

1966 No. 223

POLICE

ENGLAND AND WALES

The Police (Grant) Order 1966

<i>Made</i>	- - -	<i>3rd March 1966</i>
<i>Laid before Parliament</i>		<i>10th March 1966</i>
<i>Coming into Operation</i>		<i>1st April 1966</i>

In exercise of the powers conferred on me by section 31 of the Police Act 1964(a), I hereby, with the approval of the Treasury, make the following Order:—

Police grant

1.—(1) Subject to the provisions of this Order grant in respect of expenses incurred for police purposes by a police authority in respect of any year shall be payable into the police fund in accordance with Schedule 1 and shall be a sum equal to one-half of the net expenditure for that year incurred by the police authority:

Provided that there shall be deducted from the grant before payment a sum equal to one-half of the sum which in the determination of the Secretary of State is the police authority's appropriate share of his expenditure under sections 41, 44 and 45 of the Act.

(2) In reckoning the net expenditure for the purposes of paragraph (1), the following shall be deducted from the gross expenditure:—

- (a) an amount representing the appropriate proportion as may be determined by the Secretary of State of the pay, allowances, expenses and cost of prospective pensions of members of the police force employed wholly or partly in connection with any service which in the determination of the Secretary of State is not a police duty;
- (b) any other expenditure not recognised by the Secretary of State as expenditure in aid of which a grant should be payable under this Order; and
- (c) all sums received by the police authority under the following heads:—
 - (i) receipts under section 15 of the Act and other receipts for the services of members of the police force employed at the expense of any person other than a police authority,
 - (ii) receipts under section 14(4) of the Act and other receipts for the services of members of the police force lent to other police forces,
 - (iii) pension contributions or other deductions from the pay of members of the police force,

- (iv) fees and fines due under any enactment to be credited to the police fund,
- (v) receipts in connection with traffic wardens appointed under section 2 of the Road Traffic and Roads Improvement Act 1960(a),
- (vi) any other receipts in connection with the police which the Secretary of State may from time to time determine to be receipts which should be deducted from the gross expenditure;
- (d) any sum credited to the police account in accordance with section 24 of the Town and County Planning Act 1959(b) (which relates to the adjustment of accounts on the appropriation of land);
- (e) any sum received in connection with the disposal (by sale, lease or otherwise) of a police fund asset, and
- (f) any sum which, in the opinion of the Secretary of State, ought to have been so received, whether or not there has in fact been a disposal of the police fund asset in question:

Provided that where a deduction from a police authority's gross expenditure in any year is made under sub-paragraph (f) no such deduction referable to the same police fund asset shall be made in that or any other year under sub-paragraph (d) or (e).

Conditions of payment

2. Payment of police grant shall be conditional upon the Secretary of State being satisfied that the police area in question is efficiently policed, that adequate co-operation is afforded by the police force to other police forces, that the police service is efficiently and properly maintained, equipped and administered, that the rates of pay and allowances of the force are as prescribed or approved by him, and that any directions given by him under the Act have been complied with; and if he is not satisfied on any of these matters he may withhold the grant in whole or in part permanently or for such time as he may determine.

City of London

3. For the purpose of determining the police grant payable in respect of expenses incurred by the City of London police authority, this Order shall have effect as if in Article 1(1) for the words "one-half", where they first occur, there were substituted the words "one-third".

Metropolitan Police District

4.—(1) For the purpose of determining the police grant payable in respect of expenses incurred by the Receiver for the Metropolitan Police District, this Order shall have effect as if—

- (a) any reference to the police authority were a reference to the said Receiver;
- (b) Article 2 were omitted, and
- (c) in paragraph 3 of Schedule 1 for the proportion "90 per cent." there were substituted the proportion "97½ per cent."

(2) It is hereby declared that the following sums shall not be taken into account in reckoning the net expenditure incurred by the said Receiver, namely:—

(a) 8 & 9 Eliz. 2. c. 63.

(b) 7 & 8 Eliz. 2. c. 53.

- (a) expenses incurred or sums received in respect of the magistrates' courts,
- (b) expenses incurred or sums received in respect of the probation system.

Lincolnshire

5. To the extent that the net expenditure of a police authority for one of the three divisions of Lincolnshire is referable to payments made out of, and into, the Lincolnshire joint police superannuation fund, the police grant thereon shall be payable into that fund and not into the police fund as provided in Article 1(1).

Interpretation

6.—(1) Any reference in this Order to expenses incurred for police purposes by a police authority—

- (a) shall be construed in accordance with sections 9(4), 10(3) and 31(4) of the Act (which relate to land, civilian employees and traffic wardens), and
- (b) does not include a reference to expenses incurred by the River Tyne police authority;

and cognate expressions shall be construed accordingly.

(2) Any reference in this Order to a police fund asset is a reference to property used for police purposes where—

- (a) the property was acquired for police purposes or has been so used since before 1st April 1919, or
- (b) police grant was paid in respect of the acquisition of the property;

and in this paragraph the expression "property" includes land and any interest in land, the expression "police grant" includes police grant payable otherwise than under Article 1(1) and the reference to acquisition includes a reference to appropriation.

(3) Subject to paragraph (2), any reference in this Order to police grant is a reference to grant payable under Article 1(1).

(4) In this Order a reference to the Act is a reference to the Police Act 1964.

(5) In this Order any reference to an Article or Schedule is a reference to an Article of, or a Schedule to, this Order, any reference in an Article to a paragraph is a reference to a paragraph of that Article and any reference in a paragraph to a sub-paragraph is a reference to a sub-paragraph of that paragraph.

(6) The Interpretation Act 1889(a) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Revocations

7. The Orders set out in Schedule 2 are hereby revoked save in relation to the payment of grant in respect of any year ending before 1st April 1966.

Citation and commencement

8. This Order may be cited as the Police (Grant) Order 1966 and shall come into operation on 1st April 1966.

Roy Jenkins,
One of Her Majesty's Principal
Secretaries of State.

3rd March 1966.

We approve,

J. McCann,
George Lawson,
Two of the Lords Commissioners of
Her Majesty's Treasury.

3rd March 1966.

SCHEDULE 1

Article 1(1)

PAYMENT OF POLICE GRANT

1. Every police authority shall submit to the Secretary of State at such time and in such form as he may require estimates of the net expenditure, reckoned in accordance with Article 1, to be incurred by it in each year.

2. From the estimates submitted in accordance with the foregoing paragraph the Secretary of State shall make an estimate of the grant payable (after any deduction required by the proviso to Article 1(1)) to each police authority for the year in question:

Provided that the inclusion of any item of expenditure for the purpose of calculating the estimated grant shall not constitute a determination or recognition by the Secretary of State of that item for the purpose of Article 1.

3. The Secretary of State may make to any police authority from time to time during the year in question payments on account of its grant for that year but not exceeding 90 per cent. of the estimate of such grant made under the foregoing paragraph and after that year such further payments on account of the estimate of such grant as may be determined by the Secretary of State.

4. The amount of the grant payable (after any deduction as aforesaid) to each police authority for the year shall be finally determined in accordance with the provisions of Article 1 by the Secretary of State after examination of such

audited financial statements and such books, records, documents and accounts relating thereto as he may require; and subject to the provisions of Article 2 any balance found after such final determination to be due by or to the Secretary of State in account with any police authority shall be paid to or recovered from such authority.

5. For the purposes of the provisions of this Schedule the expression " year " means the period beginning with 1st April in each year and ending with 31st March in the succeeding year.

Article 7

SCHEDULE 2

ORDERS REVOKED

Orders	References
The Police (Grant) Order 1951.	S.I. 1951/738 (1951 II, p. 205).
The Police (Grant) Order 1960.	S.I. 1960/941 (1960 II, p. 2767).
The Police (Grant) (No. 2) Order 1960.	S.I. 1960/1597 (1960 II, p. 2768).
The Police (Grant) Order 1963.	S.I. 1963/1935 (1963 III, p. 3787).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order consolidates (with minor amendments) the Orders relating to police grant set out in Schedule 2. It determines the rate of grants to be made out of the Exchequer towards the expenses of police authorities, the expenditure which is to be reckoned for grant purposes, the times at which instalments of grant are to be paid, and the conditions under which the payments of grants are to be made.