

1974 No. 489 (S.37)
POLICE
The Police (Scotland) Amendment Regulations 1974

<i>Made - - - -</i>	<i>14th March 1974</i>
<i>Laid before Parliament</i>	<i>29th March 1974</i>
<i>Coming into Operation</i>	<i>19th April 1974</i>

In exercise of the powers conferred on me by section 26 of the Police (Scotland) Act 1967(a), and of all other powers enabling me in that behalf, 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, COMMENCEMENT, OPERATION AND INTERPRETATION

1. These regulations may be cited as the Police (Scotland) Amendment Regulations 1974.
2. These regulations shall come into operation on 19th April 1974 and shall have effect as follows, that is to say—
 - (a) for the purposes of Part II thereof, as from 1st September 1973, and
 - (b) for the purposes of Part III thereof, from 19th April 1974.
3. In these regulations any reference to the principal regulations is a reference to the Police (Scotland) Regulations 1972(c), as amended (d).
4. The Interpretation Act 1889(e) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

PART II

PROVISIONS HAVING EFFECT FROM 1ST SEPTEMBER 1973

- 5.—(1) In paragraph 5 of regulation 44 of the principal regulations (which relates to removal allowance) for the amount “£15” there shall be substituted the amount “£20.”.

 (a) 1967 c. 77.

(b) 1969 c. 63.

(c) S.I. 1972/777 (1972 II, p. 2490).

(d) S.I. 1972/1206, 1973/119, 391, 1458, 1609, (1972 II, p. 3573; 1973 I, pp. 516, 1338; II, p. 4425; III, p. 5042).

(e) 1889 c. 63.

(2) For paragraph (6) of the said regulation 44 there shall be substituted the following paragraphs:—

“(6) In the case of any other constable the amount of the allowance under paragraph (3) shall not exceed £250 nor be less than the minimum amount mentioned in paragraph (6A) but, subject as aforesaid, shall equal the aggregate of the following amounts:—

- (a) the amount of the expenditure incidental to the move reasonably incurred by the member, and
- (b) where he satisfies the police authority that, in consequence of the move, he has failed to benefit, in whole or in part, from expenditure reasonably incurred by him prior to the move (other than such payments as are referred to in paragraph (1)(d)), the whole or the proportionate part of that expenditure so far as it is not recoverable by him.

(6A) The minimum amount referred to in paragraph (6) shall be—

- (a) where the constable holds, or is transferring to be appointed in, a rank higher than that of chief superintendent, such amount as may be determined by the police authority;
- (b) where he holds, or is transferring to be appointed in, the rank of superintendent, £95;
- (c) where he holds, or is transferring to be appointed in, the rank of inspector, £75;
- (d) where he holds, or is transferring to be appointed in, any rank lower than inspector, £60.”.

6. In paragraph 46 of the principal regulations (which relates to footwear allowance) for the rate “£0.240 a week” there shall be substituted “£0.290 a week.”.

7.—(1) For paragraph (2) of regulation 48 of the principal regulations (which relates to plain clothes allowance) there shall be substituted the following paragraph:—

“(2) A plain clothes allowance payable under paragraph (1) shall be payable at the rate of—

- (a) £76 a year in the case of a superintendent;
- (b) £72 a year in the case of an inspector;
- (c) £64 a year in the case of a sergeant;
- (d) £60 a year in the case of a constable of the rank of constable.”.

(2) In paragraph (3) of the said regulation 48 for the period “48 hours” there shall be substituted “40 hours”

(3) For paragraph (4) of the said regulation 48 there shall be substituted the following paragraph:—

“(4) A plain clothes allowance payable under paragraph (3) shall be payable at the rate of—

- (a) £0·033 an hour, in the case of an inspector;
- (b) £0·031 an hour, in the case of a sergeant;
- (c) £0·028 an hour, in the case of a constable of the rank of constable.”.

PART III

PROVISION HAVING EFFECT FROM 19TH APRIL 1974

8. For paragraph (2)(d) of regulation 1 of the principal regulations (citation, commencement and interpretation) there shall be substituted the following paragraph:—

“(d) a reference to a constable being statutorily transferred from one force to another shall be construed as a reference to such a constable being transferred by or under the Police (Scotland) Act 1946(a), the Police (Scotland) Act 1956(b), the Police (Scotland) Act 1967(c) as amended by the Local Government (Scotland) Act 1973(d) or the Local Government (Scotland) Act 1973;”.

9. In paragraph (2)(g) of regulation 1 of the principal regulations (citation, commencement and interpretation) for the definition of “public holiday” there shall be substituted the following definition:—

“ “public holiday” means Christmas Day, New Year’s Day and each of 5 other days, being so far as is practicable local public holidays.”.

10. In paragraph (1) of regulation 20 of the principal regulations (which relates to meetings of the Scottish Police Federation treated as police duty) after the words “central committee” there shall be inserted the words “the annual meeting of the joint central committee with the joint central committee of the Police Federation for England and Wales and the central committee of the Police Federation for Northern Ireland,”.

William Ross,
One of Her Majesty’s Principal
Secretaries of State.

St Andrew’s House,
Edinburgh.
14th March 1974.

(a) 1946 c. 71.
(c) 1967 c. 77.

(b) 1956 c. 26.
(d) 1973 c. 65.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Police (Scotland) Regulations 1972.

Part II of these Regulations (Regulations 5 to 7) relates to the allowances of constables. It has effect from 1st September 1973.

Regulation 5 provides for an increase in the rates of removal allowance.

Regulations 6 and 7 provide for an increase in the rates of footwear allowance and plain clothes allowance, respectively.

Part III of these Regulations (Regulation 8 to 10) relates to the enactments governing the statutory transfer of constables, the number of public holidays and meetings of the Scottish Police Federation to be treated as police duty. It has effect from 19th April 1974, the operative date of these Regulations.

Regulation 8 adds the Local Government (Scotland) Act 1973 to those enactments which govern statutory transfer of constables. Regulation 9 increases the number of public holidays from 6 to 7 and it designates Christmas Day as the additional day in Scotland.

Regulation 10 provides for the annual meeting of the joint central committee of the Scottish Police Federation with the joint central committee of the Police Federation for England and Wales and the central committee of the Northern Ireland Police Federation to be treated as police duty.

The provision that Part II shall have retrospective effect is contained in Regulation 2 (made in exercise of the power conferred by section 26(3) of the Police (Scotland) Act 1967.).

SI 1974/489
ISBN 0-11-040489-0



780110 404899