



Police Officers (Central Service) Act 1989

1989 CHAPTER 11

An Act to amend the enactments relating to central service on police duties. [3rd July 1989]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Amendments of section 43 of Police Act 1964

(1) The following subsections shall be inserted after section 43(3) of the Police Act 1964 —

“(3A) Notwithstanding anything in subsection (1) above, a person engaged on central service shall continue to be a constable and shall be treated for the purposes of sections 19, 44, 47 and 52 of this Act as if he were a member of his police force.

(3B) The Secretary of State shall be liable in respect of torts committed by a person engaged on central service in the performance or purported performance of his functions in like manner as a master is liable in respect of torts committed by his servants in the course of their employment, and shall in respect of any such tort be treated for all purposes as a joint tortfeasor.

(3C) Where a member of a police force is, with the consent of the appropriate authority, engaged for a period as an adviser to the Secretary of State, he shall be treated as engaged on central service during that period.”

(2) Section 43 of the Police Act 1964 shall be deemed always to have had effect as amended by subsection (1) above.

(3) In subsection (5) of that section, the words “or with the Police Complaints Authority” shall cease to have effect.

- (4) The references in that section, as amended by subsection (1) above, to sections 44 and 47 of that Act shall have effect, and be deemed always to have had effect, for the purposes of those sections as they apply to Scotland.

2 Amendment of section 38 of Police (Scotland) Act 1967

- (1) The following subsections shall be inserted after section 38(3) of the Police (Scotland) Act 1967 —

“(3A) Notwithstanding anything in subsection (1) above, a person engaged on central service shall continue to be a constable and shall be treated for the purposes of sections 17 and 43 of this Act as if he were a constable of his police force.

(3B) The Secretary of State shall be liable in reparation in respect of any wrongful act or omission on the part of any constable engaged on central service in the performance or purported performance of his functions in like manner as a master is liable in respect of a wrongful act or omission on the part of his servant in the course of the servant’s employment.”

- (2) Section 38 of the Police (Scotland) Act 1967 shall be deemed always to have had effect as amended by subsection (1) above.

3 Repeals

The enactments mentioned in the Schedule to this Act are repealed to the extent specified in the third column of that Schedule.

4 Citation and extent

- (1) This Act may be cited as the Police Officers (Central Service) Act 1989.
- (2) This Act does not extend to Northern Ireland.

SCHEDULE

Section 3.

REPEALS

1964 c. 48.	Police Act 1964.	In section 43(5), the words “or with the Police Complaints Authority”.
1984 c. 60.	Police and Criminal Evidence Act 1984.	In Schedule 6, paragraph 16.
1986 c. 32.	Drug Trafficking Offences Act 1986.	Section 24(5A).
1988 c. 33.	Criminal Justice Act 1988.	Section 98(2). In Schedule 5, paragraph 13.
