
 S T A T U T O R Y I N S T R U M E N T S

1974 No. 1217

POLICE

The Police (Amendment) (No. 2) Regulations 1974

<i>Made - - - -</i>	<i>18th July 1974</i>
<i>Laid before Parliament</i>	<i>26th July 1974</i>
<i>Coming into Operation</i>	<i>16th August 1974</i>

In exercise of the powers conferred upon me by section 33 of the Police Act 1964(a) and after consulting the Police Council for the United Kingdom in accordance with section 4(4) of the Police Act 1969(b), I hereby make the following Regulations:—

PART I

CITATION, OPERATION ETC.

1. These Regulations may be cited as the Police (Amendment) (No. 2) Regulations 1974.

2. These Regulations shall come into operation on 16th August 1974 and shall have effect—

- (a) for the purposes of Regulation 4 thereof, as from 25th May 1974;
- (b) for the purposes of Regulation 5 thereof, as from 7th November 1973;
- (c) for the purposes of Regulation 6 thereof, as respects overtime worked by an inspector before 16th August 1974 as provided therein and, subject as aforesaid, as from that date;
- (d) for the purposes of Regulations 7, 8, 9 and 11 thereof, as from 1st September 1972;
- (e) for the purposes of Regulation 10 thereof, as respects the year beginning on 1st May 1973 as provided therein and, subject as aforesaid, as from 1st May 1974;
- (f) for the purposes of Part III thereof, as from 16th August 1974.

 (a) 1964 c. 48.

(b) 1969 c. 63.

3.—(1) In these Regulations any reference to the principal Regulations is a reference to the Police Regulations 1971(a), as amended(b).

(2) The Interpretation Act 1889(c) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

PART II

PROVISIONS HAVING RETROSPECTIVE EFFECT

4.—(1) This Regulation shall have effect, notwithstanding anything in the principal Regulations, for the purpose of supplementing the pay of a member of a police force holding the rank of chief superintendent or any lower rank; but any allowance under the principal Regulations calculated by reference to a member's pay shall be calculated as if this Regulation had not been made.

(2) Subject to paragraphs (3) and (4) below, the annual pay of such a member shall be increased—

(a) with effect from the first day of his pay period first beginning after 24th May 1974, by £62·64, and

(b) with effect from the first day of his pay period first beginning after 21st June 1974, by a further £41·76.

(3) Where the Secretary of State is satisfied that the Retail Price Index figure as published on any date falling after 21st June 1974 but before 16th November 1974 exceeds by 12% or more the base figure, that is to say so exceeds 185·4, he may, in lieu of the increase under paragraph (2) above, or of any increase previously authorised hereunder, authorise the increase of the annual pay of such a member in pursuance of this paragraph and, for the purposes thereof, shall specify—

(a) the amount of the increase, being £20·88 in respect of each full 1%₀₀, over and above 6%, by which the Retail Price Index figure in question exceeds the base figure; and

(b) the date of publication of the Retail Price Index figure in question.

(4) The annual pay of such a member shall be increased in pursuance of an authorisation under paragraph (3) above by the amount specified under sub-paragraph (a) thereof with effect from the first day of his pay period first beginning after the date specified under sub-paragraph (b) thereof: but, with effect from that day, no increase shall be payable in his case under paragraph (2) or in pursuance of any authorisation under paragraph (3) above given before the authorisation in question was given.

(5) In this Regulation the following expressions have the meanings hereby respectively assigned to them, that is to say—

“annual pay” means annual pay determined in accordance with the principal Regulations and with Regulation 5 of these Regulations:

“base figure” means the Retail Price Index figure for October 1973;

(a) S.I. 1971/156 (1971 I, p. 439).

(b) The relevant amending instruments are S.I. 1971/1141, 1973/33, 356, 1583, 1974/649 (1971 II, p. 3373; 1973 I, pp. 261, 1248; III, p. 4960; 1974 I, p. 2605).

(c) 1889 c. 63.

“pay period” means the period for which, in pursuance of Regulation 39 of the principal Regulations, a member is paid;

“Retail Price Index figure” means that figure as published by the Department of Employment.

5.—(1) This Regulation shall have effect, notwithstanding anything in the principal Regulations, for the purpose of increasing the pay of a member of the City of London or metropolitan police force holding the rank of chief superintendent or any lower rank.

(2) The annual pay of such a member shall be increased—

(a) in the case of a chief superintendent or superintendent by £22;

(b) in any other case, by £24.

(3) In this Regulation the expression “annual pay” means annual pay determined in accordance with the principal Regulations and Regulation 4 of these Regulations.

6.—(1) In paragraph (2) of Regulation 25 of the principal Regulations (overtime) for the words “or sergeant” there shall be substituted the words “sergeant or inspector”.

(2) Paragraphs (3) and (5) of the said Regulation 25 shall be omitted.

(3) In paragraph (6) of the said Regulation 25 the words “or by virtue of paragraph (5)” shall be omitted.

(4) Notwithstanding paragraphs (1), (2) and (3) above, in relation to overtime worked by an inspector during the period of 3 months ending immediately before 1st April 1974 the said Regulation 25 shall have effect as set out in Appendix 3 to the Police (Amendment) Regulations 1973 but, where time off falls to be granted by virtue of paragraph (5) thereof, as if in paragraph (6) thereof for the words “within such time (not exceeding 3 months) after that week as the chief officer of police may fix, he” there were substituted the words “before 1st April 1975 the chief officer of police”.

(5) In relation to overtime worked by an inspector during the period beginning with 1st April 1974 and ending immediately before 16th August 1974, being overtime worked otherwise than on a special occasion in respect of which time off has not been granted by virtue of paragraph (5) of the said Regulation 25 set out as aforesaid, the said Regulation 25 shall have effect as amended by paragraphs (1), (2) and (3) above but—

(a) an election under paragraph (2) of the said Regulation 25 may be made at any time before the expiry of the pay period which includes 16th August 1974, and

(b) paragraph (6) of the said Regulation 25 shall have effect as if for the words “after that week” there were substituted the words “after the week which includes 16th August 1974”.

(6) In this Regulation the expressions “overtime”, “pay period” and “special occasion” have the meanings respectively assigned to them by the said Regulation 25.

7. In Regulation 26(5)(f) of the principal Regulations (public holidays and rest days for lower ranks) after the words "his period of duty shall include" there shall be inserted the words "(save for the purposes of sub-paragraph (e))".

8. In Regulation 26A(2) of the principal Regulations (travelling time treated as duty) after the words "for the purposes of Regulation 26" there shall be inserted the words "(save for the purposes of paragraph (5)(e) thereof)".

9. After Regulation 57 of the principal Regulations there shall be inserted the following Regulation:—

"Dog handler's allowance

57A.—(1) Where a dog owned by the police authority is kept and cared for by a member of a police force at his home, the member shall be paid a dog handler's allowance in respect of the care accorded to the dog on the member's rest days and on public holidays.

(2) A dog handler's allowance shall be of an amount determined in accordance with Schedule 12.

(3) For the purposes of this Regulation and of Schedule 12 a member of a police force shall be treated as keeping and caring for a dog at his home if he would be so doing but for his being on annual leave."

10.—(1) For Tables A, B, C and D in Schedule 8 to the principal Regulations (motor car allowances) there shall be substituted the Tables set out in Appendix 1 to these Regulations.

(2) As respects the year beginning on 1st May 1973 a motor vehicle allowance in respect of a motor car payable under Regulation 55 of the principal Regulations shall be calculated as hereinafter provided.

(3) So far as the allowance falls to be calculated by reference to completed months of authorised use ending, or mileage of authorised use performed, on or after 1st March 1974, it shall be calculated in accordance with the principal Regulations as amended by this Regulation, and the principal Regulations shall have effect accordingly.

(4) Nothing in this Regulation shall affect the calculation of the allowance so far as it falls to be calculated by reference to completed months of authorised use ending, or mileage of authorised use performed, before 1st March 1974.

11. After Schedule 11 to the principal Regulations there shall be added the Schedule set out in Appendix 2 to these Regulations.

PART III

PROVISIONS HAVING EFFECT FROM THE COMING INTO OPERATION OF THE REGULATIONS

12. After Regulation 26(5)(a) of the principal Regulations (public holidays and rest days for lower ranks) there shall be inserted the following provision:—

"(aa) a member of a police force who is paid a dog handler's allowance shall not be treated as required to do duty by reason only of his being required to care for the dog;"

13. For Regulation 32(2) of the principal Regulations (rate of pay) there shall be substituted the following provision:—

“(2) Subject to Regulations 34, 35, 35A and 36, section 2(1) of the Police (Overseas Service) Act 1945 and section 43(1) of the Police Act 1964, in reckoning the service of a member of a police force in any rank for the purposes of any of the aforesaid scales of pay, account shall be taken of all his service in that rank, whether in that or another police force; and service in a higher rank, on temporary promotion thereto or otherwise, shall be treated as if it had been service in that rank:

Provided that in reckoning a member’s service in any rank—

- (a) that service shall be treated as unbroken by, and including, any period of service in Her Majesty’s forces which he is entitled to reckon as pensionable service;
- (b) no account shall be taken of any previous service in that rank which terminated in his reduction in rank as a punishment but any previous service in a higher rank which so terminated shall be treated as if it had been service in the rank to which the member was reduced;
- (c) any period of unpaid maternity leave shall be disregarded,

and, in the case of a member of a police force of a rank higher than that of inspector, this paragraph shall have effect subject to any contrary agreement so far as it relates to the reckoning of previous service in that or another force, not being a force from which he was statutorily transferred to his present force.”.

14. Regulation 33 of the principal Regulations (reckoning of previous service) shall be omitted.

15.—(1) In paragraph (1) of Regulation 34 of the principal Regulations (reckoning of previous service in the Royal Ulster Constabulary) the words “but for the purposes hereof Regulation 32(2) shall have effect as if the words “on temporary promotion thereto” were omitted in each place where they occur” shall be omitted.

(2) Paragraph (2) of the said Regulation 34 shall be omitted.

16. In paragraph 3 of Schedule 3 to the principal Regulations (annual leave) for the words “below the rank of superintendent” there shall be substituted the words “of a rank not higher than that of superintendent”.

Roy Jenkins,
One of Her Majesty’s Principal
Secretaries of State.

Home Office,
Whitehall.
18th July 1974.

APPENDIX 1

TABLES SUBSTITUTED FOR TABLES A, B, C AND D IN
SCHEDULE 8 TO THE PRINCIPAL REGULATIONSTABLE A
STANDARD AMOUNT

Cylinder capacity	Annual rate of fixed element	Mileage element	
		Basic rate per mile	Reduced rate per mile
	£	£	£
1,200 c.c. or more but less than 1,700 c.c.	129	0.050	0.032
1,000 c.c. or more but less than 1,200 c.c.	117	0.045	0.029
Less than 1,000 c.c.	108	0.040	0.025

TABLE B
ABATED AMOUNT

Cylinder capacity	Annual rate of fixed element	Mileage element	
		Basic rate per mile	Reduced rate per mile
	£	£	£
1,200 c.c. or more but less than 1,700 c.c.	114	0.048	0.032
1,000 c.c. or more but less than 1,200 c.c.	105	0.043	0.029
Less than 1,000 c.c.	99	0.038	0.025

TABLE C
STANDARD AMOUNT

Cylinder capacity	Rate per mile
	£
1,200 c.c. or more but less than 1,700 c.c.	0.090
1,000 c.c. or more but less than 1,200 c.c.	0.080
Less than 1,000 c.c.	0.072

TABLE D
ABATED AMOUNT

Cylinder capacity	Rate per mile
	£
1,200 c.c. or more but less than 1,700 c.c.	0.084
1,000 c.c. or more but less than 1,200 c.c.	0.075
Less than 1,000 c.c.	0.067

APPENDIX 2
SCHEDULE 12

DOG HANDLER'S ALLOWANCE

1.—(1) Subject as hereinafter provided, a dog handler's allowance shall be payable—

- (a) in the case of a member of the City of London or of the metropolitan police force of the rank of constable, at the annual rate of £183 or, where the member is a woman, of £174;
- (b) in the case of such a member of any other rank, at the annual rate of £240 or, where the member is a woman, of £231;
- (c) in the case of a member of any other police force of the rank of constable, at the annual rate of £177 or, where the member is a woman, of £168;
- (d) in the case of such a member of any other rank, at the annual rate of £237 or, where the member is a woman, of £225.

(2) Where the member keeps and cares for at his home more than one dog owned by the police authority, the annual rate of the allowance shall be multiplied by the number of such dogs so kept and cared for.

2.—(1) This paragraph shall apply to the calculation of a dog handler's allowance in respect of any period beginning on or after 1st September 1972 and ending before 16th August 1974.

(2) The payments by way of dog handler's allowance made to a member of a police force in respect of any such period as aforesaid shall be reduced by the aggregate amount of any payments made to him—

- (a) by way of an allowance under Regulation 26 in respect of his being required to do duty during that period in connection with caring for a dog owned by the police authority at his home, or
- (b) by way of a dog handler's allowance in respect of that period, being an allowance approved by the Secretary of State for the purposes of Regulation 40 or 63.

3.—(1) This paragraph shall apply to the calculation of a dog handler's allowance in respect of any period beginning on or after 16th August 1974 where—

- (a) throughout the month immediately preceding that date the member concerned has kept and cared for at his home at least one dog owned by the police authority, and
- (b) he has, in respect of that month, received such payments as are referred to in paragraph 2(2) (a) or (b),

except that this paragraph shall cease to apply when the member first ceases so to keep and care for any such dogs on or after 16th August 1974.

(2) If and so long as this paragraph applies in the case of a member of a police force, the dog handler's allowance payable to him shall not be payable at a rate lower than that at which it would be payable if, for the annual rate specified in paragraph 1(1) and applicable in his case, there were substituted, subject to sub-paragraph (3), the rate at which, in respect of the month immediately preceding 16th August 1974, he received such payments as are referred to in paragraph 2(2)(a) or (b), in either case expressed as an annual rate.

(3) For the purposes of sub-paragraph (2), a member shall be treated as having received the payments there mentioned only to the extent which he would have received them—

- (a) if throughout the month there mentioned he had kept and cared for one dog only, and
- (b) in the case of such payments as are mentioned in paragraph 2(2)(a) if for both the references in Regulation 26(5)(e) to 16 completed quarters of an hour there had been substituted references to 8 completed quarters of an hour.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Police Regulations 1971.

Regulation 4 provides, with effect from 25th May 1974, for "threshold" increases in the pay of a member of a police force of, or below, the rank of chief superintendent. These pay increases are related to increases in the Retail Price Index (over that for October 1973) during the period up to 16th November 1974.

Regulation 5 increases, with effect from 7th November 1973, the pay of a member of the City of London or metropolitan police force of, or below, the rank of chief superintendent.

Regulation 6 provides, with effect from 1st April 1974, for an inspector to be compensated for overtime worked on the same basis as a sergeant or constable subject, however, to transitional provisions in respect of overtime worked before the coming into operation of the present Regulations.

Regulations 7 and 8 amend certain provisions of the Regulations of 1971 under which travelling time is treated as a period of duty and provide, with effect from 1st September 1972, that such time shall not be so treated for the purposes of Regulation 26(5)(e) of the Regulations of 1971 (minimum compensation for duty performed on a public holiday or rest day).

Regulations 9 and 11, with effect from 1st September 1972, introduce provision for the payment of allowances to dog handlers who keep and care for police dogs at their own homes.

Regulation 10 increases the rates of motor car allowances with effect from 1st March 1974.

The remaining Regulations have effect from the coming into operation of the Regulations.

Regulation 12 amends the provisions relating to compensation for duty performed on a public holiday or rest day and takes account of the introduction of the dog handler's allowance.

Regulations 13, 14 and 15 make fresh provision as respects the reckoning of previous service for the purposes of pay.

Regulation 16 extends to superintendents the provisions governing the carrying over of leave from one year to the next which apply in the case of members of police forces of a rank lower than superintendent.

The dates from which the various Regulations take effect are laid down in Regulation 2 (retrospection is authorised by section 33(4) of the Police Act 1964).

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