
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 564

**Royal Ulster Constabulary Reserve (Full-time)
(Appointment and Conditions of Service) Regulations 1996**

Part II

Government

Business interests incompatible with membership of the force

6.—(1) If a member or a relative included in his family proposes to have, or has, a business interest within the meaning of this regulation, the member shall forthwith give written notice of that interest to the chief constable unless that business interest was disclosed at the time of his appointment as a member.

(2) On receipt of a notice given under paragraph (1), the chief constable shall determine whether or not the interest in question is compatible with the member concerned remaining a member and, within 28 days of the receipt of that notice, shall notify the member in writing of his decision.

(3) Within 10 days of being notified of the chief constable's decision as aforesaid, or within such longer period as the Police Authority may in all the circumstances allow, the member concerned may appeal to the Police Authority against that decision by sending written notice of his appeal to the Police Authority.

(4) On receipt of a notice given under paragraph (3) the Police Authority shall require the chief constable to submit to it, within the next following 10 days, a notice setting out the reasons for his decision and copies of any documents on which he relies in support of that decision; and the Police Authority shall send to the member concerned copies of such notice and documents and shall afford him a reasonable opportunity, being in no case less than 14 days, to comment thereon.

(5) Where a member has appealed to the Police Authority under paragraph (3) the Police Authority shall, within 28 days of receiving his comments on the notice and any other documents submitted by the chief constable under paragraph (4) or of the expiration of the period afforded for making comments if none have by then been received, give him written notice of its determination of the appeal but, where it has upheld the decision of the chief constable and, within 10 days of being so notified or within such longer period as the Police Authority may in all the circumstances allow, the member makes written request to the Police Authority for the reference of the matter to the Secretary of State, the matter shall be so referred and, unless and until the determination of the Police Authority is confirmed by the Secretary of State, it shall be of no effect and, in particular, no action in pursuance thereof shall be taken under paragraph (6).

(6) Where a member, or a relative included in his family, has a business interest within the meaning of this regulation which the chief constable has determined, under paragraph (2), to be incompatible with his remaining a member and either the member has not appealed against that decision under paragraph (3) or, subject to paragraph (5), on such appeal, the Police Authority has upheld that decision, then the chief constable may, subject to the approval of the Police Authority, dispense with the services of that member; and before giving such approval the Police Authority

shall give the member concerned an opportunity to make representations and shall consider any representations so made.

(7) For the purposes of this regulation, a member or, as the case may be, a relative included in his family, shall have a business interest if—

- (a) the member holds any office or employment for hire or gain (otherwise than as a member of the force) or carries on any business; or
- (b) a shop is kept or a like business carried on by the member's spouse (not being separated from him) at any premises in Northern Ireland or by any relative included in his family at the premises at which he resides; or
- (c) the member, his spouse (not being separated from him) or any relative included in his family living with him holds, or possesses a pecuniary interest in, any such licence or permit as is mentioned in paragraph (8);

and a reference to a relative included in a member's family shall include a reference to his spouse, parent, son, daughter, brother or sister.

(8) The licence or permit referred to in paragraph (7)(c) is a licence or permit granted in pursuance of the law relating to liquor licensing, refreshment houses or betting and gaming or regulating places of entertainment in Northern Ireland.

(9) If a member or a relative included in his family has a business interest within the meaning of this regulation and, on that interest being notified or disclosed as mentioned in paragraph (1), the chief constable has, by written notice, required him to furnish particulars of such changes in that interest, as respects its nature, extent or otherwise, as may be mentioned in the notice then, in the event of any such change in that interest being proposed or occurring, this regulation shall have effect as though the changed interest were a newly proposed, or newly acquired, interest which has not been notified or disclosed as aforesaid.