
STATUTORY INSTRUMENTS

1995 No. 187

The Cleveland (Structural Change) Order 1995

PART II

LOCAL GOVERNMENT REORGANISATION IN CLEVELAND

Cleveland Police Authority

- 5.—(1) In this article, “the 1964 Act” means the Police Act 1964⁽¹⁾.
- (2) For the purposes of the functions to which this article applies—
- (a) paragraph 27(1) of Schedule 1B to the 1964 Act (meaning of “relevant council”)⁽²⁾ shall have effect as though the County Council was wound up and dissolved on 1st October 1995; and
 - (b) accordingly, the appointments which are required to be made by paragraph 2(2) of that Schedule (appointments of members of police authority by joint committee appointed by relevant councils) shall be made, as soon as practicable after that date, by a joint committee appointed by the Cleveland borough councils (as relevant councils) in accordance with that provision.
- (3) The functions to which this article applies are—
- (a) after the reorganisation date, all the functions of the Cleveland Police Authority (as established under section 3 of the 1964 Act) (“the Authority”)⁽³⁾; and
 - (b) before that date (but after appointments to the Authority have been made by virtue of paragraph (2) above), the following functions in respect of the financial year beginning on 1st April 1996—
 - (i) functions under Chapter IV of Part I of the Local Government Finance Act 1992 (precepts)⁽⁴⁾; and
 - (ii) functions under sections 4A (local policing objectives) and 4B (local policing plans) of the 1964 Act⁽⁵⁾.
- (4) For the purposes of the functions referred to in paragraph (3)(b) above—
- (a) section 28(2)(b) of the Police and Magistrates' Courts Act 1994 (approval of decisions about precepts) shall have effect as though the reference to the members of the police authority appointed under paragraph 2 of Schedule 1B to the 1964 Act was a reference to the members so appointed by virtue of paragraph (2) above; and
 - (b) the members of the Authority appointed under paragraph 2 of that Schedule otherwise than by virtue of paragraph (2) above shall not participate in the discharge of those functions.

(1) 1964 c. 48.

(2) Schedule 1B was inserted by section 3(2) of, and Schedule 2 to, the Police and Magistrates' Courts Act 1994 (c. 29) (“the 1994 Act”).

(3) Section 3 was substituted by section 2 of the 1994 Act.

(4) 1992 c. 14; section 39 of that Act was amended by section 27(1) of the 1994 Act.

(5) Sections 4A and 4B were inserted by section 4 of the 1994 Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(5) In determining the period of a term of years for the purpose of paragraph 17 of Schedule 1B to the 1964 Act (term of appointment of members of a police authority), any period as a member of the Authority prior to the reorganisation date under an appointment made by virtue of paragraph (2) above shall be disregarded.