

1991 No. 168

POLICE

The Police Association for Northern Ireland Regulations 1991

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Made

13th April 1991

To be laid before Parliament

Coming into operation—

for the purposes of regulation 23

1st June 1991

for all other purposes

1st July 1991

The Secretary of State, in pursuance of section 17 of the Police Act (Northern Ireland) 1970¹, and, after consulting, in accordance with section 17(4) of the said Act of 1970, the Police Association, hereby makes the following regulations:—

Notes

¹ 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and amended by Article 24 of S.I. 1987/938 (N.I. 10)

Extent

Preamble: Northern Ireland

PART I

GENERAL

Law In Force

1. Citation and commencement

These regulations may be cited as the Police Association for Northern Ireland Regulations 1991 and shall come into operation for the purposes of regulation 23 on 1st June 1991 and for all other purposes on 1st July 1991.

Commencement

Pt I reg. 1: July 1, 1991

Extent

Pt I reg. 1: Northern Ireland

Law In Force

2. Revocations

The following regulations are hereby revoked—

- (a) the Police Association for Northern Ireland Regulations 1971¹;
- (b) the Police Association for Northern Ireland (Amendment) Regulations 1973²;
- (c) the Police Association for Northern Ireland (Amendment) Regulations 1985³;
- (d) the Police Association for Northern Ireland (Amendment) Regulations 1988⁴.

Notes

¹ S.R. & O. (N.I.) 1971 No. 232

² S.R. & O. (N.I.) 1973 No. 117

³ S.R. 1985 No. 351

⁴ S.R. 1988 No. 371

Commencement

Pt I reg. 2(a)-(d): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt I reg. 2(a)-(d): Northern Ireland

Law In Force

3.— Constituent sections of the Police Association

(1) The Police Association shall comprise three sections as follows—

- (a) those members of the Royal Ulster Constabulary in the ranks above that of chief superintendent who are members of the Association of Chief Police Officers, to represent members in those ranks of the Royal Ulster Constabulary;
- (b) the Superintendents' Association for Northern Ireland, to represent members of the police force in the ranks of superintendent and chief superintendent;
- (c) the Police Federation for Northern Ireland, to represent members of the police force in the ranks below that of superintendent and police cadets.

(2) For the purpose of consulting the Police Association the Secretary of State shall consult each of the sections mentioned in paragraph (1) and such consultation may take place with each section separately or jointly as the sections may themselves agree.

Commencement

Pt I reg. 3(1)-(2): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt I reg. 3(1)-(2): Northern Ireland

Law In Force

4. Consultation

Without prejudice to any arrangements for informal consultation, any section referred to in regulation 3(1) may make written representations to the chief constable or the Police Authority and, if it thinks fit, submit a copy thereof to the Secretary of State; in matters of importance a deputation may be appointed to make oral representations to the chief constable or the Police Authority or the Secretary of State.

Commencement

Pt I reg. 4: July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt I reg. 4: Northern Ireland

Law In Force

5. Membership

Every member of the police force [(other than a member seconded from the Garda Síochána (within the meaning of the Police Service of Northern Ireland (Secondment) (Garda Síochána) Regulations 2004))]¹ and every police cadet shall be a member of the Police Association.

Notes

¹ Words inserted by Police Service of Northern Ireland (Secondment) (Garda Síochána) Regulations 2004/122 Pt II reg.6 (April 30, 2004)

Commencement

Pt I reg. 5: July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt I reg. 5: Northern Ireland

PART II

NORTHERN IRELAND MEMBERSHIP OF THE ASSOCIATION OF CHIEF POLICE OFFICERS AND SUPERINTENDENTS' ASSOCIATION FOR NORTHERN IRELAND

Law In Force

6.— Appointment of secretary and rules as to constitution and proceedings

(1) This Part shall apply to those members of the Royal Ulster Constabulary in the ranks above that of chief superintendent who are members of the Association of Chief Police Officers and to the Superintendents' Association for Northern Ireland.

(2) Each of the sections referred to in paragraph (1) shall appoint a secretary from among its own members and notify the Secretary of State of the name of any person so appointed.

(3) Each of the sections referred to in paragraph (1) may formulate its own rules as to its constitution and proceedings which shall be subject to the Secretary of State's approval.

Commencement

Pt II reg. 6(1)-(3): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt II reg. 6(1)-(3): Northern Ireland

PART III

POLICE FEDERATION FOR NORTHERN IRELAND

GENERAL

Law In Force

7.— Application and interpretation

(1) This Part shall apply to the Police Federation for Northern Ireland (hereinafter referred to as “the Federation”).

(2) In this Part—

“annual conference” means the conference referred to in regulation 13;

“board” means one of the regional boards referred to in regulation 9;

“central committee” means the committee referred to in regulation 14;

“constable” means a constable in the Royal Ulster Constabulary or a constable in the Royal Ulster Constabulary Reserve appointed on a full-time basis;

“divisional commander” means the person in charge of a police division;

“Federation rules” has the meaning assigned to it by regulation 23;

“inspector” means an inspector or chief inspector in the Royal Ulster Constabulary or an inspector or chief inspector in the Royal Ulster Constabulary Reserve appointed on a full-time basis;

“police establishment” means all police stations, offices and other premises where members of the Federation are permanently based;

“sergeant” means a sergeant in the Royal Ulster Constabulary or a sergeant in the Royal Ulster Constabulary Reserve appointed on a full-time basis..

Commencement

Pt III reg. 7(1)-(2) definition of "sergeant": July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 7(1)-(2) definition of "sergeant": Northern Ireland

REGIONAL BOARDS

Law In Force

8. Regions

For the purposes of regulation 9 there shall be established such regions in Northern Ireland as may be specified in Federation rules.

Commencement

Pt III reg. 8: July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 8: Northern Ireland

Law In Force

9.— Regional Boards

(1) There shall be established in each region a regional board comprising such representatives of inspectors, sergeants and constables as may be specified in Federation rules.

(2) For the purposes of this regulation, there shall be held, in accordance with Federation rules, elections wherein the inspectors, sergeants and constables of each region shall elect, from among their number, the members of the board.

Commencement

Pt III reg. 9(1)-(2): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 9(1)-(2): Northern Ireland

Law In Force

10. Duties of chief constable

The chief constable shall—

- (a) cause to be displayed in each police establishment the proposed date of the elections to membership of boards at least one month in advance; and
- (b) nominate divisional commanders within the regions or, where a region has no divisional commander, the assistant chief constable (personnel and training) to perform such functions in relation to elections as may be specified in Federation rules.

Commencement

Pt III reg. 10(a)-(b): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 10(a)-(b): Northern Ireland

Law In Force

11.— Board meetings

(1) A board shall meet ordinarily every two months, the first meeting to be held in the week following the week in which the elections are held.

(2) There shall be held such special meetings or meetings of any committee or sub-committee of a board as may be called at any time with the approval of the assistant chief constable designated for the region or, where there is no assistant chief constable so designated, the assistant chief constable (personnel and training).

Commencement

Pt III reg. 11(1)-(2): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 11(1)-(2): Northern Ireland

✔ Law In Force

12.— Facilities for board members

(1) Subject to the exigencies of the service, a board member shall, to enable him to consult those he represents and to prepare reports required by the board or central committee, be granted such time as may be considered necessary by his divisional commander and such time shall be considered, except for expenses and allowances, as an occasion of police duty.

(2) A board may make application to—

(a) the divisional commanders within the region or the assistant chief constable designated for the area, or where there is no assistant chief constable so designated, the assistant chief constable (personnel and training); or

(b) the chief constable, for any information which it may require and in so far as the divisional commander or assistant chief constable or chief constable as the case may be considers it practicable and desirable in the interests of efficiency to do so the information requested shall be supplied.

Commencement

Pt III reg. 12(1)-(2)(b): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 12(1)-(2)(b): Northern Ireland

ANNUAL CONFERENCE

✔ Law In Force

13.— Annual conference

(1) There shall be held annually a conference of all the members of boards to be called the annual conference.

(2) The length of the annual conference referred to in paragraph (1) shall not exceed two days, except that the chief constable may, if he thinks fit, extend the period of any such conference to three days.

Commencement

Pt III reg. 13(1)-(2): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 13(1)-(2): Northern Ireland

CENTRAL COMMITTEE

Law In Force

14. Central committee

There shall be constituted, in accordance with Federation rules, a central committee comprising representatives of inspectors, sergeants and constables who have been elected to regional boards.

Commencement

Pt III reg. 14: July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 14: Northern Ireland

Law In Force

15. Office-bearers of the central committee

The chairman, secretary and other office-bearers of the central committee shall be appointed and hold office in accordance with Federation rules.

Commencement

Pt III reg. 15: July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 15: Northern Ireland

Law In Force

16.— Central committee meetings

(1) The central committee shall meet—

- (a) ordinarily every two months, each meeting not to exceed three days;
- (b) annually before 31st March.

(2) Special meetings or meetings of a committee or sub-committee of the central committee may be called with the consent of the chief constable.

Commencement

Pt III reg. 16(1)-(2): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 16(1)-(2): Northern Ireland

✔ Law In Force

17. Joint meeting

The central committee may hold an ordinary meeting once a year with the joint central committees of the Scottish Police Federation and the Police Federation for England and Wales, such meeting not to exceed two days, except that the chief constable may, if he thinks fit, extend the period of any such meeting to three days.

Commencement

Pt III reg. 17: July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 17: Northern Ireland

FINANCIAL ARRANGEMENTS

✔ Law In Force

18.— Emoluments etc. of the officers of the Federation

(1) The Federation shall make such contribution to the Police Authority in respect of the pay, pension or allowances, payable to or in respect of the chairman and the secretary of the central committee as may be agreed between the central committee and the Police Authority, or, in default of agreement, as may be determined by the Secretary of State.

(2) The regulations for the time being in force made under the Police Act (Northern Ireland) 1970¹ in respect of leave, pay, allowances and pension shall have effect in relation to the chairman and secretary of the central committee at a rank to be determined jointly by the central committee, the chief constable and the Police Authority.

Notes

¹ 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670

Commencement

Pt III reg. 18(1)-(2): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 18(1)-(2): Northern Ireland

✔ Law In Force

19.— Subscriptions etc.

(1) The Federation may raise funds by the collection of voluntary subscriptions from its members and by such other means, and subject to such conditions, as Federation rules may provide.

(2) Without prejudice to paragraph (1), Federation rules may make provision in particular for the raising of funds by—

- (a) the borrowing of money;
- (b) the acceptance of donations from individuals or bodies; and
- (c) the sale of publications or other articles, and the receipt of commission in connection with the sale thereof.

(3) Subject to the provisions of this Part, any funds so raised shall be dealt with in accordance with Federation rules and such directions as shall be made from time to time by the central committee.

Commencement

Pt III reg. 19(1)-(3): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 19(1)-(3): Northern Ireland

Law In Force

20.— Expenses

(1) There shall be paid to the central committee or any board from the funds of the Federation such sums as the central committee shall determine.

(2) Subject to regulation 22, any expenses incurred by or for the purposes of the central committee or any board shall be defrayed out of the funds of the Federation except to the extent that the Secretary of State has agreed with the central committee that such expenses should be defrayed by the Secretary of State.

Commencement

Pt III reg. 20(1)-(2): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 20(1)-(2): Northern Ireland

Law In Force

21.— Accounts

(1) The central committee shall, in relation to the funds of the Federation held by the committee, keep accounts showing all moneys received or paid out and shall cause the accounts for each year to be audited by an independent auditor.

(2) The independent auditor shall be a person who is a member, or a firm all of the partners wherein are members, of one or more of the bodies of accountants for the time being recognised for the purposes of Article 397 of the Companies (Northern Ireland) Order 1986¹ by the Department of Economic Development.

(3) After the end of each financial year a summary of the accounts for that year, together with a copy of the independent auditor's report thereon, shall be made available to the central committee at the annual conference and sent to the Secretary of State and published, in a manner approved by the central committee, for the information of members.

Notes

¹ S.I. 1986/1032 (N.I. 6)

Commencement

Pt III reg. 21(1)-(3): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 21(1)-(3): Northern Ireland

Law In Force

22.— Use of the funds of the Federation

(1) The funds of the Federation shall not, without the consent of the Secretary of State, be used otherwise than for defraying expenses incurred in accordance with the provisions of this Part and shall not be used for any purpose other than the purpose authorised by section 17 of the Police Act (Northern Ireland) 1970.

(2) Federation funds shall not be used—

- (a) to support a political party, or to promote, directly or indirectly, a person's candidature, in a parliamentary. Northern Ireland Assembly, European Assembly or local authority election; or
- (b) to contribute to the funds of a political party or to a trade union or any other body or organisation not being connected with the police force or its welfare or carrying out charitable work for the welfare of others.

Commencement

Pt III reg. 22(1)-(2)(b): July 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 22(1)-(2)(b): Northern Ireland

FEDERATION RULES

Law In Force

23.— Federation Rules

(1) Subject to the provisions of this Part, rules made by the central committee (in this Part referred to as 'Federation rules') may, in addition to providing for anything which under the foregoing provisions of this Part may be provided for or prescribed by such rules, provide for—

- (a) the membership of the bodies mentioned in this Part and the holding of elections thereto, the period for which members shall be elected, cessation of membership, the filling of casual vacancies and the appointment of office-bearers;
- (b) the proceedings of the said bodies;
- (c) the raising of funds for the 'purposes of the Federation;
- (d) subject to regulation 22, the use to which funds may be put;
- (e) the vesting of property and funds of the Federation in persons appointed as trustees for that purpose;
- (f) the making by the Federation of standing orders for the purpose of implementing any provision made by Federation rules.

(2) Subject to paragraph (3), Federation rules shall be prepared in draft by the central committee and submitted to the annual conference for approval.

(3) Where it appears to the central committee that the case is one of urgency, it shall not be necessary to submit rules in draft to the annual conference for their approval and it shall be sufficient for the rules to be approved by the Secretary of State in accordance with paragraph (4); but in such case the rules shall cease to have effect unless they are ratified at the next meeting of the annual conference.

(4) After approval by the annual conference. Federation rules shall be submitted to the Secretary of State for his approval, and shall not have effect until approved by him.

(5) References in this regulation to the central committee and to the annual conference are, in relation to the first occasion on which Federation rules are made, references respectively to the central committee and the annual conference constituted in accordance with and by virtue of the Police Association for Northern Ireland Regulations 1971¹.

Notes

¹ S.R. & O. (N.I.) 1971 No. 232

Commencement

Pt III reg. 23(1)-(5): June 1, 1991 (SR 1991/168 Pt I reg. 1)

Extent

Pt III reg. 23(1)-(5): Northern Ireland

Law In Force

P. L. Brooke
One of Her Majesty's Principal Secretaries of State
Northern Ireland Office

13th April 1991

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations replace the Police Association for Northern Ireland Regulations 1971. Their main effect is that much of the detailed provision relating to the conduct of the affairs of the Police Federation for Northern Ireland will be dealt with by rules (called “Federation rules”) made by the Federation itself.

Regulation 3 changes the name of the Superintendents’ Association to the Superintendents’ Association for Northern Ireland.

Regulation 7 defines “constable”, “sergeant” and “inspector” to include the corresponding ranks of the Royal Ulster Constabulary (Full-time) Reserve and defines “Federation rules” by reference to regulation 23.

Regulations 8, 9, 15 and 23 provide that the arrangements for representation and elections previously prescribed by regulations shall be prescribed by Federation rules.

The references in regulations 10(b), 11(2) and 12(2)(a) to the assistant chief constable (personnel and training) reflect an organisational change within the management of the Royal Ulster Constabulary.

Regulation 17 enables the central committee of the Federation to meet the joint central committees of the Scottish Police Federation and the Police Federation for England and Wales.

Regulation 18 recognises the offices of chairman and secretary of the Police Federation and makes arrangements for contributions by the Federation to the Police Authority in respect of their emoluments.

Regulation 19 changes the conditions as to the raising of income by the Federation.

Regulation 21(3) makes it obligatory to present the summary of the annual accounts of the Federation and the auditor's report to the annual conference of all members of the regional boards.

The Federation's power to make rules under regulation 23 comes into operation on 1st June 1991 and the remaining provisions of these regulations on 1st July 1991.

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