



Police Act 1964

1964 CHAPTER 48

PART I

ORGANISATION OF POLICE FORCES

Modifications etc. (not altering text)

C1 Pt. I(ss. 1-27) restricted (6.3.1992) by [Local Government Act 1992 \(c. 19\), s. 18\(4\)\(a\)](#)

County, county borough and combined forces

[^{F1}1 **Police areas.**

- (1) England and Wales shall be divided into police areas.
- (2) The police areas referred to in subsection (1) of this section shall be—
 - (a) those listed in Schedule 1A to this Act (subject to any amendment made to that Schedule by an order under section 21 or 21A of this Act, section 58 of the ^{M1}Local Government Act 1972, or section 17 of the ^{M2}Local Government Act 1992), together with
 - (b) the City of London police area and the metropolitan police district.
- (3) References in Schedule 1A to any local government area are to that area as it is for the time being, but excluding any part of it within the metropolitan police district.]

Textual Amendments

F1 S. 1 substituted (1.8.1994 for certain purposes and 1.4.1995 for all other purposes) by [1994 c. 29 s. 1\(1\)](#); [S.I. 1994/2025, art. 4](#); [S.I. 1994/3262, art. 4](#), [Sch.](#)

Marginal Citations

M1 [1972 c. 70.](#)

Status: Point in time view as at 01/10/1994. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)

M2 1992 c. 19.

[^{F3} Forces outside London]

Textual Amendments

F3 Ss. 2, 3 and crossheading preceding s. 2 substituted for s. 2, 2A, 3 (8.8.1994 to the extent s. 3 is substituted and 1.4.1995 otherwise) by 1994 c. 29, s. 2; S.I. 1994/2025, art. 4; S.I. 1994/3262, art. 4, Sch.

[^{F4} Maintenance of police forces.

A police force shall be maintained for every police area for the time being listed in Schedule 1A to this Act.]

Textual Amendments

F4 Ss. 2, 3 and crossheading preceding s. 2 substituted for ss. 2, 2A, 3 (8.8.1994 to extent s. 3 is substituted and 1.4.1995 otherwise) by 1994 c. 29, s. 2; S.I. 1994/2025, art. 4; S.I. 1994/3262, art. 4, Sch.

[^{F5} Establishment of police authorities.

(1) There shall be a police authority for every police area for the time being listed in Schedule 1A to this Act.

(2) A police authority established under this section for any area shall be a body corporate to be known by the name of the area with the addition of the words “Police Authority”.]

Textual Amendments

F5 Ss. 2, 3 substituted ss. 2, 2A, 3 (8.8.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, s. 2; S.I. 1994/2025, art. 4, S.I. 1994/3262, art. 4, Sch.

Modifications etc. (not altering text)

C2 S. 3 continued (1.4.1996) by S.I. 1995/2864, art. 3

[^{F6}3A Membership of police authorities etc.

(1) Subject to subsection (2) of this section, each police authority established under section 3 of this Act shall consist of seventeen members.

(2) The Secretary of State may by order provide in relation to a police authority specified in the order that the number of its members shall be a specified odd number greater than seventeen.

(3) A statutory instrument containing an order made under subsection (2) of this section shall be laid before Parliament after being made.

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Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)

- (4) Schedules 1B and 1C to this Act shall have effect in relation to police authorities established under section 3 and the appointment of their members.]

Textual Amendments

F6 Ss. 3A, 3B inserted (21.7.1994 and 8.8.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, ss. 3(1), 94(3)(a); S.I. 1994/2025, art. 4(2)(b); S.I. 1994/3262, art. 4, Sch.

^{F7}3B Reductions in size of police authorities.

- (1) This section applies to any order under subsection (2) of section 3A of this Act which varies or revokes an earlier order so as to reduce the number of a police authority's members.
- (2) Before making an order to which this section applies, the Secretary of State shall consult—
- (a) the authority,
 - (b) the councils which are relevant councils in relation to the authority for the purposes of Schedule 1B to this Act, and
 - (c) any panel (or magistrates' courts committee) which is responsible, or is represented on a joint committee which is responsible, for the appointment of members of the authority.
- (3) An order to which this section applies may include provision as to the termination of the appointment of the existing members of the authority and the making of new appointments or re-appointments.

Textual Amendments

F7 Ss. 3A, 3B inserted (21.7.1994 and 8.8.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, ss. 3(1), 94(3)(a); S.I. 1994/2025, art. 4(2)(b); S.I. 1994/3262, art. 4, Sch.

^{F8}4 General functions of police authorities.

- (1) It shall be the duty of every police authority established under section 3 of this Act to secure the maintenance of an efficient and effective police force for its area.
- (2) In discharging its functions, every police authority established under section 3 of this Act shall have regard to—
- (a) any objectives determined by the Secretary of State under section 28A of this Act,
 - (b) any objectives determined by the authority under section 4A,
 - (c) any performance targets established by the authority, whether in compliance with a direction under section 28B or otherwise, and
 - (d) any local policing plan issued by the authority under section 4B.
- (3) In discharging any function to which a code of practice issued under section 28C of this Act relates, a police authority established under section 3 of this Act shall have regard to the code.

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- (4) A police authority shall comply with any direction given to it by the Secretary of State under section 28B or 28D of this Act.]

Textual Amendments

- F8** Ss. 4, 4A-4C substituted for s. 4 (1.10.1994 for certain purposes and 1.4.1995 otherwise) by 1994 c. 29, s. 4; S.I. 1994/2025, art. 6; S.I. 1994/3162, art. 4, Sch.

^{F9}4A Local policing objectives.

- (1) Every police authority established under section 3 of this Act shall, before the beginning of each financial year, determine objectives for the policing of the authority's area during that year.
- (2) Objectives determined under this section may relate to matters to which objectives determined under section 28A of this Act also relate, or to other matters, but in any event shall be so framed as to be consistent with the objectives determined under that section.
- (3) Before determining objectives under this section a police authority shall—
- (a) consult the chief constable for the area, and
 - (b) consider any views obtained by it in accordance with arrangements made under section 106 of the ^{M5}Police and Criminal Evidence Act 1984 (arrangements for obtaining the views of the community on policing).

Textual Amendments

- F9** Ss. 4, 4A-4C substituted for s. 4 (1.10.1994 for certain purposes and 1.4.1995 otherwise) by 1994 c. 29, s. 4; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

Modifications etc. (not altering text)

- C3** S. 4A restricted (12.7.1995) by S.I. 1995/1771, art. 4(3)(b)(ii)
S. 4A restricted (12.7.1995) by 1995/1772, art. 4(3)(b)(ii)
S. 4A restricted (12.7.1995) by 1995/1773, art. 4(3)(b)(ii)
S. 4A restricted (12.7.1995) by 1995/1774, art. 4(3)(b)(ii)

Marginal Citations

- M3** 1984 c. 60.

^{F10}4B Local policing plans.

- (1) Every police authority established under section 3 of this Act shall, before the beginning of each financial year, issue a plan setting out the proposed arrangements for the policing of the authority's area during the year ("the local policing plan").
- (2) The local policing plan shall include a statement of the authority's priorities for the year, of the financial resources expected to be available and of the proposed allocation of those resources, and shall give particulars of—
- (a) any objectives determined by the Secretary of State under section 28A of this Act,

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- (b) any objectives determined by the authority under section 4A, and
 - (c) any performance targets established by the authority, whether in compliance with a direction under section 28B or otherwise.
- (3) A draft of the local policing plan shall be prepared by the chief constable for the area and submitted by him to the authority for it to consider.
- (4) Before issuing a local policing plan which differs from the draft submitted by the chief constable under subsection (3) of this section, a police authority shall consult the chief constable.
- (5) A police authority shall arrange for the local policing plan to be published in such manner as appears to it to be appropriate, and shall send a copy of the plan to the Secretary of State.

Textual Amendments

F10 Ss. 4-4C substituted for s. 4 (1.10.1994 for certain purposes and 1.4.1995 otherwise) by 1994 c. 29, s. 4; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

Modifications etc. (not altering text)

C4 S. 4B restricted (12.7.1995) by S.I. 1995/1771, art. 4(3)(b)(ii)
S. 4B restricted (12.7.1995) by S.I. 1995/1772, art. 4(3)(b)(ii)
S. 4B restricted (12.7.1995) by S.I. 1995/1773, art. 4(3)(b)(ii)
S. 4B restricted (12.7.1995) by S.I. 1995/1774, art. 4(3)(b)(ii)

^{F11}4C Annual reports by police authorities.

- (1) As soon as possible after the end of each financial year every police authority established under section 3 shall issue a report relating to the policing of the authority's area for the year.
- (2) A report issued under this section for any year by a police authority shall include an assessment of the extent to which the local policing plan for that year has been carried out.
- (3) A police authority shall arrange for every report issued by it under this section to be published in such manner as appears to it to be appropriate, and shall send a copy of the report to the Secretary of State.

Textual Amendments

F11 Ss. 4-4C substituted for s. 4 (1.10.1994 for certain purposes and 1.4.1995 otherwise) by 1994 c. 29, s. 4; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

5 Chief constables.

- (1) The police force maintained for a police area under section 1 of this Act shall be under the direction and control of the chief constable appointed under section 4(2) of this Act.
- (2) The same person may, with the consent of the police authorities concerned, be appointed chief constable of more than one police force.

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- (3) The Secretary of State shall not approve the appointment as first chief constable of a combined force of any person other than the chief constable of a police force which ceases to exist in consequence of the formation of the combined force unless the Secretary of State is satisfied, having regard to the size and character of the combined force and any exceptional circumstances, that some other person should be appointed.
- (4) Without prejudice to any regulations under Part II of this Act or under the [^{F12M4}Police Pensions Act 1976], the police authority, acting with the approval of the Secretary of State, may call upon the chief constable to retire in the interests of efficiency.
- (5) Before seeking the approval of the Secretary of State under subsection (4) of this section the police authority shall give the chief constable an opportunity to make representations and shall consider any representations so made.
- (6) A chief constable who is called upon to retire as aforesaid shall retire on such date as the police authority may specify or on such earlier date as may be agreed upon between him and the police authority.

Textual Amendments

F12 Words substituted by virtue of [Police Pensions Act 1976 \(c. 35\), s. 12\(3\)](#)

Modifications etc. (not altering text)

C5 [S. 5\(1\)](#) excluded by [Police Act 1969 \(c. 63\), s. 1\(3\)](#)

Marginal Citations

M4 [1976 c. 35.](#)

VALID FROM 01/04/1995

^{F13}**5A Appointment and removal of chief constables.**

- (1) The chief constable of a police force maintained under section 2 of this Act shall be appointed by the police authority responsible for maintaining the force, but subject to the approval of the Secretary of State and to regulations under Part II of this Act.
- (2) Without prejudice to any regulations under Part II of this Act or under the ^{M5}Police Pensions Act 1976, the police authority, acting with the approval of the Secretary of State, may call upon the chief constable to retire in the interests of efficiency or effectiveness.
- (3) Before seeking the approval of the Secretary of State under subsection (2) of this section, the police authority shall give the chief constable an opportunity to make representations and shall consider any representations that he makes.
- (4) A chief constable who is called upon to retire under subsection (2) of this section shall retire on such date as the police authority may specify or on such earlier date as may be agreed upon between him and the authority.

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Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)

Textual Amendments

F13 Ss. 5, 5A substituted for s. 5 (1.4.1995) by 1994 c. 29, s. 5; S.I. 1994/3262, art. 4, Sch.

Marginal Citations

M5 1976 c. 35.

6 Deputy and assistant chief constables.

- (1) In every police force maintained under section 1 of this Act there shall be a ^{F14}person holding the rank of deputy chief constable, who shall have all the powers and duties of the chief constable—
 - (a) during any absence, incapacity or suspension from duty of the chief constable;
 - (b) during any vacancy in the office of chief constable;but shall not have power to act by virtue of this subsection for any continuous period exceeding three months except with the consent of the Secretary of State.
- (2) The provisions of subsection (1) above shall be in addition to, and not in substitution for, any other enactment which makes provision for the exercise by any other person of the powers conferred by that enactment on a chief constable.
- (3) The establishment of any such police force as aforesaid may include one or more persons holding the rank of assistant chief constable.
- (4) ^{F15}Appointments or promotions to the rank of deputy chief constable or assistant chief constable, shall be made, in accordance with regulations under Part II of this Act, by the police authority after consultation with the chief constable and subject to the approval of the Secretary of State.
- (5) Subsections (2), (4), (5) and (6) of section 5 of this Act shall apply to a deputy chief constable, and subsections (4), (5) and (6) of that section shall apply to an assistant chief constable, as they apply to a chief constable.

Textual Amendments

F14 Words inserted by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), s. 108(2)(a)

F15 Words substituted by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), s. 108(2)(b)

^{F16}6A Deputy chief constables— supplementary.

- (1) Any police force maintained under section 1 of this Act may include more than one person holding the rank of deputy chief constable, but only if the additional person or persons holding that rank—
 - (a) was a deputy chief constable before a period—
 - (i) of central service; or
 - (ii) of overseas service, as defined in ^{M6} section 3 of the Police (Overseas Service) Act 1945; or
 - (iii) of service in pursuance of an appointment under ^{M7} section 10 of the Overseas Development and Co-operation Act 1980 as an officer to whom that section applied; or

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- (b) became a deputy chief constable by virtue of section 58(2) of this Act.
- (2) If there is more than one person who holds the rank of deputy chief constable in a police force maintained under section 1 of this Act, one of the persons who hold it shall be designated as the officer having the powers and duties conferred on a deputy chief constable by section 6(1) of this Act.
- (3) A person shall be designated under subsection (2) of this section by the police authority after consultation with the chief constable and subject to the approval of the Secretary of State.]

Textual Amendments

F16 S. 6A inserted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 108\(3\)](#)

Marginal Citations

M6 [1945 c.17\(95\)](#)

M7 [1980 c.63\(88\)](#)

7 Other members of police forces.

- (1) The ranks which may be held in a police force maintained under section 1 of this Act shall be such as may be prescribed by regulations under Part II of this Act and the ranks so prescribed shall include, in addition to chief constable [^{F17}, deputy chief constable]and assistant chief constable, the ranks of superintendent, inspector, sergeant and constable.
- (2) Appointments and promotions to any rank below that of assistant chief constable in any such police force shall be made, in accordance with regulations under Part II of this Act, by the chief constable.

Textual Amendments

F17 Words inserted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 119\(1\), Sch. 6 para. 14](#)

[^{F18} Police fund.

- (1) Each police authority established under section 3 of this Act shall keep a fund to be known as the police fund.
- (2) Subject to any regulations under the ^{M8}Police Pensions Act 1976, all receipts of the police authority shall be paid into the police fund and all expenditure of the authority shall be paid out of that fund.
- (3) Accounts shall be kept by each police authority of payments made into or out of the police fund.]

Textual Amendments

F18 S. 8 substituted (1.10.1994 for certain purposes and 1.4.1995 for all other purposes) by [1994 c. 29, s. 8;](#) [S.I. 1994/2025, art. 6;](#) [S.I. 1994/3262, art. 4, Sch.](#)

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Marginal Citations

M8 1976 c. 35.

[^{F19}8A Supply of goods and services.

Subsections (1) to (3) of section 1 of the ^{M9}Local Authorities (Goods and Services) Act 1970 (supply of goods and services by local authorities) shall apply to a police authority established under section 3 of this Act as they apply to a local authority, except that in their application to a police authority the references in those subsections to a public body shall be read as references to any person.]

Textual Amendments

F19 S. 8A inserted (1.10.1994 for certain purposes and 1.4.1995 for other purposes) by 1994 c. 29, s. 9; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

Marginal Citations

M9 1970 c. 39.

9 Acquisition of land.

- (1) The council of any county . . . ^{F20} constituting a police area may by agreement acquire, whether by way of purchase, lease or exchange, any land which is required for the purpose of any of the functions of the police authority for the area; and [^{F21}subsections (3) and (4) of section 120 of the ^{M10}Local Government Act 1972 shall apply to the acquisition of land under this subsection as they apply to the acquisition of land under that section];
- (2) The council of any such county . . . ^{F20} may be authorised by the Secretary of State to purchase compulsorily any land which is required for the purpose of any of the functions of the police authority for the county . . . ^{F20}; and the ^{M11}Acquisition of Land [^{F22}Act 1981 shall apply to a compulsory purchase under this section], [^{F23}and subsection (3) of section 121 of the ^{M12}Local Government Act 1972 shall apply in relation to a proposal to acquire any land in exercise of the power conferred by this subsection as it applies in relation to a proposal to acquire land in exercise of the power conferred by subsection (1) of that section].
- (3) A combined police authority shall have the same powers with respect to the acquisition of land for police purposes, and the appropriation and disposal of land, as the council of a county . . . ^{F20}; and the provisions of this section, the [^{F24}^{M13}Local Government Act 1972] . . . ^{F25} with respect to the acquisition, appropriation and disposal of land by such councils shall have effect accordingly as if references to the council of a county . . . ^{F20} included references to a combined police authority.
- (4) References in this Act to expenditure of a police authority or to expenses incurred for police purposes by any police authority include references to expenditure under this section by the council of a county . . . ^{F20} on behalf of a police authority.

Textual Amendments

F20 Words repealed by Local Government Act 1972 (c. 70), Sch. 30

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- F21** Words substituted by [Local Government Act 1972 \(c. 70\), s. 196\(4\)\(a\)](#)
F22 Words substituted by [Acquisition of Land Act 1981 \(c. 67 SIF 28:1\) s. 34, Sch. 4 para. 13](#)
F23 Words added by [Local Government Act 1972 \(c. 70\), s. 196\(4\)\(b\)](#)
F24 Words substituted by virtue of [Local Government Act 1972 \(c. 70\), s. 272\(2\)](#)
F25 Words repealed by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\), s. 34, Sch. 6 Pt. I](#)

Marginal Citations

- M10** [1972 c. 70.](#)
M11 [1981 c. 67.](#)
M12 [1972 c. 70.](#)
M13 [1972 c. 70.](#)

[^{F26}10 Civilian employees.

- (1) A police authority established under section 3 of this Act may employ persons to assist the police force maintained by it or otherwise to enable the authority to discharge its functions.
- (2) A police authority shall exercise its powers under section 101 (and section 107) of the ^{M14}Local Government Act 1972 so as to secure that, subject to subsection (3) of this section, any person employed by the authority under this section is under the direction and control of the chief constable of the police force maintained by the authority.
- (3) Subsection (2) of this section shall not apply to such of the persons employed by the authority as may be agreed between the chief constable and the authority or, in the absence of agreement, as may be determined by the Secretary of State.
- (4) The powers of direction and control referred to in subsection (2) of this section include the powers of engagement and dismissal.]

Textual Amendments

- F26** [S. 10](#) substituted (1.10.1994 for certain purposes and 1.4.1995 for all other purposes) by [1994 c. 29, s. 10; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.](#)

Marginal Citations

- M14** [1972 c. 70.](#)

[^{F27}10A Appointment of clerk.

A police authority established under section 3 of this Act shall appoint a person to be the clerk to the authority.]

Textual Amendments

- F27** [Ss. 10A, 10B](#) inserted (1.10.1994 for certain purposes and 1.4.1995 for all other purposes) by [1994 c. 29, s. 11; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.](#)

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F28 10B Appointment of persons not employed by police authorities.

Where a police authority established under section 3 of this Act is required or authorised by any Act—

- (a) to appoint a person to a specified office under the authority, or
- (b) to designate a person as having specified duties or responsibilities,

then, notwithstanding any provision of that Act to the contrary, the authority may appoint or designate either a person employed by the authority under section 10 of this Act, or a person not holding any office or employment under the authority.

Textual Amendments

F28 Ss. 10A, 10B inserted (1.10.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, s. 11; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

[F29 11 Questions on police matters at council meetings.

- (1) Every relevant council shall make arrangements (whether by standing orders or otherwise) for enabling questions on the discharge of the functions of a police authority to be put by members of the council at a meeting of the council for answer by a person nominated by the authority for that purpose.
- (2) On being given reasonable notice by a relevant council of a meeting of that council at which questions on the discharge of the police authority's functions are to be put, the police authority shall nominate one or more of its members to attend the meeting to answer those questions.
- (3) In this section "relevant council" has the same meaning as in Schedule 1B to this Act.]

Textual Amendments

F29 S. 11 substituted (1.10.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, s. 12; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

General provisions

12 Reports by chief constables to police authorities.

- (1) Every chief constable shall, as soon as possible after the end of each calendar year, submit to the police authority a general report in writing on the policing during that year of the area for which his force is maintained.
- (2) The chief constable of a police force shall, whenever so required by the police authority, submit to that authority a report in writing on such matters as may be specified in the requirement, being matters connected with the policing of the area for which the force is maintained.
- (3) If it appears to the chief constable that a report in compliance with any such requirement of the police authority would contain information which in the public interest ought not to be disclosed, or is not needed for the discharge of the functions of the police authority, he may request that authority to refer the requirement to the

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Secretary of State; and in any such case the requirement shall be of no effect unless it is confirmed by the Secretary of State.

- (4) This section applies to the City of London police force as if for references to the chief constable there were substituted references to the Commissioner.

Modifications etc. (not altering text)

C6 S. 12 modified by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), **ss. 5, 50(2), 55(14)**

13 Collaboration agreements.

- (1) If it appears to the chief officers of police of two or more police forces that any police functions can more efficiently be discharged by members of those forces acting jointly, they may, with the approval of the police authorities for the areas for which those forces are maintained, make an agreement for that purpose.
- (2) If it appears to any two or more police authorities that any premises, equipment or other material or facilities can with advantage be provided jointly for the police forces maintained by those authorities, they may make an agreement for that purpose.
- (3) Any expenditure incurred under an agreement made under this section shall be borne by the police authorities in such proportions as they may agree or as may, in default of agreement, be determined by the Secretary of State.
- (4) An agreement under subsection (1) or subsection (2) of this section may be varied or determined by a subsequent agreement.
- (5) If it appears to the Secretary of State that an agreement should be made under subsection (1), subsection (2) or subsection (4) of this section, he may, after considering any representations made by the parties concerned, direct those parties to enter into such an agreement under those provisions as may be specified in the direction.
- (6) The reference in subsection (1) of this section to members of a police force includes a reference to special constables for the area for which that force is maintained.

14 Aid of one police force by another.

- (1) The chief officer of police of any police force may, on the application of the chief officer of police of any other police force, provide constables or other assistance for the purpose of enabling the other force to meet any special demand on its resources.
- (2) If it appears to the Secretary of State to be expedient in the interests of public safety or order that any police force should be reinforced or should receive other assistance for the purpose of enabling it to meet any special demand on its resources, and that satisfactory arrangements under subsection (1) above cannot be made, or cannot be made in time, he may direct the chief officer of police of any police force to provide such constables or other assistance for that purpose as may be specified in the direction.
- (3) While a constable is provided under this section for the assistance of another police force he shall, notwithstanding section 5(1) of this Act, be under the direction and control of the chief officer of police of that other force.

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- (4) The police authority maintaining a police force for which assistance is provided under this section shall pay to the police authority maintaining the force from which that assistance is provided such contribution as may be agreed upon between those authorities or, in default of any such agreement, as may be provided by any agreement subsisting at the time between all police authorities generally, or, in default of such general agreement, as may be determined by the Secretary of State.

15 Provision of special services.

- (1) The chief officer of police of any police force may provide, at the request of any person, special police services at any premises or in any locality in the police area for which the force is maintained, subject to the payment to the police authority of charges on such scales as may be determined by that authority.
- (2) In the application of this section to the metropolitan police, for the reference in subsection (1) to the police authority there shall be substituted a reference to the Receiver for the Metropolitan Police District.

[^{F30F30}15] Provision of advice and assistance to international organisations etc.

- (1) Subject to the provisions of this section, a police authority may provide advice and assistance—
 - (a) to an international organisation or institution, or
 - (b) to any other person or body which is engaged outside the United Kingdom in the carrying on of activities similar to any carried on by the authority or the chief officer of police for its area.
- (2) The power conferred on a police authority by subsection (1) of this section includes a power to make arrangements under which a member of the police force maintained by the authority is engaged for a period of temporary service with a person or body within paragraph (a) or (b) of that subsection.
- (3) The power conferred by subsection (1) of this section shall not be exercised except with the consent of the Secretary of State or in accordance with a general authorisation given by him.
- (4) A consent or authorisation under subsection (3) of this section may be given subject to such conditions as the Secretary of State thinks fit.
- (5) Nothing in this section authorises a police authority to provide any financial assistance by—
 - (a) making a grant or loan,
 - (b) giving a guarantee or indemnity, or
 - (c) investing by acquiring share or loan capital.
- (6) A police authority may make charges for advice or assistance provided by it under this section.
- (7) In its application in relation to the metropolitan police this section shall apply—
 - (a) as if the power conferred by subsection (1) were conferred on the Commissioner of Police of the Metropolis (and accordingly as if the references in subsections (1)(b) and (2) to a police authority were omitted), and

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- (b) as if in subsection (6) the reference to a police authority were a reference to the Receiver for the Metropolitan Police District.
- (8) The provisions of this section are without prejudice to the ^{M15}Police (Overseas Service) Act 1945 and section 10 of the ^{M16}Overseas Development and Co-operation Act 1980.]

Textual Amendments

F30 S. 15A inserted (21.7.1994) by 1994 c. 29, ss. 13, 94(1)(3)(b)

Marginal Citations

M15 1945 c. 17.

M16 1980 c. 63.

16 Special constables.

- (1) The chief officer of police of the police force maintained for any police area may, in accordance with regulations under Part II of this Act, appoint special constables for that area.
- (2) Subject to such regulations as aforesaid, all special constables for a police area (including persons appointed as such before the commencement of this Act) shall be under the direction and control of, and subject to dismissal by, the chief officer of police.

17 Police cadets.

- (1) The chief officer of police of any police force may, in accordance with regulations under Part II of this Act and ^{F31} . . . , appoint persons as police cadets to undergo training with a view to becoming members of that police force.
- (2) Subject to such regulations as aforesaid, all police cadets (including persons appointed as such before the commencement of this Act) shall be under the control of, and subject to dismissal by, the chief officer of police.
- (3) Without prejudice to subsection (2) above, the police authority by whom a police force is maintained shall, for the purposes of any enactment relating to the functions of employers and of any rule of law with respect to the vicarious liability of employers, be treated as the employer of any police cadets undergoing training with that force.
- (4) In the application of this section to the metropolitan police, for the reference in subsection (3) to the police authority there shall be substituted a reference to the Receiver for the Metropolitan Police District.

Textual Amendments

F31 Words in s. 17(1) repealed (1.4.1995) by 1994 c. 29, ss. 44, 93, Sch. 5 Pt. I para. 3, Sch. 9 Pt. I; S.I. 1994/3262, art. 4, Sch.

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Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)

17 Police cadets. **E+W**

- (1) The chief officer of police of any police force may, in accordance with regulations under Part II of this Act and subject to the approval of the police authority as to numbers, appoint persons as police cadets to undergo training with a view to becoming members of that police force.
- (2) Subject to such regulations as aforesaid, all police cadets (including persons appointed as such before the commencement of this Act) shall be under the control of, and subject to dismissal by, the chief officer of police.
- (3) Without prejudice to subsection (2) above, the police authority by whom a police force is maintained shall, for the purposes of any enactment relating to the functions of employers and of any rule of law with respect to the vicarious liability of employers, be treated as the employer of any police cadets undergoing training with that force.
- (4) In the application of this section to the metropolitan police, for the reference in subsection (3) to the police authority there shall be substituted a reference to the Receiver for the Metropolitan Police District.

18 Attestation of constables.

Every member of a police force maintained for a police area and every special constable appointed for a police area shall, on appointment, be attested as a constable by making a declaration in the form set out in Schedule 2 to this Act—

- (a) in the case of the metropolitan police district, before the Commissioner or an Assistant Commissioner of Police of the Metropolis;
- (b) in any other case, before a justice of the peace having jurisdiction within the police area.

19 Jurisdiction of constables.

- (1) A member of a police force shall have all the powers and privileges of a constable throughout England and Wales.
- (2) A special constable shall have all the powers and privileges of a constable in the police area for which he is appointed.
- [^{F32}(3) Without prejudice to subsection (2) above, a special constable appointed for any police area shall have all the powers and privileges of a constable—
 - (a) in the case of a police area other than the City of London, in any other police area which is contiguous to his own police area;
 - (b) in the case of the City of London, in the metropolitan police district and in any area which is contiguous to that district.]
 - (4) A special constable who is for the time being required by virtue of section 13 or section 14 of this Act to serve with another police force shall have all the powers and privileges of a constable in any area in which special constables appointed for the area for which that force is maintained have those powers and privileges under this section.
 - (5) ^{F33}
 - (6) This section is without prejudice to [^{F34}section 18 of the ^{M17}Police (Scotland) Act 1967] (execution of warrants in border counties of England and Scotland) and to any other enactment conferring powers on constables for particular purposes.

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Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)

Textual Amendments

- F32** Words substituted by [Police \(Scotland\) Act 1967 \(c. 77\)](#), [Sch. 4](#)
F33 [Ss. 19\(5\), 21\(4\), 25\(1\)–\(4\)](#) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)
F34 [S. 19\(3\)](#) substituted by [Local Government Act 1972 \(c. 70\)](#), [s. 196\(5\)](#)

Marginal Citations

- M17** [1967 c. 77](#).

20 Rewards for diligence.

A police authority may, on the recommendation of the chief officer of police, grant out of the police fund to members of the police force maintained by that authority rewards for exceptional diligence or other specially meritorious conduct.

Amalgamations

[^{F35}21 Power to alter police areas by order.

- (1) The Secretary of State may by order make alterations in police areas in England and Wales other than the City of London police area.
- (2) The alterations that may be made by an order under subsection (1) of this section include alterations that result in a reduction or an increase in the number of police areas, but not alterations that result in the abolition of the metropolitan police district.
- (3) The Secretary of State shall not exercise his power under subsection (1) of this section to make alterations unless either—
 - (a) he has received a request to make the alterations from the police authority for each of the areas (other than the metropolitan police district) affected by them, or
 - (b) it appears to him to be expedient to make the alterations in the interests of efficiency or effectiveness.
- (4) The Secretary of State shall exercise his power to make orders under this section in such a way as to ensure that none of the following areas—
 - (a) a county in which there are no district councils,
 - (b) a district in any other county,
 - (c) a county borough in Wales, and
 - (d) a London borough,
 is divided between two or more police areas.
- (5) Subsection (4) shall not have effect so as to prevent the maintenance of any part of the boundary of the metropolitan police district as it exists at the commencement of section 1 of the Police and Magistrates' Courts Act 1994.]

Textual Amendments

- F35** [Ss. 21, 21A–21C](#) substituted for [s. 21 \(1.10.1994 in so far as substitutes 21A and 21C and 1.4.1995 otherwise\)](#) by [1994 c. 29, s. 14](#); [S.I. 1994/2025, art. 6](#); [S.I. 1994/3262, art. 4](#), [Sch.](#)

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[^{F36}**21A Alteration of Welsh police areas on local government reorganisation.**

- (1) The Secretary of State shall by order made before 1st April 1996 make such alterations to police areas in Wales as he considers necessary or expedient in connection with the reorganisation of local government in Wales taking place on that date.
- (2) The alterations that may be made by an order under subsection (1) of this section include alterations that result in a reduction or an increase in the number of police areas, but not alterations that result in the division of any county or county borough between two or more police areas.
- (3) The Secretary of State shall make an order under subsection (1) of this section only after he has consulted every body within the following paragraphs which is in existence when the order is made—
 - (a) the police authorities established under section 3 of this Act for the police areas altered by the order;
 - (b) the police authorities which are to be superseded by the police authorities mentioned in paragraph (a) of this subsection;
 - (c) the county councils which—
 - (i) are the councils of counties wholly or partly within the police areas altered by the order, and
 - (ii) are to cease to exist on 1st April 1996 by virtue of the ^{M18}Local Government (Wales) Act 1994;
 - (d) the councils of the counties and county boroughs established by virtue of that Act which are wholly or partly within the police areas altered by the order;and such other persons as he considers appropriate.]

Textual Amendments

F36 Ss. 21, 21A-21c substituted for s. 21 (1.10.1994 in so far as substitutes s. 21A and s. 21C and 1.4.1995 for certain other purposes) by 1994 c. 29, s. 14; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

Marginal Citations

M18 1994 c. 19.

[^{F37}**21B Objections to alterations proposed by Secretary of State.**

- (1) Before making an order under section 21 of this Act by virtue of paragraph (b) of subsection (3) of that section, the Secretary of State shall give notice of his proposal to—
 - (a) the police authority for every area (other than the metropolitan police district) that he proposes to alter,
 - (b) the council of every county, district, county borough or London borough wholly or partly within any area (other than the metropolitan police district) that he proposes to alter,
 - (c) the council of every London borough, county or district all or part of which would under the proposal be brought into or left out of the metropolitan police district, and
 - (d) such other persons as he considers appropriate.
- (2) A notice under subsection (1) of this section shall—

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- (a) specify the proposed alterations and describe the general nature of any related provisions proposed to be included in the order,
 - (b) set out the Secretary of State's reasons for proposing the alterations, and
 - (c) specify a date before which any objections to the proposals are to be delivered to the Secretary of State.
- (3) The date specified under subsection (2)(c) of this section shall fall after the end of the period of four months beginning with the date of the notice.
- (4) Where objections have been duly delivered to the Secretary of State by a person notified under subsection (1) of this section, the Secretary of State shall before making the order under section 21 of this Act—
- (a) consider the objections, and
 - (b) give to that person a further notice stating whether he accepts the objections and, if he does not, giving his reasons.
- (5) Where the Secretary of State has given a notice under subsection (1) of this section specifying proposed alterations, the provisions of an order making the alterations may be inconsistent with the notice so far as it describes the general nature of the provisions, and may contain provisions not referred to in the notice.]

Textual Amendments

F37 Ss. 21, 21A-21C substituted for s. 21 (1.10.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, s. 14; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

[^{F38}21C Orders altering police areas: supplementary provisions.

- (1) The power to make orders under section 21 or 21A of this Act includes power to make such supplementary and transitional provision as the Secretary of State thinks necessary or expedient, including—
- (a) provision as to the membership of a police authority;
 - (b) provision for the transfer of property, rights and liabilities;
 - (c) provision for the transfer of members of police forces and other persons;
 - (d) provision as to pending legal proceedings.
- (2) Without prejudice to subsection (1) of this section, the power to make orders under section 21 or 21A of this Act includes power—
- (a) to amend Schedule 1A to this Act and section 76 of the ^{M19}London Government Act 1963 (extent of metropolitan police district), and
 - (b) to amend any other enactment, and any instrument made under any enactment, where the amendment is consequential on any provision of the order.
- (3) No order shall be made under section 21 of this Act by virtue of paragraph (b) of subsection (3) of that section unless a draft of the order has been laid before and approved by resolution of each House of Parliament.
- (4) An order to which subsection (3) of this section applies, and which would apart from this subsection be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, shall proceed in that House as if it were not such an instrument.

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- (5) A statutory instrument containing an order under section 21 or 21A of this Act, other than an order to which subsection (3) of this section applies, shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

F38 Ss. 21, 21A-21C substituted for s. 21 (1.10.1994 in so far as substitutes s. 21A and 21C and 1.4.1995 otherwise) by 1994 c. 29, s. 14; S.I. 1994/2025, art. 6, S.I. 1994/3262, art. 4, Sch.

Marginal Citations

M19 1963 c. 33.

22 Amendment and revocation of schemes.

- (1) An amalgamation scheme may be amended or revoked by a subsequent scheme approved or made by the Secretary of State; and section 21 of this Act, and Schedules 3 and 4 to this Act, shall, so far as applicable, have effect in relation to any such subsequent scheme subject to any necessary modifications and to the following provisions of this section.
- (2) Without prejudice to the generality of the foregoing subsection, provision may be made by any such subsequent scheme—
- for the division of the combined area into two or more police areas, being either counties . . . ^{F39} or combined areas constituted by the subsequent scheme, or for the inclusion in the combined area of any other police area;
 - for the dissolution and winding up of any combined police authority constituted under the original scheme, and of any combined police fund established thereunder, or for the reconstitution of any such authority or fund;
 - for the transfer or retransfer to such police forces or police areas as may be determined by the subsequent scheme of members of the combined force other than the chief constable, or of special constables or police cadets;
 - for the transfer or retransfer to such authorities as may be determined by the subsequent scheme of any officers, property, rights or liabilities of the combined police authority;
 - for any other matters incidental to or consequential on the provisions of the subsequent scheme.
- (3) The authority by whom a scheme for the amendment or revocation of an amalgamation scheme may be submitted under subsection (1) of section 21 of this Act shall be the combined police authority constituted by the original scheme, or if more than one scheme is to be amended or revoked, the combined police authorities constituted by those schemes, together with the police authority for any other police area which is to be included in a combined area under the scheme.
- (4) The authorities to whom, under paragraph 1 of Schedule 3 to this Act, notice must be given by the Secretary of State of a scheme proposed to be made by him for the amendment or revocation of an amalgamation scheme shall be the authority or authorities by whom a scheme for that purpose could be submitted by virtue of subsection (3) of this section.

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Subordinate Legislation Made

- P1** S. 21 (with s. 22) power exercised by [S.I.1991/209](#)
P2 For exercises of power see Index to Government Orders

Textual Amendments

- F39** Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

23 Alteration of local government areas.

[^{F40}(1) An amalgamation scheme may be approved or made under this Act [^{F41}with respect to any two or more prospective police areas] and subject to subsection (1A) below may be so approved or made before the relevant date.

(1A) A scheme under this section shall not come into force before the relevant date, except so far as it relates to the constitution of the combined police authority and to the performance by that authority of functions necessary for bringing the scheme into full operation on that date.

[In this section—

^{F42}(1B) “prospective police area” means any area which (apart from any amalgamation scheme) would become a police area by virtue of an order under Part II of the Local Government Act 1992 or Part IV of the Local Government Act 1972 or which, in accordance with such an order, is to be treated, for the purposes of the approval or making of any amalgamation scheme, as an area which would become a police area by virtue of that order; and

“the relevant date”, in relation to a prospective police area, means the date on which the order in question gives effect to structural or boundary changes affecting the area comprised in the prospective police area;

and in this subsection the reference to a structural or boundary change is a reference to any structural or boundary change within the meaning of Part II of that Act of 1992 or, in relation to an order under Part IV of that Act of 1972, to the constitution of a new county or the alteration of an existing county.]]

(2) In relation to an amalgamation scheme to be approved or made by virtue of this section, sections 21 and 22 of this Act and the Schedules therein mentioned shall apply subject to any necessary modifications and in particular to the following modifications, that is to say—

- [^{F43}(a) any reference to a police area shall include a reference to a prospective police area;
- (b) any reference, in relation to a prospective police area, to a constituent authority shall be a reference to the police authority for any police area the whole or any part of which will be included in the prospective police area and the council of any county the whole or any part of which will be so included; and
- (c) any reference, in relation to a prospective police area, to the police authority (except a reference to which paragraph (b) above applies) shall be a reference to any constituent authority (within the meaning of that paragraph) other than the council for a county for which there is a separate police authority.]

[^{F44}(3) For the purposes of the approval or making of any amalgamation scheme with respect to any area, any steps required by this Act to be taken before an amalgamation scheme is approved or made may be taken at any time—

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- (a) after any report affecting that area, together with proposals or recommendations, has been submitted to the Secretary of State under Part II of the Local Government Act 1992 or Part IV of the Local Government Act 1972; and
 - (b) before an order is made to give effect to the proposals or recommendations, if the Secretary of State has notified the general nature of the order he intends to make to give effect to the proposals or recommendations to every authority which for the purposes of sections 21 and 22 above (as modified by subsection (2) above) would be a constituent authority in relation to that scheme.]
- (4) An amalgamation scheme may be amended or revoked under this Act notwithstanding that it has been modified by an order under Part VI of the said Act of 1933 or Part II of the said Act of 1958.

Textual Amendments

- F40** S. 23(1)(1A)(1B) substituted for s. 23(1) by [Local Government Act 1972 \(c. 70\), s. 196\(6\)](#)
- F41** Words in s. 23(1) substituted (31.10.1992) for paras. (a) and (b) by [Local Government Act 1992 \(c. 19\), s. 27, Sch. 3 para. 3\(1\); S.I. 1992/2371, art.2](#)
- F42** S. 23(1B) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\), s. 27, Sch. 3 para. 3\(2\); S.I. 1992/2371, art.2](#)
- F43** S. 23: in subsection (2) paras. (a) to (c) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\), s. 27, Sch. 3 para. 3\(3\); S.I. 1992/2371, art.2](#)
- F44** S. 23(3) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\), s. 27, Sch. 3 para. 3\(4\); S.I. 1992/2371, art. 2](#)

24 Adaptation of local Acts.

- (1) Where, by any local Act in force with respect to an area which ceases to be a separate police area by virtue of an amalgamation scheme, provision is made for conferring or imposing special powers or duties on the police, the Secretary of State may by order adapt the local Act so far as appears to him to be necessary or expedient for the purpose of the exercise or performance of those powers or duties by the police of the combined area.
- (2) Nothing in this section or in any order made thereunder shall be construed as extending the area within which or the matters in relation to which any such powers or duties as aforesaid are authorised or required by a local Act to be exercised or performed.
- (3) Any statutory instrument made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Miscellaneous and supplemental

[^{F45}25 Cambridge and Peterborough.

- (1)]

[^{F46}(5) The police authority for any police area consisting of or including the City of Cambridge shall include, in addition to the number of persons determined or prescribed under the foregoing provisions of this Act, five persons representing the

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University of Cambridge; and those persons shall be appointed at such times, in such manner and for such term as may be prescribed—

- (a) in the case of a combined area, by the amalgamation scheme;
- (b) in any other case, by rules made by the Secretary of State].

Textual Amendments

F45 S. 25(5) repealed (8.8.1994 for certain purposes) by 1994 c. 29 ss. 44, 93, Sch. 5 Pt. I para. 5, Sch. 9 Pt. I; S.I. 1994/2025, art. 4

F46 Ss. 19(5), 21(4), 25(1)–(4) repealed by Local Government Act 1972 (c. 70), Sch. 30

Modifications etc. (not altering text)

C7 Unreliable marginal note

26 The Scilly Isles.

- (1) For the purposes of the application of this Part of this Act to the Isles of Scilly—
- (a) the Isles shall be treated as if they were a county; and
 - (b) references to the council of a county and to the county fund shall be construed as references to the Council of the Isles and to the general fund of that Council respectively;

and any amalgamation scheme combining the Isles with any police area shall have effect accordingly.

- (2) ^{F47}

Textual Amendments

F47 S. 26(2) repealed by Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. XI

27 Interpretation of Part I.

In this Part of this Act, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

“amalgamation scheme” means a scheme under this Part of this Act or under the ^{M20}Police Act 1946;

. . . . ^{F48}

“constituent area” means a police area which is combined by an amalgamation scheme, and includes, in relation to a scheme amending an amalgamation scheme, the combined area constituted by the original scheme;

“constituent authority” means the police authority for an area which is combined by an amalgamation scheme and includes ^{F49}, the council of the county . . . ^{F49}, and “constituent council” means any such council;

“local fund” in relation to a county, means the county fund . . . ^{F49}

“magistrate” has the same meaning as in the Justices of the ^{M21}Peace Act 1949;

“officer” includes servant.

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Textual Amendments

F48 Definition of “consolidation agreement” repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

F49 Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

Marginal Citations

M20 [1946 c. 46](#).

M21 [1949 c. 101](#).

Status:

Point in time view as at 01/10/1994. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation:

There are currently no known outstanding effects for the Police Act 1964, Part I.