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STATUTORY INSTRUMENTS

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**2014 No. 3347**

**The Police (Conduct) (Amendment) Regulations 2014**

**Amendment to the Police (Conduct) Regulations 2012**

- 2.—(1) The Police (Conduct) Regulations 2012(1) are amended in accordance with paragraph (2).  
(2) After regulation 10 insert—

**“Appropriate authority consent to notice of intention to resign or retire**

**10A.**—(1) The officer concerned may not give notice of intention to resign or retire in a matter to which paragraph (2) applies during the period specified in paragraph (4) without obtaining the consent of the appropriate authority.

(2) Subject to paragraph (3), this paragraph applies to a matter in respect of which these Regulations apply to the officer concerned in accordance with regulation 5.

(3) Paragraph (2) ceases to apply where—

- (a) the assessment of conduct made under regulation 12(1) of these Regulations or paragraph 19B(2) or (3) of Schedule 3 to the 2002 Act (as the case may be) does not determine that the conduct, if proved, would amount to misconduct or gross misconduct; or
- (b) in the case of an assessment of misconduct (but not gross misconduct) the officer concerned does not have a final written warning in force at the date of the assessment of conduct under regulation 12(1) of these Regulations or paragraph 19B(2) or (3) of Schedule 3 to the 2002 Act (as the case may be).

(4) The period specified for the purposes of paragraph (1) begins on the date on which these Regulations first apply to the officer concerned in accordance with regulation 5 until—

- (a) it is decided that the conduct of the officer concerned shall not be referred to a misconduct hearing or a special case hearing; or
- (b) such proceedings have concluded.

(5) The appropriate authority may consent to the officer concerned giving notice of intention to resign or retire only if it is satisfied that—

- (a) the officer concerned is medically unfit to continue to be the subject of proceedings under these Regulations; or
- (b) there are other exceptional circumstances which justify the appropriate authority giving consent to the notice of intention to resign or retire.

(6) The appropriate authority must notify the officer concerned of its decision on consent made under this regulation as soon as is practicable.

(7) The officer concerned may in relation to the decision make representations in writing that the officer concerned is medically unfit to continue to be the subject of proceedings under these Regulations or there are other exceptional circumstances which justify the appropriate authority giving consent.

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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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(8) The officer concerned may make representations in accordance with paragraph (7) not later than the end of the period of 20 working days beginning with the first working day after notice is given under paragraph (6).

(9) Where the officer concerned makes representations in accordance with paragraph (8), the appropriate authority must—

- (a) review its decision; and
- (b) notify the officer concerned of the outcome of its review before the end of the period of 20 working days beginning with the first working day after representations are made under paragraph (8).”.