



Police (Northern Ireland) Act 1998

1998 CHAPTER 32

PART IV

POLICE REPRESENTATIVE INSTITUTIONS

32 Police Association for Northern Ireland.

- (1) There shall continue to be a Police Association for Northern Ireland for the purpose of representing members of the police force in all matters affecting their welfare and efficiency, except for—
 - (a) questions of promotion affecting individuals; and
 - (b) (subject to subsection (2)) questions of discipline affecting individuals.
- (2) The Police Association may represent a member of the police force at any proceedings brought under regulations made in accordance with section 25(3) or 26(3) or on an appeal from any such proceedings.
- (3) Except on such an appeal or as provided by regulations made as mentioned in subsection (2), a member of the police force may only be represented under subsection (2) by another member of the police force.
- (4) The Police Association shall be entirely independent of, and subject to subsection (5) unassociated with, any body or person outside the police services of the United Kingdom, but may employ persons outside those services in an administrative or advisory capacity.
- (5) The [^{F1}Department of Justice]—
 - (a) may authorise the Police Association or a section thereof to be associated with a person or body outside the police services of the United Kingdom in such cases and manner, and subject to such conditions and restrictions, as [^{F2}the Department of Justice] may specify; and
 - (b) may vary or withdraw an authorisation previously given;and anything for the time being so authorised shall not be precluded by subsection (4).

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Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Police (Northern Ireland) Act 1998. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** Words in s. 32(5) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 15(a)** (with arts. 28-31)
- F2** Words in s. 32(5) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 15(b)** (with arts. 28-31)

Modifications etc. (not altering text)

- C1** S. 32 applied (30.3.2001) by [2000 c. 32, s. 41\(1\)\(a\)\(ii\)](#); S.R. 2001/132, art. 2, **Sch.**

33 Regulations for Police Association.

- (1) The [^{F3}Department of Justice] may by regulations—
- (a) prescribe the constitution and proceedings of the Police Association and of the sections thereof; or
 - (b) authorise any such section to make rules concerning such matters relating to its constitution and proceedings as may be specified in the regulations.
- (2) Without prejudice to the generality of subsection (1), regulations under this section may make provision—
- (a) with respect to the membership of the Police Association;
 - (b) with respect to the raising of funds by the Police Association by voluntary subscription and the use and management of funds derived from such subscriptions;
 - (c) with respect to the manner in which representations may be made by the Police Association, or any section thereof, to the [^{F4}Board], the Chief Constable or the [^{F5}Department of Justice];
 - (d) for the payment by the [^{F6}Department of Justice] of expenses incurred in connection with the Police Association;
 - (e) for modifying any regulations under section 25 or 26 in relation to any member of the police force who is the secretary or an officer of the Police Association and for requiring the Police Association to make contributions in respect of the pay, pension or allowances payable to or in respect of any such person.
- (3) Before making any regulations under this section the [^{F7}Department of Justice] shall consult the Police Association.

Textual Amendments

- F3** Words in s. 33(1) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 16** (with arts. 28-31)
- F4** Words in s. 33(2)(c) substituted (4.11.2001) by [2000 c. 32, s. 78\(1\)](#), **Sch. 6 para. 23(3)**; S.R. 2001/396, art. 2, **Sch.**
- F5** Words in s. 33(2)(c) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 16** (with arts. 28-31)
- F6** Words in s. 33(2)(d) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 16** (with arts. 28-31)
- F7** Words in s. 33(3) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 16** (with arts. 28-31)

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34 The Police Negotiating Board for the United Kingdom.

^{F8}(1)

- (2) In section 62(3) of the ^{M1}Police Act 1996 (no regulations relating to pensions to be made except after consultation with the Police Negotiating Board for the United Kingdom) for the words “section 10(4) or 25 of the Police Act (Northern Ireland) 1970” there shall be substituted “section 25 of the Police (Northern Ireland) Act 1998”.

Textual Amendments

- F8** S. 34(1) omitted (12.4.2010) by virtue of [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 17** (with arts. 28-31)

Marginal Citations

- M1** 1996 c. 16.

35 Membership of trade unions.

- (1) Subject to the following provisions of this section, a member of the police force shall not be a member of any trade union, or of any association having for its objects, or one of its objects, to control or influence the pay, pensions or conditions of service of any police force.
- (2) Where a person was a member of a trade union before becoming a member of the police force he may, with the consent of the Chief Constable, continue to be a member of that union during the time of his service in the police force.
- (3) In this section “trade union” has the meaning assigned to it by Article 3(1) of the ^{M2}Industrial Relations (Northern Ireland) Order 1992; and if any question arises whether any body is a trade union or an association to which this section applies, the question shall be determined by the Certification Officer for Northern Ireland.
- (4) Nothing in this section applies to membership of the Police Association or of any body recognised by the [^{F9}Department of Justice] for the purposes of this section as representing members of the police force who are not members of the Police Association.

Textual Amendments

- F9** Words in s. 35(4) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 18** (with arts. 28-31)

Modifications etc. (not altering text)

- C2** S. 35 applied (30.3.2001) by [2000 c. 32, s. 41\(1\)\(a\)\(iii\)](#); S.R. 2001/132, art. 2, **Sch.**
- C3** S. 35 applied (with modifications) (8.9.2003) by [The Police \(Northern Ireland\) Act 1998 \(Modification\) Order 2003 \(S.R. 2003/376\)](#), arts. 1(1), **3**

Marginal Citations

- M2** 1992 NI 5.

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