
STATUTORY INSTRUMENTS

1995 No. 3003 (C.67)

POLICE

**The Police and Magistrates' Courts Act 1994
(Commencement No.9 and Amendment) Order 1995**

Made - - - - *14th November 1995*
Coming into force - - *13th December 1995*

The Secretary of State, in exercise of the powers conferred on him by section 94(1) and (4) of the Police and Magistrates' Courts Act 1994⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Police and Magistrates' Courts Act 1994 (Commencement No.9 and Amendment) Order 1995 and shall come into force on 13th December 1995.

Provisions of the Act coming into force on 13th December 1995

2. The provisions of the 1994 Act which are specified in column 1 of the Schedule to this Order, and described by reference to the subject matter in column 2 of that Schedule, shall, insofar as not then in force, come into force on 13th December 1995 but, where a particular purpose is specified in relation to any provision in column 3 of that Schedule, that provision shall come into force on that day only for that purpose.

Amendments

3. Schedule 2 to the Police and Magistrates' Courts Act 1994 (Commencement No.7 and Transitional Provisions) (Scotland) Order 1995⁽²⁾ is amended by the omission of—

- (a) the entries in relation to—
 - (i) section 47(1) (Establishments of police forces);
 - (ii) section 47(2) (Assignment of ranks);
 - (iii) section 47(4) (Extra policing of locality where works are being constructed); and
 - (iv) section 47(5) (Regulations as to retirement of certain constables); and

(1) 1994 c. 29.
(2) S.I. 1995/492.

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- (b) in relation to the entry in respect of Schedule 9, Part I, the references to repeals in sections 7(2), 14(1), 26 and 51(1) of the Police (Scotland) Act 1967.

St Andrew's House,
Edinburgh
14th November 1995

Michael Forsyth
One of Her Majesty's Principal Secretaries of
State

SCHEDULE

Article 2

PROVISIONS OF THE 1994 ACT WHICH COME INTO FORCE ON 13th DECEMBER 1995

Column 1 Provision	Column 2 Subject matter	Column 3 Extent of commencement
Section 47(1)	Establishments of police forces	
Section 47(2)	Assignment of ranks	
Section 47(4)	Extra policing of locality where works are being constructed	
Section 47(5)	Regulations as to retirement of certain constables	
Section 63(9)(a)	Interpretation	
Section 93	Repeals	Only so far as it relates to the entries in Schedule 9, Part I specified below.
Schedule 9, Part I	Repeals	<p>1. The following entries in respect of the Police (Scotland) Act 1967⁽³⁾:—</p> <p>Section 7(2). In section 14(1) the words “(whether by the appointment of temporary constables or otherwise)”.</p> <p>In section 26, in subsection (2)(d), the words “or temporary”.</p> <p>In section 51(1), the definitions of “regular constable”, “special constable” and “temporary constable”.</p> <p>2. The following entry in respect of the Police and Criminal Evidence Act 1984⁽⁴⁾:—</p> <p>In Schedule 4, in paragraph 11, subparagraph (a)(ii) and subparagraph (b)(iii) and the word “or” immediately preceding it.</p>

⁽³⁾ 1967 c. 77.⁽⁴⁾ 1984 c. 60.

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EXPLANATORY NOTE

(This note is not part of the Order)

This brings into force on 13th December 1995—

- (a) the provisions of section 47(1), (2), (4) and (5) of the Police and Magistrates' Courts Act 1994 (constitution of police forces in Scotland) and related repeals;
- (b) the partial repeal of paragraph 11 of Schedule 4 to the Police and Criminal Evidence Act 1984.

Article 3 amends an earlier commencement order by deleting provision made in that order for the coming into force of section 47(1), (2), (4) and (5) of the 1994 Act (and related repeals) on 1st April 1996.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement order made before the date of this Order:

Provision	Date of Commencement	S.I.No.
Sections 1 to 3 and Schedules 1 and 2 (partially), section 18 (partially), section 41, section 44 and Schedule 5 (partially), section 46, section 52 (partially), section 65, section 93 and Part I of Schedule 9 (partially).	8.8.94	1994/2025
Part III, section 93 and Part I of Schedule 9 (partially).	23.8.94	1994/2151
Section 4 (partially), section 8 (partially), section 10 (partially), section 11 (partially), sections 14 to 16 (partially), section 22, section 25, section 31 (partially), section 42, section 43 and Schedule 4 (partially), section 44 and Schedule 5 (partially), section 45 (partially), section 93 and Part I of Schedule 9 (partially).	1.10.94	1994/2025

Provision	Date of Commencement	S.I.No.
Section 17 (partially), section 27 (partially), section 28 (partially).	1.11.94	1994/2025
Sections 69 to 71, section 74, section 78, section 79 (partially), sections 85 to 87, section 88 (partially), sections 89 and 90, section 91(1) and Part I of Schedule 8 (partially), section 92, section 93 and Part II of Schedule 9 (partially).	1.11.94	1994/2594
Section 44 and Part I of Schedule 5 (partially), section 93 and Part I of Schedule 9 (partially).	31.12.94	1994/3262
Section 48 (partially), section 51 (partially), section 52(1), section 52(3) (partially), section 53(1), section 55(1) (partially), sections 56 to 58, section 59 (partially), section 62, section 63(1), (6), (7)(b) and (9)(b), section 93 and Part I of Schedule 9 (partially).	1.1.95	1994/3075
Section 91(1) and Part I of Schedule 8 (partially).	3.2.95	1995/42
Section 59	1.4.95	1994/3075
Sections 1 to 12, sections 14 to 16, sections 20 and 21, sections 23 and 24, section 26, section 29, sections 30 and 31, section 39(2) and (3), section 40, sections 43 to 45, section 93 and Part I of Schedule 9 (partially), Schedules 1, 2 and 4, Parts I and II of Schedule 5 (partially).	1.4.95	1994/3262
Section 47(2)(a), section 48, section 53(2), sections 60, section 63(2), (4), (5) and (7), section 93 and Part I of Schedule 9 (partially).	1.4.95	1995/492
Section 72 (partially), section 73, section 75 (partially), sections 76 and 77, sections 79 to 81, section 83(1)	1.4.95	1995/685

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Provision	Date of Commencement	S.I.No.
and (2) (partially), section 84, section 88, section 91(1) and Parts I and II of Schedule 8 (partially), section 91(2) and (3), section 93 and Part II of Schedule 9 (partially).		

The following provisions of the Act are to be brought into force after the date of the making of this Order by virtue of a commencement order made before the date of this Order:—

Provision	Date of Commencement	S.I. No.
Section 72(6) (partially)	1.10.95	1995/685
Section 51	1.1.96	1994/3075
Section 47, section 49, section 54, section 63(9) (insofar as not in force), section 64, section 93 and Part I of Schedule 9 (partially).	1.1.96	1995/492
Section 72(6) (partially)	1.1.96	1995/685