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STATUTORY INSTRUMENTS

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**1992 No. 1432 (S.139)**

**POLICE**

**The Police (Scotland) Amendment Regulations 1992**

<i>Made</i>	- - - -	<i>12th June 1992</i>
<i>Laid before Parliament</i>		<i>30th June 1992</i>
<i>Coming into force</i>	- -	<i>21st July 1992</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, 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 Regulations 1992.

**Commencement**

2. These Regulations shall come into force on 21st July 1992, and shall have effect—
  - (a) for the purposes of regulation 4 as from 1st February 1991;
  - (b) for the purposes of regulation 5 as from 1st February 1992;
  - (c) for the purposes of regulation 6 as from 20th March 1991, subject to the transitional provisions in regulation 11;
  - (d) for the purposes of regulation 7 as from 21st July 1992;
  - (e) for the purposes of regulation 8 as from 1st July 1991;
  - (f) for the purposes of regulations 9 and 10 as from 1st September 1991.

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(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.

## Interpretation

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

## Temporary salary

4. In regulation 30A of the principal Regulations (temporary salary)((4)) there shall be inserted after paragraph (3) the following paragraph:—

“(3A) Where a constable below the rank of superintendent—

- (a) on his last scheduled working day in any year is required to perform duties normally performed by a constable of a higher rank than his own; and
- (b) is paid in respect of that day at the rate provided for under paragraph (3); and
- (c) on his first scheduled working day of the next following year continues for the complete day to perform such duties,

he shall be paid, in respect of the day mentioned in sub-paragraph (c) and any following complete day which together therewith forms a continuous period when he is required to perform such duties, as if that day or days had formed part of the year mentioned in sub-paragraph (a):

Provided that the said day or days shall be disregarded for the purposes of the application of paragraph (3) to that constable in the year mentioned in sub-paragraph (c).”.

## Pay day

5. In regulation 39 of the principal Regulations (pay day) there shall be inserted at the end of the regulation the following paragraph:—

“(3) The police authority may, if they think fit, pay to a constable such part of his pay as they may determine in advance of the day on which it would otherwise be due to be paid in accordance with this regulation.”.

## Removal allowance

6. In regulation 47 of the principal Regulations (removal allowance)—

- (a) in paragraph (1)(d)((5)) for the word “13” there shall be substituted the word “26” and for the words “a further period not exceeding 39 weeks” there shall be substituted the words “such further period as they may determine”;
- (b) in paragraph (6)((6)) for the words “ £600” there shall be substituted the words “£1,200”; and
- (c) in paragraph (8)(b) there shall be inserted—
  - (i) after the word “fees” the words “, stamp duty”; and
  - (ii) at the end the words “; and any reference to expenses incurred in connection with the acquisition of any property shall be construed as also including expenses in connection with the contemplated acquisition of a property other than that acquired.”.

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(3) S.I. 1976/1073; the relevant amending instruments are S.I. 1981/67, 1982/1628, 1983/317, 1985/111 and 1733, 1987/1914, 1989/2222, 1990/469 and 1990/1312.

(4) Regulation 30A was inserted by S.I. 1982/1628.

(5) Regulation 47(1) was amended by S.I. 1981/67, and paragraph (d) thereof was amended by S.I. 1985/1733 and the period specified therein was substituted by S.I. 1987/1914.

(6) The sum specified in regulation 47(6) was substituted by S.I. 1983/317.

### **Allowance in respect of medical charges**

7. There shall be substituted for regulation 58 of the principal Regulations (allowance in respect of medical charges) the following regulation:—

#### **“Allowance in respect of medical charges**

58.—(1) A constable, other than one such as is mentioned in paragraph (2), shall be reimbursed by the police authority any charges incurred in his case under section 69, 70, 71 or 71A of the National Health Service (Scotland) Act 1978((7)) (which sections relate to charges for certain drugs, medicines and appliances and for dental treatment).

(2) A constable, who first became a constable on or after 21st July 1992, shall be reimbursed any such charges by the police authority if they are incurred by reason of an injury received without the default of the constable concerned in the execution of his duty as a constable, but not otherwise.

(3) For the purposes of the preceding paragraph, the terms “injury” and “injury received in the execution of duty” have the same meanings as they have in the Police Pensions Regulations((8)).”.

### **University scholars**

8. In paragraph 3(2) of Schedule 9 to the principal Regulations (university scholars)((9)) for the sum “£1,170” there shall be substituted the sum “£1,344”.

### **Scales of pay**

9. In Schedule 3 to the principal Regulations (scales of pay)((10)) for Tables A and B there shall be substituted respectively Tables A and B set out in Schedule 1 to these Regulations.

### **Dog handler’s allowance**

10. In paragraph 1(1) of Schedule 10 to the principal Regulations (dog handler’s allowance)((11)) for the sums “£723” and “£987” there shall be substituted the sums “£858” and “£1,176” respectively.

### **Transitional provision**

11. Notwithstanding the provisions of regulation 6 of these Regulations, regulation 47 of the principal Regulations shall continue to apply as it had effect immediately before the coming into force of these Regulations in relation to any move which took place before 20th March 1991.

### **Revocations**

12. The Regulations specified in column 1 of Schedule 2 to these Regulations are hereby revoked to the extent specified in column 3 of that Schedule.

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(7) 1978 c. 29; section 70 was amended by the Health and Medicines Act 1988 (c. 49) (“the 1988 Act”), section 11(4), Schedule 2, paragraph 12 and Schedule 3; section 71 was amended by the 1988 Act, section 11(5) and (7) and Schedule 3; section 71A was inserted by section 11(6) of the 1988 Act.

(8) S.I. 1987/257.

(9) The sum specified in paragraph 3(2) of Schedule 9 was substituted by S.I. 1990/1312.

(10) Tables A and B in Schedule 3 were substituted by S.I. 1989/2222.

(11) The sum specified in paragraph 1(1) of Schedule 10 was substituted by S.I. 1989/2222.

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

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St Andrew's House,  
Edinburgh  
12th June 1992

*Fraser of Carmyllie*  
Minister of State, Scottish Office

## SCHEDULE 1

Regulation 9

TABLE A

Rank	Before completing 1 year of service in the rank £ a year	After 1 year of service in the rank £ a year	After 2 years of service in the rank £ a year	After 3 years of service in the rank £ a year	After 4 years of service in the rank £ a year
Chief Inspector	24,510	25,197	25,881	26,571	27,264
Inspector	21,588	22,263	23,133	23,820	24,510
Sergeant	18,819	19,674	20,367	21,039	21,588

TABLE B

Reckonable service	Annual pay £
Before completing 1 year of service	11,790
After 1 year of service	12,606
After 2 year of service	14,841
After 3 year of service	15,192
After 4 year of service	15,693
After 5 year of service	16,233
After 6 year of service	16,749
After 7 year of service	17,268
After 8 year of service	17,778
After 12 year of service	18,819
After 15 year of service	19,674

## SCHEDULE 2

Regulation 12

## REVOCATIONS

Regulations revoked	References	Extent of revocation
The Police (Scotland) Amendment Regulations 1983	S.I. <a href="#">1983/317</a>	Regulation 6
The Police (Scotland) Amendment (No 2) Regulations 1987	S.I. <a href="#">1987/1914</a>	Regulation 9

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Regulations revoked	References	Extent of revocation
The Police (Scotland) Amendment Regulations 1989	S.I. <a href="#">1989/2222</a>	Regulations 8(a) and 9 and Schedule 1.

## EXPLANATORY NOTE

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

These Regulations further amend the Police (Scotland) Regulations 1976. They come into force on 21st July 1992 and have effect for the purposes of regulation 4 as from 1st February 1991, regulation 5 as from 1st February 1992; regulation 6 as from 20th March 1991, regulation 7 as from 21st July 1992, regulation 8 as from 1st July 1991 and regulations 9 and 10 as from 1st September 1991 (retrospection being authorised by section 26(3) of the Police (Scotland) Act 1967).

Regulation 4 provides for the entitlement of a constable below the rank of superintendent to receive a temporary increase in pay where he is required to perform duties normally carried out by a constable of higher rank to extend beyond 1st April in any year, where immediately before that date he was receiving a temporary increase in pay in respect of such duties and on his first scheduled working day following that date he continued to perform such duties.

Regulation 5 ensures that police authorities may make advances of pay to constables.

Regulation 6 amends the entitlement of constables to payment of removal allowance by providing for an increase in the period of entitlement to reimbursement of mortgage interest or rent, and giving police authorities a discretion to allow a further period of such entitlement. It also provides for an increase in the maximum amount payable in respect of incidental expenditure, and clarifies the meaning of certain reimbursable expenses.

Regulation 7 preserves the entitlement of existing constables to reimbursement of National Health Service charges for certain drugs, medicines and appliances and for dental treatment, and provides for the reimbursement of such charges to constables who first join the police after these Regulations come into force only where the charges relate to an injury received or disease contracted in the execution of their duties as a constable.

Regulation 8 increases the supplement payable to a constable of a Scottish police force who takes up residence as a university scholar in London.

Regulation 9 provides for increases in the rates of pay of police constables, sergeants, inspectors and chief inspectors.

Regulation 10 provides for an increase in the rates of the dog handler's allowance.