
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 257

The Police (Scotland) Regulations 2004

PART 6

ALLOWANCES AND EXPENSES

Allowances

34.—(1) Subject to regulation 38, the Scottish Ministers shall determine the entitlement of members of a police force to any allowance, and in making such a determination the Scottish Ministers may confer on—

- (a) the police authority;
- (b) the chief constable,

such functions—

- (i) in relation to the calculation of an allowance;
- (ii) where the payment of an allowance is subject to such conditions as may be specified in the determination, in relation to those conditions,

as they think fit.

(2) No allowances shall be paid to a member of a police force except as provided by or under these Regulations or approved by the Scottish Ministers, and the amounts and conditions of payment of such allowances shall be as so provided or approved.

(3) Nothing in this regulation shall apply to the reimbursement of expenses incurred by a member of a police force in the execution of that member's duty, being expenses authorised either generally or specifically by the police authority in respect of which no allowance is payable under these Regulations and no determination has been made under regulation 35.

Expenses

35.—(1) The Scottish Ministers shall determine the entitlement of a member of a police force to reimbursement of any expenses incurred by that member in or in connection with the execution of that member's duty.

(2) Where, in making a determination under paragraph (1), the Scottish Ministers specify conditions subject to which expenses are to be reimbursed, they may in that determination confer on—

- (a) the police authority;
- (b) the chief constable,

such functions in relation to those conditions as they think fit.

Continuance of allowances when member ill

36. If a member of a police force who is regularly in receipt of an allowance to meet an expense which ceases during that member's absence from duty is placed upon the sick list or is on maternity

leave, the allowance shall be payable during that member's absence from duty up to a period of a month, but thereafter, during the remainder of that member's absence from duty, payment may be suspended at the discretion of the chief constable.

Allowances in respect of periods of suspension

37. This Part of these Regulations shall have effect in relation to a member of a police force suspended under the Conduct Regulations, subject to the provisions of paragraphs 2 and 3 of Schedule 2.

Replacement Allowance

38. Schedule 3 shall have effect.

Restriction on payments for private employment of police

39. Without prejudice to the generality of regulation 34(2), a member of a police force who is engaged on duty at the request of any person who has agreed to pay the police authority for the member's services shall not be entitled to any payment for those services except as provided by or under these Regulations; and any payments made in pursuance of that agreement shall be made by that person to the police authority.