

2004 No. 403

POLICE

**Police Service of Northern Ireland Reserve (Full-time)
(Appointment and Conditions of Service) (Amendment)
Regulations 2004**

Made - - - - - 19th September 2004

Coming into operation 12th November 2004

To be laid before Parliament

The Secretary of State, in pursuance of section 26 of the Police (Northern Ireland) Act 1998(a), read with section 18 of the Administration and Financial Provisions Act (Northern Ireland) 1962(b) and after consulting, in accordance with section 26(6) of the Police (Northern Ireland) Act 1998, the Northern Ireland Policing Board and the Police Association, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Police Service of Northern Ireland Reserve (Full-time) (Appointment and Conditions of Service) (Amendment) Regulations 2004.

(2) These regulations shall come into operation on 12th November 2004, but –

(a) regulations 2 and 3 shall have effect from the dates mentioned therein;

(b) regulations 5 and 6 shall have effect from 1st April 2003;

(c) regulation 4 shall have effect from 19th October 2000;

(d) regulation 7 shall have effect from 1st April 2002;

(e) regulation 12 shall have effect from 4th April 2001;

(f) regulation 13(2) shall have effect from 1st September 2001;

(g) regulation 13(3) shall have effect from 1st September 2002;

(h) regulation 13(4) shall have effect from 1st September 2003.

(3) In these regulations “the principal regulations” means the Royal Ulster Constabulary Reserve (Full-Time) (Appointment and Conditions of Service) Regulations 1996(e).

(4) In these regulations “the amending regulations” means the Police Service of Northern Ireland Reserve (Full-time) (Appointment and Conditions of Service) Regulations 2002(d).

Amendments to the amending regulations

2.—(1) Regulation 1 of the amending regulations (Citation and commencement) is amended as follows:

(a) 1998 c. 32

(b) 1962 c. 7 (N.I.)

(c) S.R. 1996 No. 564

(d) S.R. 2002 No. 96

(2) Paragraph (2)(b)(i) shall be substituted by:

“(i) in the case of sub-paragraph (a), from 1st April 1997;

(i)(a) in the case of sub-paragraph (a)(i), from 1st April 1998;”.

(3) in paragraph (2)(c) the words “9th February 1999” shall be substituted by “1st September 1997”.

(4) After paragraph (2)(c) there shall be inserted the following:

“(d) Regulation 9 shall have effect:

(i) in the case of paragraph (2), from 1st September 1994;

(ii) in the case of paragraph (3), from 1st April 1998;

(e) Regulations 5 and 7 shall have effect from 1st September 1996.”.

3.—(1) Regulation 6 of the amending regulations (Increase in Removal Allowance) is amended as follows:

(2) Paragraph (a) shall be substituted by:

“(a) for “£1,396” there shall be substituted “£1,431”;

(a)(i) for “£1,431” there shall be substituted “£1,482”;”.

Amendments to the principal regulations

4.—(1) Regulation 21(4) of the principal regulations (Rostering of duties) is amended as follows:

(2) In sub-paragraph (a) for “8” there shall be substituted “11”.

(3) After the words “unless the central committee agrees otherwise” there shall be inserted “, such agreement providing for an equivalent period of compensatory rest”.

5. In regulation 22 of the principal regulations (Overtime) at the end of paragraph (5) there shall be inserted:

“, except that each of the first 4 occasions on which overtime in respect of which the constable or sergeant was not informed as mentioned in paragraph (6) is worked during a week 30 minutes of the overtime is to be disregarded”.

6. In regulation 23(4)(a) of the principal regulations (Public holidays and rest days) for the word “8” there shall be inserted “5”.

7. In regulation 38(6) of the principal regulations (Removal allowance) for the words “£1,596” there shall be inserted “£1,608”.

8. Regulation 38 of the principal regulations (Removal allowance) shall be removed.

9. Regulation 39 of the principal regulations (Plain clothes allowance) shall be removed.

10. Regulation 40 and Schedule 6 of the principal regulations (Subsistence, refreshment and lodging allowances) shall be removed.

11. Regulation 45 of the principal regulations (Allowance for recurring escort duty, etc.) shall be removed.

12.—(1) Schedule 3 paragraph 5 of the principal regulations (Annual Leave) is amended as follows:

(2) In sub-paragraph (1) for the phrase “which is a day of annual leave or a day taken off in lieu” there shall be substituted “which is a forfeited day of annual leave or a forfeited day taken off in lieu”.

(3) Sub-paragraph (1)(a) and (1)(b) shall be substituted by:

- “(a) if he was so recalled to duty for 1 or 2 days (whether or not in the latter case those days formed a single period), 2 days’ annual leave or, if the member so chooses, 1 day’s annual leave and 1 day’s pay at double time, in lieu of each such forfeited day for which he was so recalled; or
- (b) if he was so recalled to duty for 3 or more days (whether or not forming a single period), 2 days’ annual leave or, if the member so chooses, 1 day’s annual leave and 1 day’s pay at double time, in lieu of each of the first 2 such forfeited days for which he was so recalled, and 1½ days’ annual leave or, if the member so chooses, 1 day’s annual leave and ½ day’s pay at double time, in lieu of each such forfeited day for which he was so recalled thereafter.”

(4) After sub-paragraph (2) there shall be inserted the following sub-paragraphs:

“(3) For the purposes of this paragraph a day’s pay shall be defined as 8 hours, or the equivalent in respect of members working variable shift systems or part-time.

(4) This paragraph applies to members who have pre-booked scheduled annual leave in addition to those members actually recalled from annual leave.”

13.—(1) Schedule 8 paragraph 1 of the principal regulations (Dog handler’s allowance) is amended as follows:

- (2) For “£1,602” there shall be inserted “£1,659”.
- (3) For “£,1659” there shall be inserted “£1,710”.
- (4) For “£1,710” there shall be inserted “£1,761”.

Northern Ireland Office
19th September 2004

Paul Murphy
One of Her Majesty’s Principal Secretaries of State

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Royal Ulster Constabulary Reserve (Full-time) (Appointment and Conditions of Service) Regulations 1996 (“the 1996 Regulations”).

Regulation 2 and 3 make retrospective changes to the previous amending regulation 2002 No. 96 which also amended the 1996 regulations.

Regulation 4 amends regulation 21 of the 1996 Regulations increasing the amount of hours between the ending of a member’s daily period of duty and the next one from 8 hours to 11 hours.

Regulation 5 amends regulation 22 of the 1996 Regulations extending the disregard of casual overtime to time off as well as paid overtime compensation.

Regulation 6 amends regulation 23 of the 1996 Regulations decreasing the eight day threshold for triggering the higher rate of compensation to five.

Regulation 7 amends regulation 38 of the 1996 Regulations increasing the Removal allowance.

Regulations 8, 9, 10 and 11 remove regulations 38, 39, 40 & 45 and Schedule 6 of the 1996 Regulations.

Regulation 12 amends Schedule 3 of the 1996 Regulations changing the compensation arrangement for officers recalled from annual leave.

Regulation 13 amends Schedule 8 of the 1996 Regulations increasing the Dog handler’s allowance.

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