

1990 No. 74

POLICE

**Royal Ulster Constabulary (Amendment)
Regulations 1990**

Made 27th February 1990

Coming into operation 1st April 1990

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 and the Police Association, and after taking into account the recommendations made by the Police Negotiating Board for the United Kingdom and furnishing that Board with a draft of the regulations in accordance with section 2(1) of the Police Negotiating Board Act 1980(c), 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) Regulations 1990.

(2) These regulations shall come into operation on 1st April 1990 but shall have effect for the purposes of regulation 5 as from 1st September 1989.

Interpretation

2. In these regulations any reference to the principal regulations is a reference to the Royal Ulster Constabulary Regulations 1984(d).

Sick leave

3. In regulation 26 of the principal regulations, there shall be substituted for proviso (b) to paragraph (1) the following proviso:—

“(b) if, notwithstanding such certificate of unfitness for duty, a registered medical practitioner appointed or approved by the Police Authority has examined the member and considers him to be fit for duty, the Police Authority shall, if the medical practitioner who issued the certificate of unfitness for duty agrees, within 28 days of the difference of opinion coming to their attention arrange for a third registered medical practitioner

(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. 1984 No. 62 to which there are amendments not relevant to these regulations

to examine the member and to report in writing to the other two practitioners concerned; the third registered medical practitioner shall be acceptable to the practitioner who issued the certificate of unfitness for duty and to the practitioner who has examined the member on behalf of the Police Authority, except that in the event of a failure to agree, the Police Authority may appoint such third registered medical practitioner as it considers appropriate; and if the third registered medical practitioner certifies the member to be fit for duty, or if the medical practitioner who issued the certificate of unfitness for duty does not agree to such further examination, the member shall no longer be entitled to be absent from duty.”.

Restriction on payment of allowances

4. In regulation 38 of the principal regulations there shall be inserted at the beginning of paragraph (2) the words “Subject to paragraph (3),” and there shall be inserted after paragraph (2) the following paragraph:—

“(3) A member of the rank of superintendent or above who is required to travel by train in the execution of his duty shall be entitled to travel in first-class accommodation and to be reimbursed his expenses accordingly.”.

Detective duty and detective expenses allowance

5. For paragraph (3) of regulation 47 of the principal regulations, there shall be substituted the following paragraph:—

“(3) Such a member below the rank of superintendent shall be paid a detective expenses allowance at the rate of £3 a week and shall not be eligible for the reimbursement of expenses incurred in the execution of his duty in respect of any individual item of expenditure of 75p or less.”.

Scales of pay

6. In Schedule 5 to the principal regulations:—

(a) There shall be inserted after paragraph 2(6) the following sub-paragraph:

“(6A) Where a member is promoted—

- (a) to the rank of chief inspector after 3 but less than 4 years’ service in the rank of inspector; or
- (b) to the rank of inspector after 3 but less than 4 years’ service in the rank of sergeant; or
- (c) to the rank of sergeant after 11 but less than 12 years’ service in the rank of constable;

and at any date during his first year of service in that new rank his annual pay ceases to exceed the amount which would have been his annual pay if he had continued to serve in his former rank, his annual pay for the period from that date until such date as he has completed 2 years’ reckonable service in his new rank shall be determined as if he had throughout that period more than 1 but less than 2 years’ reckonable service in the new rank.”; and

(b) in paragraph 2(7) there shall be substituted for the words “(4) to (6)” the words “(4) to (6A)”.

Northern Ireland Office
21st February 1990

Peter Brooke
One of Her Majesty's Principal
Secretaries of State

We concur
27th February 1990

John Taylor
Stephen Dorrell
Two of the Lords Commissioners
of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Royal Ulster Constabulary Regulations 1984 (the principal regulations), with effect, as provided by regulation 1, for the purposes of regulation 5, as from 1st September 1989 (retrospection is authorised by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962), and for all other purposes, as from 1st April 1990.

Regulation 3 provides a procedure for the resolution of a difference of medical opinion as to a member's fitness to return to duty after a period of sick leave.

Regulation 4 provides for members of the force of the rank of superintendent and above to be reimbursed the cost of first-class rail travel on duty.

Regulation 5 increases the weekly detective expenses allowance from £1 to £3 and excludes entitlement to reimbursement of expenses in respect of any individual item of expenditure not exceeding 75p.

Regulation 6 corrects a minor anomaly to ensure that members who are promoted gain financially thereby.