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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 61**

**The Scottish Crime and Drug Enforcement  
Agency (Scotland) Regulations 2011**

**PART 6**

**ALLOWANCES AND EXPENSES**

**Allowances**

**27.**—(1) The Scottish Ministers must determine the entitlement of police members to any allowance and in making such a determination the Scottish Ministers may confer on the Authority or the Director General such functions as they think fit—

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

(2) No allowances are to be paid to a police member other than in accordance with—

- (a) these Regulations; or
- (b) any determination made by Scottish Ministers under this regulation.

(3) This regulation does not apply to the reimbursement of any expenses incurred by a police member in the execution of that member's duty which—

- (a) have been authorised generally or specifically by the Authority;
- (b) in respect of which no allowance is payable under these Regulations; and
- (c) in respect of which no determination has been made under regulation 28.

**Expenses**

**28.**—(1) The Scottish Ministers must determine the entitlement of a police member to reimbursement of any expenses incurred by that member in or in connection with the performance of that member's duties.

(2) In any determination under paragraph (1) the Scottish Ministers may specify conditions subject to which expenses are to be reimbursed and in doing so may confer on the Authority or the Director General such functions in relation to those conditions as they think fit.

**Continuance of allowances when member ill**

**29.**—(1) This regulation applies where conditions 1, 2 and 3 are satisfied.

(2) Condition 1 is that a police member is regularly in receipt of an allowance to meet an expense.

(3) Condition 2 is that the expense ceases to arise when that member is absent from duty.

(4) Condition 3 is that the member is—

- (a) placed on the sick list; or

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- (b) on maternity leave.
- (5) Where this regulation applies, the allowance mentioned in paragraph (2)—
  - (a) must be paid during the member’s absence from duty for a period not exceeding 1 month; and
  - (b) may then, during the remainder of the member’s absence from duty, be suspended at the discretion of the Director General.

**Replacement allowance**

**30.** Schedule 2 (replacement allowance) has effect.

**Restriction on payments for private employment of SCDEA**

**31.** Without prejudice to the generality of regulation 27, a police member who is engaged on duty at the request of any person who has agreed to pay the Authority for that member’s services is not entitled to any payment for those services except as provided by or under these Regulations.