

**2013 No. 125**

**POLICE**

**The Police Service of Scotland (Amendment) (No. 2)  
Regulations 2013**

<i>Made</i> - - - -	<i>18th April 2013</i>
<i>Laid before the Scottish Parliament</i>	<i>19th April 2013</i>
<i>Coming into force</i> - -	<i>18th May 2013</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 48 and 125(1) of the Police and Fire Reform (Scotland) Act 2012(a) and all other powers enabling them to do so.

In accordance with section 54(1) of that Act, they have shared a draft of the Regulations with the Police Negotiating Board for the United Kingdom and have considered any representations made.

In accordance with section 54(2) of that Act, they have consulted and shared a draft of the Regulations with the persons mentioned in section 54(2)(a)(i) to (vi) of that Act and have considered any representations made.

**Citation and commencement**

1. These Regulations may be cited as the Police Service of Scotland (Amendment) (No. 2) Regulations 2013 and come into force on 18th May 2013.

**Amendment of the Police Service of Scotland Regulations 2013**

2.—(1) The Police Service of Scotland Regulations 2013(b) are amended as follows.

(2) In regulation 2(1)—

(a) in the definition ““qualifying diploma” and “qualifying examination””, for “and “qualifying examination” have” substitute “has”; and

(b) after the definition of “qualifying diploma” insert—

““qualifying examination” means qualifying examination A (elementary), qualifying examination A (advanced), qualifying examination B or qualifying examination C as defined in regulation 2(1) of those Regulations;”.

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(a) 2012 asp 8.

(b) S.S.I. 2013/35, amended by S.S.I. 2013/122.

- (3) For regulation 7(4) substitute—
- “(4) Paragraph (3) is without prejudice to—
- (a) any provision whereby a term of appointment comes to an end on—
- (i) promotion;
- (ii) dismissal; or
- (iii) the conclusion of disciplinary proceedings; and
- (b) regulation 10.”
- (4) In regulation 24(1)(a) for “the Social Security (Incapacity for Work) Act 1994” substitute “section 30A of the Social Security Contributions and Benefits Act 1992(a)”.
- (5) In regulation 32(2)—
- (a) in sub-paragraph (a)—
- (i) for “a colony, protectorate or protected state within the meaning of the British Nationality Act 1948, a dependent” substitute “a British overseas”; and
- (ii) for “colony, protectorate or protected state or dependent” substitute “British overseas”; and
- (b) in sub-paragraph (b)(ii) after “Development” insert “and Co-operation”.
- (6) In Schedule 3, paragraph 20, in the Table in column 2 in the last entry omit “, (7) and (8)”.

#### **Amendment of the Police Service of Scotland (Police Cadets) Regulations 2013**

**3.**—(1) The Police Service of Scotland (Police Cadets) Regulations 2013(b) are amended as follows.

- (2) In the Schedule, in paragraph 1 of Part 3, after “Appointment)” insert “(Scotland)”.

#### **Amendment of the Police Service of Scotland (Special Constables) Regulations 2013**

**4.**—(1) The Police Service of Scotland (Special Constables) Regulations 2013(c) are amended as follows.

- (2) In regulation 7(2)—
- (a) in sub-paragraph (g) after “Service (if any);” insert “and”; and
- (b) omit sub-paragraph (h).

#### **Amendment of the Police Service of Scotland (Conduct) Regulations 2013**

**5.**—(1) The Police Service of Scotland (Conduct) Regulations 2013(d) are amended as follows.

- (2) In Schedule 2, in paragraph 10, for sub-paragraph (15)(b)(ii) substitute—
- “(ii) omit the words “or, as the case may be, of the division concerned,” in both places.”.

#### **Amendment of the Police Service of Scotland (Performance) Regulations 2013**

**6.**—(1) The Police Service of Scotland (Performance) Regulations 2013(e) are amended as follows.

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- (a) 1992 c.4. Section 30A was inserted by the Social Security (Incapacity for Work) Act 1994 (c.18), section 1(1) and amended by the Welfare Reform and Pensions Act 1999 (c.30), section 64; the Civil Partnership Act 2004 (c.33), Schedule 24, paragraph 14; and prospectively repealed by the Welfare Reform Act 2007 (c.5), Schedule 8, paragraph 1.
- (b) S.S.I. 2013/42.
- (c) S.S.I. 2013/43.
- (d) S.S.I. 2013/60.
- (e) S.S.I. 2013/61.

(2) In regulation 22(1)(d) for “constable” substitute “appellant or the chairing constable”.

(3) In the Schedule—

(a) in paragraph 5(c), after “taken” insert “was assigned”; and

(b) in paragraph 10(5)(b), for “(b)(ii)” substitute “(a)(iii)”.

St Andrew’s House,  
Edinburgh  
18th April 2013

*KENNY MACASKILL*  
A member of the Scottish Government

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make clarificatory and technical amendments to various Regulations relating to the Police Service of Scotland.

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