

SCHEDULE 3

Regulations 23 and 36

Effect of disciplinary action on pay and Allowances

1.—(1) Subject to paragraph 3, a member suspended under the Conduct Regulations who—

- (a) is detained in pursuance of a sentence of a court in a prison or other institution to which the Prison Act (Northern Ireland) 1953(1) applies, or is in custody (whether in prison or elsewhere) between conviction by a court and sentence, or
- (b) has absented himself from duty and whose whereabouts are unknown to the Chief Constable (or an assistant Chief Constable acting as Chief Constable),

shall not, by virtue of regulation 23, be entitled to pay in respect of his period in detention or custody or, as the case may be, in respect of the period during which his whereabouts are unknown as aforesaid.

(2) Where the member suspended is a senior officer, sub-paragraph (1)(b) shall have effect as if for the words after “unknown” there were substituted “to the Board”.

2. Subject to paragraph 3, a member suspended under the Conduct Regulations shall not, by virtue of Part VI of these regulations, be entitled to any allowance, in respect of the period of suspension, other than—

- (a) an allowance under Schedule 4; or
- (b) in the case of a member to whom paragraph 1(1) does not apply, such allowance as the Secretary of State may determine.

3. Where a member returns to duty when the period of suspension comes to an end and—

- (a) it has been decided that he shall not be charged with a disciplinary offence, or
- (b) he has been so charged and all the charges have been dismissed, or
- (c) he has been so charged and has been punished by a reduction in his rate of pay, fine, reprimand or caution,

he shall receive, as from the date of his suspension, the pay to which, but for paragraph 1, and the allowances to which, but for paragraph 2, he would have been entitled by virtue of these regulations.

4. Where a member is fined under the Conduct Regulations, the fine shall, without prejudice to any other method of recovery, be recoverable by way of deductions from the member’s pay during the period of 13 weeks following the imposition of the fine so, however, that the aggregate sum which may be deducted in pursuance of this paragraph in respect of any one week (whether on account of one or more fines) shall not exceed a seventh of his weekly pay:

Provided that in the event of the member leaving the police service, the whole amount of any fine unpaid may be deducted from any pay then due.

(1) 1953 c. 18 (N.I.)