
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2023 No.

**The Police Negotiating Board for Scotland (Constitution,
Arbitration and Qualifying Cases) Regulations 2023**

Qualifying cases

4.—(1) This regulation specifies qualifying cases for the purposes of section 55D(2)(a) of the Act (steps following arbitration).

(2) Subject to paragraph (3), there are to be a maximum of two qualifying cases in each reporting year, consisting of—

- (a) no more than one case concerning the annual pay award, which may include connected matters, and
- (b) no more than one other case concerning—
 - (i) pay, allowances and expenses,
 - (ii) public holidays and leave,
 - (iii) hours of duty, or
 - (iv) a combination of matters coming under heads (i), (ii) or (iii),

where these matters are not included in the same arbitrated representations as the annual pay award.

(3) If PNBS—

- (a) makes no arbitrated representations in respect of a paragraph (2)(a) case within a reporting year (“year 1”), and
- (b) instead makes arbitrated representations in respect of that year 1 paragraph (2)(a) case during the following reporting year (“year 2”),

those representations are a qualifying case in respect of year 2, in addition to those qualifying cases specified in paragraph (2).

(4) In this regulation—

“arbitrated representations” means representations to the Scottish Ministers under section 55B(1) of the Act (representations about pay etc.) in terms settled through arbitration,
“annual pay award” means the principal award of pay, allowances and expenses for each financial year,

“connected matters” means—

- (i) public holidays and leave, or
- (ii) hours of duty,

where these are included in the same arbitrated representations as the annual pay award,

“reporting year” is the reporting year as defined in the constitution in accordance with section 55E(3) of the Act.