
STATUTORY INSTRUMENTS

1993 No.2047

POLICE

The Police (Amendment) (No.3) Regulations 1993

Made - - - - *16th August 1993*
Laid before Parliament *18th August 1993*
Coming into force - - *8th September 1993*

In exercise of the powers conferred on me by section 33 of the Police Act 1964⁽¹⁾, after taking into consideration the recommendations made by the Police Negotiating Board for the United Kingdom and furnishing the said Board with a draft of the Regulations in accordance with section 2(1) of the Police Negotiating Board Act 1980⁽²⁾, I hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Police (Amendment) (No.3) Regulations 1993 and shall come into force on 8th September 1993.

(2) In these Regulations “the principal Regulations” means the Police Regulations 1987⁽³⁾.

Meanings assigned to certain expressions

2. Regulation 5(1) of the principal Regulations is amended by inserting after the definition of “inspector”—

““joint branch board” means the joint branch board mentioned in regulation 7(3) of the Police Federation Regulations 1969⁽⁴⁾”.

Variable shift arrangements

3. The principal Regulations are amended by inserting after regulation 26—

“Variable shift arrangements

26A.—(1) This regulation applies to members of a police force below the rank of superintendent appointed otherwise than under regulation 8A (part-time appointments).

(1) 1964 c. 48.

(2) 1980 c. 10.

(3) S.I.1987/851, amended by S.I.1987/1753, 1988/727, 1821, 2162, 1989/895, 1745, 1990/401, 1127, 1573, 2619, 1991/2484, 2650, 2869, 1992/275, 1278, 1993/313, 1198.

(4) S.I.1969/1787, to which there are amendments not relevant to these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) A chief officer of police may, if he has obtained the consent of the Secretary of State to his doing so, bring into operation variable shift arrangements agreed by him with the joint branch board for all members to whom this regulation applies or for any particular class of such members.

(3) Variable shift arrangements must provide, as respects members for whom they are in operation—

(a) for hours of duty equivalent to those resulting from the application of regulations 26(2) and 29(2), and

(b) for annual leave equivalent to that resulting from the application of regulation 33(1) and Schedule 3,

to other members of police forces.

(4) In relation to members of a police force for whom variable shift arrangements are in operation these Regulations have effect with the modifications set out in Schedule 2A.”.

Modification for variable shift arrangements

4. The principal Regulations are amended by inserting after Schedule 2—

“SCHEDULE 2A

Regulation 26A

MODIFICATION FOR VARIABLE SHIFT ARRANGEMENTS

1. In regulation 26 (normal daily period of duty) for paragraphs (2) to (4) substitute—

“(2) As far as the exigencies of duty permit, a shift shall consist of one continuous period.

(3) Where in one day a member is on duty for a continuous period of 5 hours or more, time for refreshment shall, as far as the exigencies of duty permit, be allowed in accordance with the Table below.

<i>Number of hours</i>	<i>Refreshment time</i>
Less than 6 hours	30 minutes
6 hours or more, but less than 7 hours	35 minutes
7 hours or more, but less than 8 hours	40 minutes
8 hours or more, but less than 9 hours	45 minutes
9 hours or more, but less than 10 hours	50 minutes
10 hours or more	60 minutes

(4) Where a shift consists of two periods amounting in total to 5 hours or more and the member does not travel to and from his home between those periods, an interval for refreshment and rest shall normally be included at the beginning and end of one of them.”.

2. In regulation 27 (rostering of duties)—

(a) in paragraph (1) omit the word “annual”;

(b) in paragraph (3)—

(i) for the words “the 12 months following the date on which it comes into force” substitute “the period for which it has effect”, and

(ii) in sub-paragraph (c) for the words “his scheduled daily periods of duty are” substitute “each of his shifts is”;

- (c) in paragraph (4)(a) for the words “daily periods of duty” substitute “shifts”;and
 - (d) in paragraph (5) for the words “daily period of duty” substitute “shift”.
3. In regulation 28 (overtime)—
- (a) in paragraph (1)—
 - (i) for the words “his tour of duty” substitute “a rostered shift”,
 - (ii) for the words “tours of duty” substitute “rostered shifts”, and
 - (iii) for the words “a tour of duty” and for the words “his normal daily period of duty” substitute “a rostered shift”;
 - (b) in paragraph (6) for the word “tour”, wherever occurring, substitute “shift”;
 - (c) omit paragraph (7)(b);
 - (d) in paragraph (7)(c) for the words “tours of duty” substitute “shifts”;
 - (e) in paragraph (7)(d)—
 - (i) for the words “a rostered tour of duty” substitute “a rostered shift”,
 - (ii) for the words “begin that tour” substitute “begin that shift”,
 - (iii) for the words “his normal daily period of duty” substitute “a rostered shift”, and
 - (iv) for the words “that tour of duty” substitute “that shift”; and
 - (f) in paragraph (8) in the definition of “due notice” for the words “tour of duty” substitute “shift”.
4. In regulation 29 (public holidays and rest days) in paragraph (2) after the words “the rate of” insert “not less than”.
5. In regulation 31 (travelling time treated as duty) for paragraph (1) substitute—
- “(1) This regulation applies to a member of a police force where—
- (a) a shift consists of two separate periods, or
 - (b) he is recalled to duty between two shifts,
- and he travels to and from his home between those periods or, as the case may be, in consequence of his recall (in this regulation referred to as “relevant travelling”).”.
6. In regulation 33 (annual leave) omit paragraph (1).
7. In regulation 38 (temporary salary)—
- (a) omit paragraphs (1) and (2);
 - (b) in paragraph (3)—
 - (i) for the words from “has been required” to “equal to” substitute “has had qualifying shifts amounting in total to 112 hours shall be paid in respect of each further qualifying shift in that year at the hourly rate arrived at by dividing by 8 a day’s pay at”, and
 - (ii) in the proviso for the words after “granted” substitute “time off equal to the time spent on duty on that day.”;
 - (c) in paragraph (3A)—
 - (i) for sub-paragraph (a) substitute—
 - “(a) has a qualifying shift as his last rostered shift in any year, and”,
 - (ii) in sub-paragraph (b) for the word “day” substitute “shift”,
 - (iii) for sub-paragraph (c) substitute—

- “(c) has a qualifying shift as his first rostered shift in the next following year.”,
- (iv) for the words from “the day” to “formed part of” substitute “the shift mentioned in sub-paragraph (c) and any qualifying shifts beginning on days that follow consecutively the day on which that shift began had occurred in”, and
- (v) in the proviso for the words “day or days” substitute “shift or shifts”; and
- (d) for paragraph (5) substitute—
 - “(5) For the purposes of this regulation the expression “qualifying shift” means, in relation to a member of a police force, a rostered shift throughout which he is required to perform duties normally performed by a member of the force of a higher rank than his own.”.

8. In regulation 58 (subsistence, refreshment and lodging allowances) at the end of paragraph (3) insert “,and references in this regulation to a member’s normal daily period of duty are to be construed as references to a rostered shift”.

9. In regulation 67 (allowance for recurring escort duty, etc.) for the words “beyond the normal daily period” substitute “after rostered shifts”.

10. Omit Schedule 3.”.

Annual leave

5.—(1) Paragraph 1 of Schedule 3 to the principal Regulations is amended—

(a) in sub-paragraph (2)—

(i) by substituting for the words “31st December 1986” the words “31st December 1993”, and

(ii) in the second column of the Table by substituting for the figures “20”, “22”, “25”, “26” and “28” the figures “21”, “23”, “26”, “27” and “29” respectively; and

(b) in sub-paragraph (3) by substituting for the words “31st December 1986” the words “31st December 1993”.

(2) In relation to the first leave year, within the meaning given in paragraph 6(1) of Schedule 3 to the principal Regulations, beginning after 31st December 1992 paragraph 1(2) of that Schedule shall have effect as if for the figures “20”, “22”, “25”, “26” and “28” in the second column of the Table there were substituted the figures “22”, “24”, “27”, “28” and “30” respectively.

Home Office
16th August 1993

Virginia Bottomley
One of Her Majesty’s Principal Secretaries of
State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Police Regulations 1987 (“the principal Regulations”), mainly so as to make provision for variable shift arrangements.

Regulation 3 inserts into the principal Regulations a new regulation 26A which authorises a chief officer of police, with the consent of the Secretary of State, to bring into operation variable shift arrangements agreed with the Police Federation joint branch board. The arrangements may be for all full-time officers below the rank of superintendent or for a particular class, and must provide for hours of duty and annual leave equivalent to those of other full-time officers.

The principal Regulations are applied to variable-shift officers with the modifications set out in a new Schedule 2A (inserted by regulation 4). Paragraphs 1, 6 and 10 disapply the provisions of the principal Regulations relating to the normal (8-hour) daily period of duty and to annual leave. Paragraph 2 provides for a more flexible system of duty rosters; paragraphs 3, 4, 5, 7, 8 and 9 make modified provision for, respectively, overtime payments, rest days, travelling time, temporary salary while performing the duties of a higher rank, subsistence allowance and escort duty allowance.

In regulation 5, which is unrelated to the foregoing regulations, paragraph (1) increases annual leave entitlements by one day for leave years beginning after 31st December 1993. The Police Negotiating Board recommended that this increase should have effect for leave years beginning after 31st December 1991; the transitory provision in paragraph (2) provides compensation in the form of an extra 2 days for leave years beginning during 1993.