

EXPENSES**1) REIMBURSEMENT OF MEDICAL CHARGES**

- a) A member of a police force, if the charges are incurred by reason of an injury received without that member's default in the execution of that member's duty as a constable, shall be reimbursed by the police authority any charges incurred in that member case under sections 69, 70, 71 or 71A of the National Health (Scotland) Act 1978 (which sections relate to charges for certain drugs, medicines and appliances and for dental treatment).
- b) For the purposes of sub-paragraph (a), "injury" and "injury received in the execution of duty" have the same meanings as they have in the Police Pensions Regulations.

2) REMOVAL EXPENSES - WITH EFFECT FROM 1 APRIL 2003

- a) Where a member of the police force moves home in circumstances to which this sub-paragraph applies, the police authority-
 - i) shall either reimburse the reasonably incurred cost of removal or carry out the removal;
 - ii) shall, where the member was the owner of the former home, reimburse expenses reasonably incurred by the member in connection with the disposal thereof;
 - iii) shall, where the member is the owner of the new home, reimburse expenses reasonably incurred by the member in connection with the acquisition thereof if-
 - (1) the member was the owner of the former home, or
 - (2) the police authority, after consulting the chief constable, are satisfied that the member could neither have been provided with a suitable house or quarters nor have been reasonably expected to find suitable rented accommodation within a reasonable distance of the member's normal place of duty,so, however, that where the police authority are of opinion that the member could have acquired a suitable home for a consideration less than that actually paid, they may restrict the reimbursement of expenses directly related to the consideration paid by the member to expenses which would have been reasonably incurred had the member paid that lesser consideration;
 - iv) shall reimburse the member payments made by the member to meet relevant liabilities in respect of the first 26 weeks following the move

and may, if they think fit, reimburse such payments in respect of such further period as they may determine so, however, that where the police authority are of opinion that the member has not taken all reasonable steps to reduce or terminate the member's liability to make such payments as aforesaid they may restrict the reimbursement to payments which the member would have been liable to make had the member taken all such steps.

b) Sub-paragraph (a) applies where the member moves home-

- i) on joining the force in the rank of assistant chief constable or a higher rank; or
- ii) except as a consequence of joining the force otherwise than on being statutorily transferred thereto, and the removal is, in the opinion of the chief constable, due to the exigencies of police duty or is made at the request of the chief constable and is, in the chief constable's opinion, in the interests of the efficiency of the force.

c) For the purposes of sub-paragraph (a)(iv) relevant liabilities are-

- i) liabilities in respect of mortgage interest or rent payable in connection with the former home; and
- ii) in respect of any days in respect of which the member is liable to pay council tax in respect of the former home, the amount by which that tax and any council tax the member is liable to pay in respect of the new home exceeds the council tax that that member would have been liable to pay in respect of the member's former home if the member had not moved from it.

d) voluntarily transferring from one force to another, otherwise than in circumstances to which sub-paragraph (b) applies, the police authority of the force to which the member transfers-

- i) out the removal;
- ii) may, in the circumstances mentioned in sub-paragraph (a)(ii), reimburse the expenses there mentioned;
- iii) may, in the circumstances and subject to the conditions mentioned in sub-paragraph (a)(iii), reimburse the expenses there mentioned;
- iv) may, subject to the conditions mentioned in sub-paragraph (a)(iv), reimburse the expenses there mentioned.

e) Where the cost of removal is reimbursed or the removal is carried out by the police authority under sub-paragraph (a) or (d) the police authority shall reimburse -

- i) an item of expenditure incidental to the move and not otherwise covered in this determination if the member can satisfy the police authority of the necessity of the expenditure;
 - ii) where the member satisfies the police authority that, in consequence of the move, the member has failed to benefit, in whole or in part, from expenditure reasonably incurred by the member prior to the move (other than such payments as are referred to in sub paragraph (a)(iv)), the whole or the proportionate part of that expenditure so far as it is not recoverable by the member.
- f) Where a member of a police force has been requested by the chief constable, in the interests of the efficiency of the force, to move the member's home, and-
- i) the member has, in consequence, in connection with the contemplated disposal of the member's home and acquisition of a new home, incurred any expenses; and
 - ii) the member would, if that member had moved home, have been reimbursed those expenses by the police authority in pursuance of sub-paragraph (a)(i) or (iii); but
 - iii) in consequence of a subsequent decision of the chief constable, the member does not in fact move home,

the member shall be entitled, notwithstanding that the member has not moved home, to be reimbursed those expenses by the police authority.

g) To qualify for reimbursement, an item of removal expenditure must be necessary, reasonable and backed by a receipt.

h) In this determination

- i) any reference to an owner, being an owner of property mentioned in this determination, is a reference to an occupier thereof whose interest therein is either (i) that of proprietor of the dominium utile or, in the case of property not held on feudal tenure, that of proprietor thereof, or (ii) a leasehold interest which is neither an interest under a lease (which term includes sublease) from year to year or for a lesser period, or any other lease the unexpired period of which does not exceed a year, nor a furnished tenancy.

Provided that, in the case of property subject to a standard security as provided for by the Conveyancing and Feudal Reform (Scotland) Act 1970 or a heritable security constituted by ex facie absolute disposition or assignation., the person who, if the debt were discharged, would be entitled to be vested in that property shall, for the purposes of this determination, be treated as the proprietor or, as the case may be, as the tenant;

- ii) any reference to expenses incurred in connection with the disposal or acquisition of any property shall be construed as including, in particular, estate agent's, auctioneer's and solicitor's fees, stamp duty

and expenses in connection with the discharge, redemption, transfer or taking out of a heritable security;

and any reference to expenses incurred in connection with the acquisition of any property shall be construed as also including expenses in connection with the contemplated acquisition of a property other than that acquired.

3) FOOD AND ACCOMMODATION EXPENSES

- a) When a member of a police force is necessarily prevented in the course of a tour of duty from obtaining a meal in the usual way, that member shall be reimbursed the difference between the meal the member then obtains and the meal the member usually takes in the course of that tour of duty, provided that the additional expenditure is reasonable and backed by a receipt.
- b) When a member of a police force is retained on duty beyond the member's normal daily period of duty, the member shall be reimbursed the cost of any meal the member then necessarily obtains provided that expenditure is reasonable and backed by a receipt.
- c) A member of a police force shall be reimbursed accommodation expenses necessarily incurred in connection with duty away from the member's usual place of duty, or necessary because the member has been retained on duty beyond the member's normal daily period of duty provided that the expenditure is reasonable and backed by a receipt.
- d) The usual place of duty for this purpose is the police establishment in which the member is stationed. The chief constable shall determine the date at which a member on duty away from the member's usual establishment becomes for the time being stationed at the place where the member is temporarily on duty.
- e) A member of a police force shall, if the member requests, be given an advance to cover, as far as practicable, probable expenses of duty away from the member's usual place of duty.
- f) In the case of a part-time member and in the case of a member working in accordance with variable shift arrangements, in sub-paragraph (a) for the words "tour of duty" and in sub-paragraph (b) for the words "normal daily period of duty", substitute "rostered shift".

4) TRAIN TRAVEL EXPENSES FOR CERTAIN RANKS

A member of a police force of the rank of superintendent or above who is required to travel by train in the execution of that member's duty shall be entitled to travel in first-class accommodation and to be reimbursed those expenses accordingly.

5) RELEVANT TRAVELLING EXPENSES

- a) This paragraph applies where a member of a police force is-
 - i) required to perform that member's normal daily period of duty in more than one tour of duty, or
 - ii) recalled to duty between two tours of duty,

and travels to and from home between tours, or, as the case may be, in consequence of the member's recall (in this paragraph referred to as "relevant travelling").

- b) Relevant travelling expenses shall be treated as expenses incurred in the execution of duty and, unless they are expenses in respect of which an allowance is payable under the determinations made under Part 6 of the Police (Scotland) Regulations 2004, the member concerned shall be reimbursed those expenses to the extent that they do not exceed such reasonable limit as the police authority may fix.

6) UNIVERSITY SCHOLARS

- a) This Annex shall have effect in relation to a university scholar subject to the provision contained in (b).
- b) Where a university scholar moves home and the removal is, in the opinion of the police authority, due to the member having undertaken or completed the scholar's course of study and is, in their opinion, reasonable in all the circumstances, paragraph (2) shall have effect in the scholar's case as if the removal were such as is mentioned in sub-paragraph (a) thereof.