

2001 No. 1161

PRISONS

The Prison Service (Pay Review Body) Regulations 2001

Made - - - - - 22nd March 2001

Laid before Parliament 26th March 2001

Coming into force - - 17th April 2001

The Secretary of State, in exercise of the powers conferred upon him by section 128 of the Criminal Justice and Public Order Act 1994^(a), and having consulted with such organisations appearing to him to be representative of persons working in the prison service and such other persons as he thinks fit, hereby makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Prison Service (Pay Review Body) Regulations 2001 and shall come into force on 17th April 2001.

(2) These Regulations shall not extend to Scotland.

Establishment of Pay Review Body

2. The Prime Minister shall appoint a Pay Review Body to examine and report on such matters relating to the rates of pay and allowances to be applied to the prison service in England and Wales, and Northern Ireland, as may from time to time be referred to them by the Secretary of State.

Constitution and proceedings

3. The Schedule to these Regulations shall have effect with respect to the constitution and proceedings of the Pay Review Body.

Directions

4. With respect to matters referred to the Pay Review Body by him, the Secretary of State may give directions to the Pay Review Body as to the considerations to which they are to have regard and as to the time within which they are to report; and any such directions may be varied or revoked by further directions under these Regulations.

Notice

5. Where a matter has been referred to the Pay Review Body, they shall give notice of the matter and of any relevant direction to such organisations appearing to them to be representative of persons working in the prison service in England and Wales, and Northern Ireland, and shall afford every such organisation a reasonable opportunity of submitting evidence and representations on the issues arising.

(a) 1994 c. 33.

Report

6. Where a matter has been referred to the Pay Review Body, their report shall contain their recommendations on that matter and such other advice relating to that matter as they think fit.

Publication of report

7. The Pay Review Body shall send any report made by them under this section to the Prime Minister and to the Secretary of State and, upon receiving a report, the Secretary of State shall arrange for it to be published.

Determination of rates of pay and allowances

8. Where, following the reference of any matter to them the Pay Review Body have made a report, the Secretary of State may determine the rates of pay and allowances to be applied to the prison service in England and Wales, and Northern Ireland, in accordance with the recommendations of the Pay Review Body, or make such other determination with respect to the matters in that report as he thinks fit.

Home Office
22nd March 2001

Jack Straw
One of Her Majesty's Principal Secretaries of State

CONSTITUTION OF THE PAY REVIEW BODY

1.—(1) The Pay Review Body shall consist of not less than six and not more than ten members, to be appointed by the Prime Minister. Members may hold office as full time or part time members.

(2) Members shall hold and vacate office in accordance with their terms of appointment, subject to the provisions of this paragraph.

(3) A member may resign his membership by notice in writing to the Prime Minister.

(4) The Prime Minister may by notice in writing to the member concerned remove from office a member who—

(a) has become bankrupt or made an arrangement with his creditors,

(b) is incapacitated by physical or mental illness, or

(c) has been absent from two or more consecutive meetings of the Pay Review Body otherwise than for a reason approved by them,

or who is in the opinion of the Prime Minister otherwise unable or unfit to perform his duties as a member.

2.—(1) The Prime Minister shall appoint one of the members of the Pay Review Body to be chairman and may appoint one of them to be deputy chairman.

(2) The persons so appointed shall hold and vacate those offices in accordance with their terms of appointment, subject to the provisions of this paragraph.

(3) The chairman or deputy chairman may resign his office by notice in writing to the Prime Minister.

(4) If the chairman or deputy chairman ceases to be a member of the Pay Review Body, he also ceases to be chairman or deputy chairman.

3.—(1) The Secretary of State may pay the chairman, deputy chairman and members of the Pay Review Body such remuneration, and such allowances in respect of expenses properly incurred by them in the performance of their duties, as he may determine.

(2) The Secretary of State may determine to pay in respect of a person's office as chairman, deputy chairman or member of the Pay Review Body—

(a) such pension, allowance or gratuity to or in respect of that person on his retirement or death or

(b) such contributions or other payment towards the provision of such a pension allowance or gratuity as the Secretary of State may determine.

(3) Where a person ceases to be a member of the Pay Review Body otherwise than on the expiry of his term of office and it appears to the Secretary of State that there are special circumstances which make it right for him to receive compensation, the Secretary of State may determine to make a payment to him by way of compensation of such amount as the Secretary of State may determine.

(4) As soon as may be after making a determination under this paragraph the Secretary of State shall lay before each House of Parliament a statement of the amount payable in pursuance of the determination.

(5) The consent of the Treasury is required for any determination of the Secretary of State under this paragraph.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provides for the establishment of a Pay Review Body to examine and report on the rates of pay and allowances of prison officers in England and Wales, and Northern Ireland in response to matters referred to them by the Secretary of State.

£1.75

© Crown copyright 2001

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E682 4/2001 604073 19585

ISBN 0-11-029147-6



9 780110 291475