
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 42

POLICE

**Royal Ulster Constabulary (Discipline and
Disciplinary Appeals) (Amendment) Regulations 1997**

Made - - - - 4th February 1997

To be laid before Parliament

Coming into operation 15th March 1997

The Secretary of State, in pursuance of sections 25 and 26 of the Police Act (Northern Ireland) 1970⁽¹⁾ and after consulting, in accordance with section 34(2) of that Act, the Police Authority and the Police Association, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Royal Ulster Constabulary (Discipline and Disciplinary Appeals) (Amendment) Regulations 1997 and shall come into operation on 15th March 1997.

(2) In these regulations, any reference to the principal regulations is a reference to the Royal Ulster Constabulary (Discipline and Disciplinary Appeals) Regulations 1988⁽²⁾.

Interpretation of the principal regulations

2.—(1) In regulation 3(1) of the principal regulations—

(a) the definition of “home police force” shall be omitted; and

(b) there shall be inserted after the definition of “original hearing” the following definition—
“police force in Great Britain” has the meaning assigned to a police force in the Police Act 1996⁽³⁾ or a police force in the Police (Scotland) Act 1967⁽⁴⁾, as the case may be;.

(2) In the principal regulations for the words “home police force”, in each place where they occur as specified in the Schedule, there shall be substituted the words “police force in Great Britain”.

(1) 1970 c. 9 (N.I.) as amended by S.I.1977/53 (N.I. 2) and S.I. 1987/938 (N.I. 10) and modified by S.I. 1973/2163
(2) S.R. 1988 No. 10, to which there are amendments not relevant to these regulations
(3) 1996 c. 16
(4) 1967 c. 77

Internal appeals

3. Regulation 25 of the principal regulations shall be amended—

- (a) in paragraph (4) by substituting for the words “The appeal” the words “Subject to paragraph (4A), the appeal”; and
- (b) by inserting after paragraph (4) the following paragraph—

“(4A) In the case of an appeal—

(a) in which the chief constable—

- (i) is interested otherwise than in his capacity as such; or
- (ii) is or was a material witness; or
- (iii) whether before or after his appointment as chief constable was the officer who conducted or, as the case may be, a member of the disciplinary board which conducted the hearing out of which the appeal rose; and

(b) to which the proviso to paragraph (4) applies,

the appeal shall be remitted by the chief constable to such a chief officer of a police force in Great Britain as, at his request, has agreed to act in the matter.”.

Northern Ireland Office
4th February 1997

P. B. B. Mayhew
One of Her Majesty's Principal Secretaries of
State

SCHEDULE

Regulation (2)

Provisions of the Principal Regulations in which the words “Home Police Force” occur

Regulation 5(4)(a)

Regulation 10(3)

Regulation 14(1)(b) and (3)

Regulation 17(4) and (7) (twice)

Regulation 25(8), (9) and (12)

Regulation 29(4)(b)

Regulation 37(6) (twice)

Regulation 62(a)

Schedule 2 Part I Question 2(a)

Schedule 4 Paragraph 1(b)

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Royal Ulster Constabulary (Discipline and Disciplinary Appeals) Regulations 1988 (the principal regulations).

Regulation 2 substitutes the words “police force in Great Britain” for the words “home police force” where they occur in the principal regulations and amends regulation 3(1) of those regulations by deleting the definition of “home police force” and inserting a definition of “police force in Great Britain”.

Regulation 3 makes provision for the remission of a disciplinary appeal by the chief constable for hearing by a chief officer of a police force in Great Britain where the chief constable has an interest therein other than in his capacity as chief constable or was concerned in the conduct of the hearing out of which the appeal arose and where similar considerations preclude the appeal being heard by a deputy chief constable.