

## 1990 No. 75

## POLICE

**Royal Ulster Constabulary Reserve (Full-Time)  
(Appointment and Conditions of Service)  
(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 26 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, 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 Reserve (Full-Time) (Appointment and Conditions of Service) (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 1988.

*Interpretation*

2. In these regulations any reference to the principal regulations is a reference to the Royal Ulster Constabulary Reserve (Full-Time) (Appointment and Conditions of Service) Regulations 1988(c).

*Sick Leave*

3. In regulation 27 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 to examine the member and to report in writing to the other two

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(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) S.R. 1988 No. 36

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 33 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 reserve superintendent 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.”.

*Pay*

5. In paragraph 1A of Schedule 3 to the principal regulations there shall be substituted for the words “on or before” the word “after”.

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 Reserve (Full-Time) (Appointment and Conditions of Service) Regulations 1988 (the principal regulations) with effect, as provided by regulation 1, from 1st April 1990 but for the purposes of regulation 5 as from 1st September 1988. Retrospection is authorised by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962.

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 rank of reserve superintendent to be reimbursed the cost of first-class rail travel on duty.

Regulation 5 rectifies a drafting error in the Royal Ulster Constabulary Reserve (Full-Time) (Appointment and Conditions of Service) (Amendment) Regulations 1989 (S.R. 1989 No. 208).