

*Status: Point in time view as at 04/01/1995.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Paragraph 71. (See end of Document for details)*

## SCHEDULE 13

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### *The Police (Scotland) Act 1967 (c.77)*

- 71 (1) The Police (Scotland) Act 1967 shall be amended in accordance with this paragraph.
- (2) In section 1(1) (police areas), for the words “for every region and for every islands area” substitute “ for every local government area ”.
- (3) In section 2(1) (police authorities and their functions), for the words from the beginning to “police authority” substitute “ For every police area the council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 shall be the police authority ”.
- (4) In section 18 (execution of warrants in borders)—
- (a) for the words “regions”, in each place where it occurs, substitute “ areas ”;
  - (b) for the word “region”, in each place where it occurs, substitute “ area ”; and
  - (c) for “Borders” in both places where it occurs, substitute “ Lothian and Borders ”.
- (5) In section 19 (amalgamation schemes)—
- (a) in subsections (2), (3), (4) (6), (7) and (9), for the words “joint police committee”, in each place where they occur, substitute “ joint police board ”;
  - (b) in subsection (3), for “committee”, where it secondly and thirdly occurs, substitute “ board ”;
  - (c) subsection (5) shall cease to have effect; and
  - (d) after subsection (9) insert—
- “(10) An order under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.”.
- (6) After section 19 insert—

#### **“19A Incorporation of joint police boards.**

Every amalgamation scheme made under this Act shall include provision that any joint police board established by the scheme shall be incorporated with a common seal and have power to hold land and to borrow money.”.

- (7) In section 21 (amendment of amalgamation schemes)—
- (a) in subsection (1), for the words from the beginning to “section 20 of this Act” substitute—
- “(1) An amalgamation scheme may be amended or revoked—
- (a) in the case of a scheme made under section 19 of this Act, by a subsequent scheme made under that section or under section 20 of this Act; and
  - (b) in the case of a scheme made under section 20 or 21B of this Act, by a subsequent scheme made under section 20 of this Act.”;

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- (b) in subsection (2)(a), at the end insert “ or for the creation of any new combination of police areas; ”;
  - (c) in subsection (2)(c) and (e), for the words “joint police committee”, in both places where they occur, substitute “ joint police board ”; and
  - (d) in subsection (2)(c), for the words “such committee” substitute “ such police board ”.
- (8) In section 22(1) and (2), for the words “joint police committee”, in each place where they occur, substitute “ joint police board ”.
- (9) In section 23(6), for the words “joint police committee” substitute “ joint police board ”.
- (10) In section 26A(2) (power to give directions to police authority after adverse report), for the words “joint police committee” substitute “ joint police board ”.
- (11) In section 26B (police efficiency: allocation of funds), for the words “joint police committee” substitute “ joint police board ”.
- (12) In section 26C (duty of compliance), for the words “joint police committee” substitute “ joint police board ”.
- (13) In section 32 (police grant)—
- (a) in subsection (1), for the words “joint police committees” substitute “ joint police boards ”; and
  - (b) in subsection (2), for the words—
    - (i) “joint police committee” substitute “ joint police board ”; and
    - (ii) “committee” substitute “ board ”.
- (14) In section 32A(1) (grants for expenditure on safeguarding national security), for the words “joint police committee” substitute “ joint police board ”.
- (15) In section 36(5) (common services), for the words “joint police committee” and “committee” substitute “ joint police board ” and “ board ” respectively.
- (16) In section 51(1) (interpretation)—
- (a) in the definition of “amalgamation scheme”, for the words “21A” substitute “ 21B ”; and
  - (b) for the definition of “constituent authority” substitute—
 

““constituent authority” means a police authority whose area is included in a combined area by virtue of an amalgamation scheme;”.
- (17) In paragraph 4 of Schedule 2, for the words “joint police committee” substitute “ joint police board ”.

#### **Commencement Information**

- II** [Sch. 13 para. 71](#) wholly in force at 1.4.1996; [Sch. 13. para. 71](#) not in force at Royal Assent see [s. 184\(2\)](#); [Sch. 13. para. 71\(1\)\(6\)](#) in force at 4.1.1995 by [S.I. 1994/2850](#), [art. 3\(c\)\(v\)](#); [Sch. 13 para. 71](#) in force at 1.4.1996 insofar as not already in force by [S.I. 1996/323](#), [art. 4\(1\)\(c\)](#)

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