



# Police (Scotland) Act 1967

## 1967 CHAPTER 77

### PART II

#### CENTRAL ADMINISTRATION AND SUPERVISION AND COMMON SERVICES

##### *Functions of the Secretary of State*

#### **31 Powers of Secretary of State in relation to compulsory retirement of chief constable, etc.**

- (1) The Secretary of State may require a police authority to exercise their power under section 4(4)(d) of this Act to call on a chief constable to retire in the interests of efficiency, and the police authority shall comply with any such requirement.
- (2) Before requiring the exercise of that power or approving the exercise of that or the similar power with respect to the deputy or an assistant chief constable the Secretary of State shall give the chief constable or deputy or assistant chief constable an opportunity to make representations to him and shall consider any representations so made.
- (3) Where representations are made under this section the Secretary of State may, and in a case where he proposes to require the police authority to exercise the power mentioned in subsection (1) of this section shall, appoint one or more persons (one at least of whom shall be a person who is not a constable or an officer of a Government department) to hold an inquiry and report to him and shall consider any report made under this subsection.
- (4) Where the Secretary of State is satisfied that the whole or any part of the expenses of a chief constable or deputy or assistant chief constable in respect of an inquiry under this section was not reasonably incurred, he may direct the constable to pay those expenses or that part of those expenses, as the case may be, or such proportion of the whole or of that part as he may think fit, but, subject to any such direction, those expenses shall be paid by the police authority.