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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 547**

**Police Service of Northern Ireland Regulations 2005**

**PART VII**

**Reckoning of Service**

**Reckoning of service of constables who have served as police trainees**

**39.**—(1) For the purposes of regulations 23, in reckoning a member's service in the rank of constable, that service shall include—

- (a) any period of service as a police trainee, and
- (b) subject to paragraph (2), any period treated as service as a police trainee under regulation 17 of the police trainee regulations.

(2) Where a member is appointed to the rank of constable, and on the date of his appointment his period of service in that rank is deemed under paragraph (1) to consist of—

- (a) a period equal to or greater than one year calculated in accordance with Part II or III of Schedule 1 to the police trainee regulations, and
- (b) the period of service actually completed by him as a police trainee,

then for the purposes of regulation 23, his period of service as a member of the rank of constable shall be calculated in accordance with paragraph (3) or (4).

(3) So long as the total of—

- (a) the period of service which he has actually completed as a member of the rank of constable, and
- (b) the period of service which he has actually completed as a police trainee,

is less than the period mentioned in paragraph (2)(a), his period of service in the rank of constable shall be deemed to be equal to the period mentioned in paragraph (2)(a).

(4) Beginning with the date on which the total of the periods mentioned in sub-paragraphs (a) and (b) of paragraph (3) equals the period mentioned in paragraph (2)(a), his period of service as a member in the rank of constable shall be deemed to be equal to the total of the periods mentioned in sub-paragraphs (a) and (b) of paragraph (3).

**Reckoning of service in police force in Great Britain**

**40.**—(1) Where a member joined or rejoined the police service having left a police force in Great Britain, on or after 29th June 1970, for that purpose or on exercising the right of reversion conferred by section 27(3) of the Act then, for the purposes of regulation 23, his service in any rank in the police force in Great Britain shall be treated as if it were service in the corresponding rank in the police service:

Provided that in the case of a member of a rank higher than that of chief inspector this paragraph shall have effect subject to any contrary agreement.

(2) A member of the rank of constable shall be entitled to reckon, for the purposes of pay for that rank, any period of service in a police force in Great Britain not reckonable under paragraph (1).

(3) In this regulation any reference to a rank corresponding to a rank in the police service is a reference to a rank in a police force in Great Britain, designated by the Secretary of State for the purposes hereof, as the rank corresponding to the rank in question.

### **Reckoning of service in the British Transport Police Force**

**41.**—(1) Where a member joined or rejoined the police service having left the British Transport Police Force on or after 1st September 1994, then, for the purposes of regulation 23, his service in any rank in the British Transport Police Force shall be treated as if it were service in the corresponding rank in the police service:

Provided that in the case of a member of a rank higher than that of chief inspector this paragraph shall have effect subject to any contrary agreement.

(2) A member of the rank of constable shall be entitled to reckon, for the purposes of pay for that rank, any period of service in the British Transport Police Force not reckonable under paragraph (1).

(3) In this regulation, any reference to a rank corresponding to a rank in the police service is a reference to a rank in the British Transport Police Force designated by the Secretary of State for the purposes hereof as the rank corresponding to the rank in question.

### **Reckoning by constables of service in certain constabularies**

**42.**—(1) A member of the rank of constable shall be entitled to reckon for the purposes of pay for that rank any period of service in a constabulary mentioned in paragraph (2).

(2) The constabularies referred to in paragraph (1) are—

- (a) the Ministry of Defence Police, that is to say the force established by section 1 of the Ministry of Defence Police Act 1987(1) or, before the coming into force of that Act, comprising constables appointed under section 3 of the Special Constables Act 1923(2) on the nomination of the Defence Council or, before 1st April 1964, of the Admiralty, Army Council or Air Council;
- (b) the Port of Tilbury Constabulary or, before the coming into force of the Port of Tilbury Transfer Scheme 1991 Confirmation Order 1992(3), the Port of London Authority's police force, that is to say the force of constables appointed under section 154 of the Port of London Act 1968(4);
- (c) the persons appointed to execute the office of constable within the ports of Larne and Belfast under section 79 of the Harbour, Docks and Piers Clauses Act 1847(5).

### **Reckoning of service in an airport constabulary**

**43.** Where a member of an aerodrome constabulary has been transferred to the police service by an order under section 30 of the Aviation Security Act 1982(6) then, for the purposes of regulation 23, his service in any rank in that constabulary shall be treated as if it were service in the corresponding rank in the police service.

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(1) 1987 c. 4  
(2) 1923 c. 11  
(3) S.I.1992/284  
(4) 1968 c. xxxii  
(5) 1847 c. 27  
(6) 1982 c. 36

### Reckoning by constables of overseas police service

44.—(1) A member of the rank of constable shall be entitled to reckon for the purposes of pay for that rank the following periods of service, that is to say, any period of—

- (a) certified overseas police service such as is mentioned in paragraph (2);
- (b) certified service in the British South Africa Police such as is mentioned in paragraph (3);
- (c) such service in a police force in the Channel Islands or the Isle of Man as is mentioned in paragraph (4),

notwithstanding that such service is not service in the rank of constable in the police service.

(2) The reference in paragraph (1) to certified overseas police service is a reference to—

- (a) continuous service as a member of a police force in any territory or country outside the United Kingdom, being a colony, protectorate or protected state within the meaning of the British Nationality Act 1948(7), a dependent territory within the meaning of the British Nationality Act 1981(8) or, where appropriate, the territory or country wherein the colony, protectorate or protected state or dependent territory was incorporated after the inception of the service, subject to it having been certified by or on behalf of the Secretary of State that—
  - (i) the service was, at its inception, pensionable, and
  - (ii) in his opinion the person concerned ceased so to serve for reasons connected with constitutional developments in the territory or country in question, or
- (b) continuous service for 6 years or more as a member of a police force outside the United Kingdom, subject to it having been certified by or on behalf of the Secretary of State that—
  - (i) the person concerned so served under a contract of service,
  - (ii) immediately before he ceased so to serve, the person concerned was, for the purposes of section 12 of the Overseas Development and Co-operation Act 1980(9), a person designated in accordance with such an agreement as is therein mentioned, and
  - (iii) in his opinion the person concerned ceased so to serve for reasons connected with constitutional developments in the territory or country in question,

except that the said reference in paragraph (1) does not include a reference to service as a reversionary member of a home police force as defined in the Police Pensions Regulations 1987(10).

(3) The reference in paragraph (1) to certified service in the British South Africa Police is a reference to continuous service as a member thereof, for a period which included 11th November 1965, up to such time, on or after that date, as the person concerned ceased to perform duties therein, subject to his having ceased to perform those duties before 2nd March 1970 and subject to it having been certified by or on behalf of the Secretary of State that he approves the application of this regulation in the case of the person concerned.

(4) The reference in paragraph (1) to service in a police force in the Channel Islands or the Isle of Man is a reference to service in—

- (a) the Island police force maintained under the Police Force (Guernsey) Law 1986;
- (b) the States of Jersey police force maintained under the Jersey Laws entitled the Police Force (Jersey) Law 1974, or
- (c) the Isle of Man Constabulary maintained under the Police Act 1993 (an Act of Tynwald).

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(7) 1948 c. 56  
(8) 1981 c. 61  
(9) 1980 c. 63  
(10) S.I. 1987/257

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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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(5) A certificate given by or on behalf of the Minister of Overseas Development before 12th November 1970, shall be treated for the purposes of paragraph (2) as if it had been given by or on behalf of the Secretary of State.