
STATUTORY INSTRUMENTS

1993 No. 1198

POLICE

The Police (Amendment) (No. 2) Regulations 1993

Made - - - - *2nd May 1993*
Laid before Parliament *11th May 1993*
Coming into force - - *14th June 1993*

In exercise of the powers conferred upon me by section 33 of the Police Act 1964⁽¹⁾, and after furnishing the Police Negotiating Board for the United Kingdom with a draft of the Regulations in accordance with section 2(1) of the Police Negotiating Board Act 1980⁽²⁾, I hereby make the following Regulations:

1. These Regulations may be cited as the Police (Amendment) (No.2) Regulations 1993.
2. These Regulations shall come into force on 14th June 1993 and shall have effect for the purposes of regulation 3(2), (3), (4) and (5) as from 1st April 1990, and for the purposes of regulation 3(6) as from 1st July 1992.
- 3.—(1) The Police Regulations 1987⁽³⁾ shall be amended in accordance with the following provisions of this regulation.
 - (2) In regulation 49B(5) there shall be substituted for the words “half the annual rate of rent allowance payable to him” the words “the flat-rate rent allowance payable to members of his force of the rank he held”.
 - (3) After regulation 49B(5A) there shall be inserted the following paragraph—
 - “(5B) Where a member in receipt of a transitional rent allowance—
 - (a) was entitled on 31st March 1990 to a flat-rate rent allowance, and
 - (b) was then and remains married to (but not separated from) a person who is a member of a police force who is also in receipt of a transitional rent allowance and who on or after 1st April 1990 resigns (otherwise than upon immediate transfer to another force), retires or is discharged by reason of his services being dispensed with under regulation 17 (whether or not, in the case of a woman member, the resignation, retirement or discharge immediately follows a period of unpaid maternity leave),

(1) 1964 c. 48.

(2) 1980 c. 10.

(3) S.I.1987/851; the relevant amending instruments are S.I. 1990/401, 1127 and 1573 and 1992/1278.

his transitional rent allowance shall, after the date on which that resignation, retirement or discharge takes effect, be payable at an annual rate equivalent to the maximum limit rent allowance which would have been payable to him on 31st March 1990 in respect of the accommodation in which he was living on 31st March 1990 if the person to whom he is married had not then been a member of a police force.”.

(4) In regulation 49B(8A)(c) there shall be substituted for the words “paragraph (8)” the words “paragraph (5A), (5B) or (8)”.

(5) For regulation 49C(3)(e) there shall be substituted the following sub-paragraph

“(e) in paragraph (5), there were substituted for the word “was” the words “would (if he had then been a member of his police force) have been”, and there were substituted for the words which follow “be equal to” the words “the flat-rate rent allowance payable on 31st March 1990 to members of his force of the rank in which he was serving immediately before the commencement of his period of central service or overseas service.”.

(6) After regulation 52A there shall be inserted the following regulation—

“Compensatory allowance

52B.—(1) This regulation applies where—

- (a) two persons each of whom was a full-time member of a police force within the meaning of regulation 8A are married to and not separated from each other, and
- (b) one of them (“the part-time member”) has ceased to be a full-time member on being appointed under regulation 8A to perform part-time service.

(2) Where this regulation applies the person who remains a full-time member is entitled to a compensatory allowance of the appropriate amount.

(3) The appropriate amount is the amount by which any allowances payable to the part-time member are reduced by reason of the modified application of these Regulations to the part-time member, by virtue of regulation 8A(10), so as to include the regulation 48A set out in paragraph 16 of Schedule 1A (allowances to be multiplied by appropriate factor).”.

Home Office
2nd May 1993

Kenneth Clarke
One of Her Majesty’s Principal Secretaries of
State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Police Regulations 1987. Paragraphs (2), (3), (4) and (5) of regulation 3 are concerned with transitional rent allowance, and have effect from 1st April 1990 (retrospection is authorised by section 33(4) of the Police Act 1964). Regulation 3(2) and (5) ensure that such an allowance should not be less than the amount of flat-rate rent allowance payable to officers of the appropriate rank and force on 31st March 1990. Regulation 3(3) provides that where two police officers are married to each other and each is in receipt of transitional rent allowance and one of them retires, resigns or is discharged while a probationer the other may thereafter receive such an allowance at an enhanced rate; and regulation 3(4) makes consequential provision. Regulation 3(6), which has effect from 1st July 1992, provides that where two police officers are married to each other and one is appointed to serve part-time the other may receive a further allowance (compensatory allowance) to take account of the part-time officer's reduced housing or related allowances.