



# Police and Magistrates' Courts Act 1994

## 1994 CHAPTER 29

### PART II

#### POLICE (SCOTLAND)

#### **48 Deputy and assistant chief constables.**

For sections 5 and 5A of the 1967 Act there shall be substituted—

##### **“5 Assistant chief constables.**

- (1) The ranks that may be held in a police force maintained under section 1 of this Act shall include that of assistant chief constable (but not that of deputy chief constable); and in every such police force there shall be at least one person holding that rank.
- (2) Appointments and promotions to the rank of 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.
- (3) Subsections (4) to (7) of section 4 of this Act shall apply to an assistant chief constable as they apply to a chief constable.
- (4) A chief constable shall, after consulting the police authority for the area for which his force is maintained, designate a person holding the rank of assistant chief constable to exercise all the powers and duties of the chief constable—
  - (a) during any absence, incapacity or suspension from duty of the chief constable, or
  - (b) during any vacancy in the office of chief constable.
- (5) No more than one person shall be authorised to act by virtue of a designation under subsection (4) of this section at any one time; and a person so authorised shall not have power to act by virtue of that subsection for a continuous period exceeding three months except with the consent of the Secretary of State.

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*Changes to legislation: There are currently no known outstanding effects for the Police and Magistrates' Courts Act 1994, Section 48. (See end of Document for details)*

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- (6) The provisions of subsection (4) of this section shall be in addition to, and not in substitution for, any other enactment which makes provision for the exercise by any other person of powers conferred on a chief constable.”.

**Commencement Information**

- II** S. 48 wholly in force at 1.4.1995; s. 48 not in force at Royal Assent, see s. 94(1); s. 48 in force for certain purposes (1.1.1995) by S.I. 1994/3075, art. 2, Sch.; s. 48 in force (1.4.1995) insofar as not already in force by S.I. 1995/492, art. 2, Sch. 1

**Changes to legislation:**

There are currently no known outstanding effects for the Police and Magistrates' Courts Act 1994, Section 48.