

1983 No. 363

POLICE

Royal Ulster Constabulary (Amendment No. 2) Regulations 1983

Made 7th November 1983

Coming into operation 1st December 1983

To be laid before Parliament

The Secretary of State, in pursuance of section 25 of the Police Act (Northern Ireland) 1970(a), read with section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(b), 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 2(1) of the Police Negotiating Board Act 1980(c), the Police Negotiating Board for the United Kingdom, hereby, with the concurrence of the Treasury, makes the following regulations:—

Citation, commencement and effect

1.—(1) These regulations may be cited as the Royal Ulster Constabulary (Amendment No. 2) Regulations 1983.

(2) These regulations shall come into operation on 1st December 1983 and shall have effect for the purposes of regulations 3(a) and 5 as from 1st September 1983.

Interpretation

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

Pay

3. Schedule 4 to the principal regulations shall be amended as follows:—

(a) for Tables B and C there shall be substituted respectively the Tables set out in the Appendix to these regulations;

(b) in paragraph 2—

(i) in sub-paragraph (4), for the words from “Where a superintendent” to “relevant date” the second time it appears there shall be substituted the following words:—

“Where a member is promoted to or appointed in the rank of superintendent, and the aggregate amount of his pay and of his allowances under regulations 20, 21, 48 and 58 in respect of his period of service in the rank of chief inspector during the year immediately before the date of his promotion or appointment”;

(ii) Sub-paragraphs (5) and (6) shall be omitted;

(iii) there shall be substituted for sub-paragraph (7) the following sub-paragraph:—

(a) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670

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

(c) 1980 c. 10

(d) S.R. & O. (N.I.) 1973 No. 31 as amended by S.R. 1976 No. 270; S.R. 1977 Nos. 233 and 237; S.R. 1979 No. 406; S.R. 1980 Nos. 353 and 465; S.R. 1981 No. 406 and S.R. 1983 No. 44

“(7) Where a member promoted to or appointed in the rank of chief inspector or inspector last served before his promotion or appointment—

(a) in the case of a chief inspector, in the rank of inspector;

(b) in the case of an inspector, in the rank of sergeant,

and had 4 or more years’ reckonable service in the rank of inspector or, as the case may be, of sergeant, then his annual pay for the rank he holds shall be determined as if he had an additional year’s service therein.”;

(iv) there shall be substituted for sub-paragraph (8) the following sub-paragraph:—

“(8) Where a member promoted to or appointed in the rank of sergeant last served before his promotion or appointment in the rank of constable, then his annual pay for the rank of sergeant shall be determined—

(a) if he had 12 or more (but less than 14) years’ reckonable service as a constable, as if he had an additional year’s service as a sergeant;

(b) if he had 14 or more years’ service as a constable, as if he had an additional 2 years’ service as a sergeant.”;

(v) in sub-paragraph (9), for the words “sub-paragraphs (4) to (8)” there shall be substituted the words “sub-paragraphs (4), (7) and (8)”.

Motor vehicle allowances in respect of motor cars

4. There shall for Schedule 7 to the principal regulations be substituted the following Schedule:—

“SCHEDULE 7

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(a);

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

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

“year” means a period of twelve months beginning on such date as may be determined by the Police Authority;

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 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, at such annual rate as is specified by the Secretary of State by reference to the cylinder capacity of the motor car in question.

(3) The mileage element shall be calculated in relation to authorised use at such rate as is specified by the Secretary of State by reference to the cylinder capacity of the motor car in question, and for that purpose he may so specify—

- (a) a basic rate, in relation to authorised use not exceeding such mileage as is specified by him ("the basic mileage"), and
- (b) a reduced rate in relation to authorised use in excess of the basic mileage.

(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 the member is on sick leave, or maternity leave, or the motor car in question is out of order, for a continuous period of four or more weeks in that year the allowance shall be reduced by such amount as the Police Authority; with the approval of the Secretary of State, 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 the basic mileage 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. 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 such rate as is specified by the Secretary of State by reference to that mileage and the cylinder capacity of the motor car in question, except that 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.

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."

Dog handler's allowance

5. In paragraph 1(1) of Schedule 10 to the principal regulations for the annual rates "£432" and "£585" there shall be substituted respectively the annual rates "£468" and "£633".

Northern Ireland Office
7th November 1983

James Prior
One of Her Majesty's Principal
Secretaries of State

We concur
8th November 1983

T. Garel-Jones
Ian B. Lang
Two of the Lords Commissioners
of Her Majesty's Treasury

APPENDIX

TABLES SUBSTITUTED FOR TABLES B AND C IN SCHEDULE 4 TO THE PRINCIPAL REGULATIONS
WITH EFFECT FROM 1st SEPTEMBER 1983

TABLE B

<i>Rank</i>	<i>Service in Rank</i>	<i>Annual Pay</i>
Chief Superintendent	Less than 1 year	£20,124
	After 1 year	£20,409
	After 2 years	£20,868
	After 3 years	£21,336
Superintendent	Less than 1 year	£18,102
	After 1 year	£18,564
	After 2 years	£19,026
	After 3 years	£19,656
Chief Inspector	Less than 1 year	£13,230
	After 1 year	£13,602
	After 2 years	£13,971
	After 3 years	£14,346
	After 4 years	£14,718
Inspector	Less than 1 year	£11,652
	After 1 year	£12,018
	After 2 years	£12,489
	After 3 years	£12,858
	After 4 years	£13,230
Sergeant	Less than 1 year	£10,155
	After 1 year	£10,620
	After 2 years	£10,992
	After 3 years	£11,361
	After 4 years	£11,652

TABLE C

ANNUAL PAY OF CONSTABLES

<i>Reckonable Service</i>	<i>Annual Pay</i>
Before completing 1 year of service	£ 6,708
After 1 year of service	£ 7,173
After 2 years of service	£ 8,010
After 3 years of service	£ 8,199
After 4 years of service	£ 8,472
After 5 years of service	£ 8,760
After 6 years of service	£ 9,042
After 7 years of service	£ 9,321
After 8 years of service	£ 9,597
After 12 years of service	£10,155
After 15 years of service	£10,620

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Royal Ulster Constabulary Regulations 1973 (the principal regulations) with effect as provided by regulation 1(2), from the dates mentioned below.

Regulation 3(a) and 5 provide, with effect from 1st September 1983, for increases in the rates of pay for members of the force of rank not higher than that of chief superintendent and for increases in the dog handler's allowance.

Regulation 3(b) and 4 have effect from 1st December 1983.

Regulation 3(b) simplifies the provision made by Schedule 4 to the principal regulations enabling officers at the top of their pay scale to enjoy an additional increment on promotion and revokes provisions which are spent. Regulation 4 substitutes a simplified provision for Schedule 7 to the principal regulations (motor vehicle allowances in respect of motor cars).

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