the Minister for the Civil Service given under his
Official Seal on 1st September 1976.

(L.S.)

W. E. Wightman
Authorised by the Minister for
the Civil Service

APPENDIX

SCHEDULE SUBSTITUTED FOR SCHEDULE 7 TO THE PRINCIPAL REGULATIONS

SCHEDULE 7

Regulation 52

MOTOR VEHICLE ALLOWANCES IN RESPECT OF MOTOR-CARS

1. For the purposes of Regulation 52 and of this schedule the following expressions have the meanings hereby respectively assigned to them:—

“authorised use” means the use, authorised under regulation 52, of a motor vehicle owned by the member concerned for the purposes of his duties as a member, and “period of authorised use” means the period during which such use is authorised;

“cylinder capacity” means the cylinder capacity of the engine of a vehicle calculated in accordance with the Road Vehicles (Registration and Licensing (Northern Ireland) Regulations 1973(g);

“motor-bicycle” means a mechanically-propelled bicycle (including a motor-scooter, a bicycle with an attachment for propelling it by a mechanical power and a mechanically-propelled bicycle used for drawing a side-car);

“motor-car” means a mechanically-propelled vehicle other than a motor-bicycle and, accordingly, includes a mechanically-propelled tricycle;

“year” means a period of 12 months beginning on 1st October; and a reference to a motor vehicle owned by a member is a reference to such a vehicle kept and used by him.

2.—(1) Subject as hereinafter in this schedule provided, the amount of a motor vehicle allowance payable at the essential user's rate shall in any year comprise a fixed element and a mileage element calculated as provided in sub-paragraphs (2) and (3).

(2) The fixed element shall be calculated by reference to the number of completed months comprised in the period of authorised use for the year in question—

(a) save where sub-paragraph (b) or (c) applies, at the standard annual rate set opposite the cylinder capacity of the motor-car in question in the second column of the following Table A;

(b) where it falls to be calculated by reference to completed months of authorised use beginning at a time when the member was—

(i) provided with a garage free of rent and rates, or

(ii) in receipt of a maximum limit rent allowance which was less than the maximum limit applicable in his case and the house or accommodation occupied by him included a garage,

save where sub-paragraph (c) applies, at the abated annual rate so set out in the third column of the said Table A;

(c) where the cylinder capacity of the motor-car in question is 1,750 c.c. or more, at such annual rate as is approved by the Secretary of State.

(3) The mileage element shall be calculated, in relation to the first 7,200 miles of authorised use in the year in question, at the basic rate set opposite the cylinder capacity of the motor-car in question in the fourth column of the said Table A and, in relation to any further authorised use in that year, at the reduced rate so set out in the fifth column of the said Table except that, where the cylinder capacity of the motor-car in question is 1,750 c.c. or more, the mileage element shall be calculated at such basic and reduced rates, respectively, as are approved by the Secretary of State.

TABLE A
ESSENTIAL USERS

<i>Cylinder capacity</i>	<i>Fixed element</i>		<i>Mileage element</i>	
	<i>Standard annual rate</i>	<i>Abated annual rate</i>	<i>Basic rate per mile</i>	<i>Reduced rate per mile</i>
	£	£	£	£
1,451 c.c. or more but less than 1,750 c.c.	177	162	0.080	0.049
1,200 c.c. or more but less than 1,451 c.c.	159	144	0.073	0.046
1,000 c.c. or more but less than 1,200 c.c.	135	123	0.067	0.042
less than 1,000 c.c.	123	114	0.060	0.038

(4) Where in any year a motor vehicle allowance is payable at the essential user's rate it shall be payable in such instalments, in advance or in arrears, as the Police Authority may determine; but when the amount of the allowance for that year is finally calculated any over-payment shall be recoverable.

(5) Where in any year a motor vehicle allowance is payable at the essential user's rate to a member and he is on sick leave, or the motor-car in question is out of order, for a continuous period of 4 or more weeks in that year the allowance shall be reduced by such amount as the Police Authority determines appropriate in all the circumstances.

(6) Where in any year a motor vehicle allowance is payable at the essential user's rate but the period of authorised use is a fraction only of that year, sub-paragraph (3) shall have effect as if for the reference to 7,200 miles there were substituted a reference to the corresponding fraction of that mileage; and for the purposes of this paragraph the monthly rate of the fixed element of such an allowance so payable shall be taken to be a twelfth of the annual rate.

3. Subject as hereinafter in this schedule provided, the amount of a motor vehicle allowance payable at the casual user's rate shall in any year be an amount calculated in relation to the mileage of authorised use in that year at the rate set opposite the cylinder capacity of the motor-car in question in the second column of the following Table B except that—

- (a) subject to sub-paragraph (b), where the cylinder capacity of that motor-car is 1,750 c.c. or more, the amount of the allowance shall be calculated at such rate as is approved by the Secretary of State;
- (b) where the amount of the allowance would be less if it were calculated at the essential user's rate, it shall be of an amount calculated in accordance with paragraph 2.

TABLE B
CASUAL USERS

<i>Cylinder capacity</i>	<i>Rate per mile</i>
1,451 c.c. or more but less than 1,750 c.c.	£ 0.131
1,200 c.c. or more but less than 1,451 c.c.	0.119
1,000 c.c. or more but less than 1,200 c.c.	0.107
less than 1,000 c.c.	0.096

4. The amount of a motor vehicle allowance payable to a member shall not exceed that which would be payable if the vehicle in question were of such a cylinder capacity, not being less than 1,000 c.c., as the chief constable, with the approval of the Police Authority, has determined appropriate for use for the purposes of the duties normally performed by the member concerned.

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

These regulations, which have effect from 1st January 1976, amend the Royal Ulster Constabulary Regulations 1973.

Regulation 3 increases the rates of the plain-clothes allowance.

Regulation 4 increases the basic mileage rates payable to both essential and casual motor-car users.

Retrospection is authorised by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962.