

## SCHEDULE 2

Regulation 8

### MODIFICATIONS OF THE CONDUCT REGULATIONS FOR MEMBERS SECONDED FROM THE GARDA SÍOCHÁNA

1. Any reference in regulation 9(a)(iv), 26(2) or 35(3) of the conduct regulations to a member, or a member of a police force, accompanying a member seconded from the Garda Síochána at a hearing or meeting shall include a reference to a member of the Garda Síochána.

2. Any reference in the conduct regulations to a staff association shall include a reference to an association representing members of the Garda Síochána.

3. Any requirement in the conduct regulations to give a member the opportunity to elect to be legally represented shall apply in any case in which the supervising member considers that the circumstances of the case are such that, were the member concerned not seconded from the Garda Síochána, the supervising member would be of the opinion that the hearing should have available the sanctions of dismissal, requirement to resign or reduction in rank.

4. The following provisions of the conduct regulations shall be omitted –

- (a) regulations 10(2) and 11(3) (special cases);
- (b) regulation 14 (limitation on sanctions);
- (c) in regulation 23(3) (decisions of officers conducting the hearing), the words “and, if it did not, whether in all the circumstances it would be reasonable to impose any, and if so which, sanction”;
- (d) in regulation 29(4) (remission of cases) the words “or of the sanction which might be imposed”;
- (e) regulation 31 (sanctions);
- (f) regulation 32 (personal record to be considered before sanction imposed);
- (g) in regulation 33 (member to be informed of finding) the words “and of any sanction imposed”;
- (h) regulation 36(4); and
- (i) regulation 39 (special cases).

5. In regulation 29(2)(b) of the conduct regulations (remission of cases) for the words from the beginning to “available and that” there shall be substituted “the member concerned was not given an opportunity under regulation 16 to elect to be legally represented at the hearing, and it appears to the presiding officer concerned that –

- “(i) were the member concerned not seconded from the Garda Síochána, the sanctions referred to in that regulation ought to be available on a finding against him, and
- (ii)”.

6. For regulation 34(1) of the conduct regulations (request for a review) there shall be substituted

–  
“(1) The member concerned shall be entitled to request the Chief Constable to review the finding of the hearing”.

7. For regulation 36(2) of the conduct regulations (finding of the review) there shall be substituted

–  
“(2) The Chief Constable may confirm the finding of the hearing or reach a different finding”.