

SCHEDULE 2

Revocations, savings and transitional provisions

Modifications

10.—(1) The 1996 Regulations are modified as follows.

(2) In regulation 3—

- (a) omit the definition of “the assistant chief constable”;
- (b) in the definition of “complainer”, for “a constable” substitute “a transferred constable”;
- (c) for the definition of “investigating officer” substitute—
 - ““investigating officer” means—
 - (a) a transferred constable appointed under regulation 5(4) as it had effect immediately before 1st April 2013; or
 - (b) a constable of the Police Service appointed under that regulation as it has effect on and after that date;”;
- (d) in the definition of “the constable”, for “constable of a police force” substitute “transferred constable”;
- (e) omit the definition of “constable of a police force”;
- (f) in the definition of “representative”, for “a police force” substitute “the Police Service”; and
- (g) in the appropriate places, insert—
 - ““constable of the Police Service” means an individual holding the office of constable who is serving as a constable of the Police Service, but does not include a special constable;”;
 - ““deputy chief constable” means the deputy chief constable of the Police Service designated under regulation 4 of the Police Service of Scotland (Conduct) Regulations 2013;”;
 - ““Police Service” means the Police Service of Scotland;”;
 - and
 - ““transferred constable” means an individual who—
 - (a) before 1st April 2013 was serving as a constable of a police force maintained immediately before that date under the Police (Scotland) Act 1967 (including any such individual who was, immediately before that date, engaged on relevant service within the meaning given by section 38A(1) of that Act);
 - (b) is transferred—
 - (i) to serve as a constable of the Police Service under paragraph 6 of schedule 5 to the Police and Fire Reform (Scotland) Act 2012; or
 - (ii) to be engaged in service outwith the Police Service by virtue of paragraph 8(4) of that schedule; and
 - (c) is not a special constable.”.

(3) In regulation 4, for “constable”, in each place it occurs, substitute “transferred constable”.

(4) In regulation 5—

- (a) in paragraph (1)—
 - (i) for “constable of the police force concerned” substitute “transferred constable”; and

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- (ii) in sub-paragraph (a), for “another constable of the same force” substitute “a constable of the Police Service”;
- (b) in paragraphs (2)(b)(i) and (3)(a), for “same force”, in both places, substitute “Police Service”;
- (c) in paragraph (5)(a)—
 - (i) for “police force concerned” substitute “Police Service”; and
 - (ii) omit the words from “or” to the end of paragraph (5)(a); and
- (d) in paragraph (6)—
 - (i) for “any constable” substitute “a constable of the Police Service”; and
 - (ii) in sub-paragraph (b), for “the police force concerned” substitute “the Police Service”.
- (5) In regulation 6(6), for “same force” substitute “Police Service”.
- (6) In regulation 7(1), for “a constable of a police force” substitute “a transferred constable”.
- (7) In regulation 10, omit paragraph (3).
- (8) In regulation 12—
 - (a) in paragraph (1), after “a constable” insert “of the Police Service”;
 - (b) in paragraph (2), for “a police force” substitute “the Police Service”; and
 - (c) in paragraph (3), for “member of a police force” substitute “constable of the Police Service or a member of the police staff within the meaning given by section 99(1) of the Police and Fire Reform (Scotland) Act 2012”.
- (9) In regulation 13—
 - (a) in paragraph (1)—
 - (i) for the first “a constable” substitute “a transferred constable”; and
 - (ii) after the second “a constable” insert “of the Police Service”;
 - (b) for paragraph (2)(a) substitute—
 - “(a) a constable of the Police Service; and”; and
 - (c) in paragraph (3), after “constables” insert “of the Police Service”.
- (10) In regulation 18(1)(a) and (b), (2)(b) and (3), for “force”, in each place it occurs, substitute “Police Service”.
- (11) In regulation 19(4), for “force”, substitute “Police Service”.
- (12) In regulation 20, omit paragraph (15).
- (13) In regulation 21—
 - (a) in paragraph (4)(b), for “a police force” substitute “the Police Service”; and
 - (b) in paragraph (9)(a), for “force”, in both places, substitute “Police Service”.
- (14) In regulation 22—
 - (a) in paragraph (1)—
 - (i) for “a constable” substitute “a transferred constable”; and
 - (ii) for “force” substitute “Police Service”; and
 - (b) in paragraph (2)(b), for “force”, in both places, substitute “Police Service”.
- (15) In regulation 24—
 - (a) in paragraph (1), omit from the first “at” to the second “headquarters”; and

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- (b) in sub-paragraphs (a) and (b) of that paragraph—
 - (i) for “force”, in both places, substitute “Police Service”; and
 - (ii) omit the words “or, as the case may be, division concerned,” in both places.
- (16) In regulations 5, 6, 7, 7A, 8, 9, 10, 11, 12, 13, 14, 17, 22 and 24, for “assistant chief constable”, in each place it occurs, substitute “deputy chief constable”.
- (17) In regulations 20 and 21 after “the chief constable”, in each place it occurs, insert “of the Police Service”.
- (18) In regulations 20, 21 and 24 after “The Chief Constable,” in each place it occurs, insert “of the Police Service”.