
STATUTORY INSTRUMENTS

1990 No. 1312 (S. 145)

POLICE

The Police (Scotland) Amendment (No. 2) Regulations 1990

<i>Made</i>	- - - -	<i>22nd June 1990</i>
<i>Laid before Parliament</i>		<i>5th July 1990</i>
<i>Coming into force</i>	- -	<i>26th July 1990</i>

The Secretary of State, in exercise of the powers conferred on him by section 26 of the Police (Scotland) Act 1967(1) and of all other powers enabling him in that behalf and after taking into consideration the recommendations made by the Police Negotiating Board for the United Kingdom and furnishing the said Board with a draft of the Regulations in accordance with section 2(1) of the Police Negotiating Board Act 1980(2), hereby makes the following Regulations:

Citation

1. These Regulations may be cited as the Police (Scotland) Amendment (No. 2) Regulations 1990.

Commencement

2. These Regulations shall come into force on 26th July 1990 and shall have effect for the purposes of regulations 4, 5, 6, 7 and 8 as from 1st April 1990 and for the purposes of regulation 9 as from 1st July 1989.

Interpretation

3. In these Regulations any reference to “the principal Regulations” is a reference to the Police (Scotland) Regulations 1976(3).

Amendment of the principal Regulations

4. In regulation 42B of the principal Regulations (transitional rent allowance), there shall be inserted after paragraph (8) the following paragraph:—

“(8A) In determining—

(1) 1967 c. 77; section 26(9) was amended by section 2(4) of the Police Negotiating Board Act 1980 (c. 10); section 26(1A) and (10) were inserted by section 111 of the Police and Criminal Evidence Act 1984 (c. 60).
(2) 1980 (c. 10).
(3) S.I. 1976/1073; the relevant amending instruments are S.I. 1988/2287 and 1990/469.

- (a) for the purposes of paragraph (1), (2), (3) or (5), the annual rate of rent allowance, or supplementary rent allowance under regulation 43(3)(b), payable to a constable on 31st March 1990;
- (b) for the purposes of paragraph (6) (including that paragraph as applied by regulation 42C), the maximum limit for the purposes of rent allowance fixed on 31st March 1990 for constables of the constable's new force, or the flat-rate rent allowance then payable to such constables; or
- (c) for the purposes of paragraph (8), or of paragraph (2), (3) or (5) as applied by regulation 42C, or of paragraph (1) or (2) of regulation 42C, the annual rate of rent allowance (or of supplementary rent allowance under regulation 43(3)(b)) which would have been payable to a constable on 31st March 1990,

(but for no other purposes of these Regulations) the rate of rent allowance payable, or which would have been payable, on that date or the maximum limit fixed at that time, as the case may be, shall, in relation to a force whose maximum limit for the purposes of rent allowance would have fallen to be re-fixed by the police authority on a date during 1990, be deemed to be increased by the same percentage as that by which the housing allowances in relation to that force were increased on 1st April 1990 in accordance with regulation 42A.”.

5.—(1) Regulation 42A of the principal Regulations (housing allowance: supplementary) shall be amended by—

- (a) inserting after the words “maximum limit” in both places where they occur the words “for the purposes of”; and
- (b) substituting for the words “rent allowance or” the words “maximum limit for the purposes of rent allowance or the”.

(2) Regulation 42B(6) of the principal Regulations (transitional rent allowance) shall be amended by inserting after the words “maximum limit” the words “for the purposes of”.

6. Regulation 42C(2)(b) of the principal Regulations (transitional rent allowance) shall be amended by substituting for the words “then be entitled under regulation 42, 43 or 44” the words “be entitled under regulation 42, 43 or 44 at the time when regulation 42B(1) first applied to him by virtue of paragraph (1) of this regulation”.

7. Regulation 42D(2) of the principal Regulations (compensatory grant) shall be amended by—

- (a) inserting in sub-paragraph (b), after the word “payable” in the first place where it occurs, the words “in respect of any period”; and
- (b) substituting for the words “no compensatory grant shall be payable to a constable” in sub-paragraph (c) the words “a constable shall cease to be eligible for compensatory grant immediately”.

8. Regulation 45A(3) of the principal Regulations (provided accommodation allowance) shall be amended by substituting for the words “A provided accommodation allowance shall cease to be payable to a constable” the words “A constable shall cease to be eligible for the payment of a provided accommodation allowance”.

9. In paragraph 3(2) of Schedule 9 to the principal Regulations (university scholars) there shall be inserted after the words “rate of” and in place of the words “£1,017 a year with effect from 1st July 1987 and the rate of £1,089 a year with effect from 1st July 1988” the words “£1,170 a year”.

St Andrew's House,
Edinburgh
22nd June 1990

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Police (Scotland) Regulations 1976, with effect from 1st April 1990 or, in the case of regulation 9, 1st July 1989 (retrospection is authorised by section 26(3) of the Police (Scotland) Act 1967).

Regulation 42B of the 1976 Regulations, as amended by the Police (Scotland) Amendment Regulations 1990 (S.I.1990/469), provides for certain police officers to receive a transitional rent allowance, usually of an amount equivalent to that of the officer's rent allowance as at 31st March 1990. Regulation 4 of these Regulations amends regulation 42B so that the transitional rent allowance of an officer of a police force whose rent allowances were last increased in 1988 will be increased by an amount calculated by reference to movements in the retail prices index between the relevant date in 1988 and 1st April 1990.

Regulations 5 to 8 of these Regulations make drafting corrections to provisions substituted by the Police (Scotland) Amendment Regulations 1990, and effect no change of substance.

Regulation 9 increases from £1,089 to £1,170 from 1st July 1989 the supplement payable to an officer of a Scottish police force who takes up residence as a university scholar in London.