



# Police Act 1964

## 1964 CHAPTER 48

### PART I

#### ORGANISATION OF POLICE FORCES

##### *County, county borough and combined forces*

#### **1 Police areas**

- (1) Subject to the provisions of this Act, a police force shall be maintained for every county and county borough in England and Wales which is not comprised in the combined area constituted by an amalgamation scheme, and for every combined area constituted by such a scheme.
- (2) For the purposes of this section, any detached part of a county which, immediately before the commencement of this Act, was policed by the police force of another county shall be treated as part of that other county.
- (3) For the purposes of this section, any county borough the police force of which is consolidated with that of a county under a consolidation agreement shall, so long as that agreement continues in force, be treated as part of that county.
- (4) For the purposes of this section, any part of a county which is for the time being comprised in the metropolitan police district shall be treated as not forming part of that county.

#### **2 Police authorities for counties and county boroughs**

- (1) The police authority for a police area consisting of a county or county borough shall be a committee of the council of the county or borough constituted in accordance with the provisions of this section, to be known, in the case of a county, as the police committee and, in the case of a borough, as the watch committee.

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- (2) The police committee for a police area consisting of a county shall consist of such number of persons as may be determined by the council of the county, and of that number—
  - (a) two thirds shall be members of the council of the county appointed by that council;
  - (b) one third shall be magistrates for the county appointed by the court of quarter sessions for the county.
- (3) The watch committee for a police area consisting of a county borough shall consist of such number of persons as may be determined by the council of the borough, and of that number—
  - (a) two thirds shall be members of the council of the borough appointed by that council;
  - (b) one third shall be magistrates appointed by the magistrates for the borough from among their own number.
- (4) The magistrates to be appointed members of a police committee or watch committee shall be appointed at such times, in such manner and for such term as may be prescribed by rules made by the Secretary of State; and the other members of a police committee or watch committee shall be appointed at such times, in such manner and for such term as may from time to time be determined by the council responsible for appointing them.
- (5) The quorum of a police committee or watch committee shall be such as may from time to time be determined by the council of the county or county borough.
- (6) Subsection (4) of section 85 of the Local Government Act 1933 (membership of committees of local authorities) shall apply to a committee appointed under this section as it applies to any committee appointed under that section, and paragraphs 1, 2 and 4 of Part V of Schedule 3 to that Act (proceedings of local authorities) shall apply to a committee appointed under this section as they apply to a local authority and as if for any reference to that Act there were substituted a reference to this Act.
- (7) Any proceedings by or against a committee appointed under this section shall be brought by or against the clerk of the council or town clerk as representing that committee.

### **3 Police authorities for combined areas**

- (1) The police authority for a combined area shall be the combined police authority constituted for the purpose in accordance with the provisions of the relevant amalgamation scheme; and every such authority shall, subject to subsection (4) of this section, be a body corporate by such name as may be prescribed by the scheme.
- (2) A combined police authority shall be appointed in such manner, and shall consist of such number of persons, as may be prescribed by the amalgamation scheme; and of the number of persons so prescribed—
  - (a) two thirds shall be members of the constituent councils;
  - (b) one third shall be magistrates for the constituent areas.
- (3) Provision may be made by an amalgamation scheme for applying, in relation to the constitution and proceedings of the combined police authority and in relation to the officers of that authority, any of the provisions of Parts II to IV of the Local

Government Act 1933 subject to such modifications as may be prescribed by the scheme.

- (4) If the constituent councils request that the combined police authority to be constituted by an amalgamation scheme should be a committee of one of those councils, the scheme shall constitute the combined police authority a committee of that council instead of a body corporate; and the provisions of Schedule 1 to this Act shall have effect with respect to such a scheme and a combined police authority so constituted.

#### **4 General functions of police authorities**

- (1) It shall be the duty of the police authority for every police area for which a police force is required to be maintained by section 1 of this Act to secure the maintenance of an adequate and efficient police force for the area, and to exercise for that purpose the powers conferred on a police authority by this Act.
- (2) The police authority for every such police area shall, subject to the approval of the Secretary of State and to regulations under Part II of this Act, appoint the chief constable of the police force maintained by that authority and determine the number of persons of each rank in that force which is to constitute the establishment of the force.
- (3) The police authority for any such police area may, subject to the consent of the Secretary of State, provide and maintain such buildings, structures and premises, and make such alterations in any buildings, structures or premises already provided, as may be required for police purposes of the area.
- (4) The police authority for any such police area may, subject to any regulations under Part II of this Act, provide and maintain such vehicles, apparatus, clothing and other equipment as may be required for police purposes of the area.
- (5) A combined police authority may, if so authorised by the amalgamation scheme, make arrangements with any constituent authority for the use by the combined police authority of the services of officers of the constituent authority and the making of contracts and payments on behalf of the combined police authority by the constituent authority.

#### **5 Chief constables**

- (1) The police force maintained for a police area under section 1 of this Act shall be under the direction and control of the chief constable appointed under section 4(2) of this Act.
- (2) The same person may, with the consent of the police authorities concerned, be appointed chief constable of more than one police force.
- (3) The Secretary of State shall not approve the appointment as first chief constable of a combined force of any person other than the chief constable of a police force which ceases to exist in consequence of the formation of the combined force unless the Secretary of State is satisfied, having regard to the size and character of the combined force and any exceptional circumstances, that some other person should be appointed.
- (4) Without prejudice to any regulations under Part II of this Act or under the Police Pensions Act 1948, the police authority, acting with the approval of the Secretary of State, may call upon the chief constable to retire in the interests of efficiency.

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- (5) Before seeking the approval of the Secretary of State under subsection (4) of this section the police authority shall give the chief constable an opportunity to make representations and shall consider any representations so made.
- (6) A chief constable who is called upon to retire as aforesaid shall retire on such date as the police authority may specify or on such earlier date as may be agreed upon between him and the police authority.

## **6 Deputy and assistant chief constables**

- (1) In every police force maintained under section 1 of this Act there shall be a deputy chief constable, who shall have all the powers and duties of the chief constable—
  - (a) during any absence, incapacity or suspension from duty of the chief constable ;
  - (b) during any vacancy in the office of chief constable;but shall not have power to act by virtue of this subsection for any continuous period exceeding three months except with the consent of the Secretary of State.
- (2) The provisions of subsection (1) above shall be in addition to, and not in substitution for, any other enactment which makes provision for the exercise by any other person of the powers conferred by that enactment on a chief constable.
- (3) The establishment of any such police force as aforesaid may include one or more persons holding the rank of assistant chief constable.
- (4) Appointments to the office of deputy chief constable, and appointments or 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.
- (5) Subsections (2), (4), (5) and (6) of section 5 of this Act shall apply to a deputy chief constable, and subsections (4), (5) and (6) of that section shall apply to an assistant chief constable, as they apply to a chief constable.

## **7 Other members of police forces**

- (1) The ranks which may be held in a police force maintained under section 1 of this Act shall be such as may be prescribed by regulations under Part II of this Act and the ranks so prescribed shall include, in addition to chief constable and assistant chief constable, the ranks of superintendent, inspector, sergeant and constable.
- (2) Appointments and promotions to any rank below that of assistant chief constable in any such police force shall be made, in accordance with regulations under Part II of this Act, by the chief constable.

## **8 Financial provisions**

- (1) Subject to the following provisions of this section and to any regulations under the Police Pensions Act 1948, all receipts of the police authority for a police area for which a police force is maintained under section 1 of this Act shall be paid into the police fund and all expenditure of any such police authority shall be paid out of that fund.
- (2) A combined police authority shall have the powers of a county council in relation to the borrowing of money for police purposes, and the provisions of Part IX of the

Local Government Act 1933 and of any other enactment relating to the borrowing of money by local authorities shall have effect accordingly, subject to such adaptations and modifications as may be prescribed by the amalgamation scheme.

- (3) For every police area consisting of a county or county borough an account, to be known as the police account, shall be kept of all expenditure and receipts of the police authority; and every such account, and the accounts of every combined police authority, shall be subject to audit by a district auditor under Part X of the Local Government Act 1933.
- (4) No sum shall be paid out of the police fund for a police area consisting of a county or county borough without the approval of the council of the county or borough except—
  - (a) any sum required for giving effect to regulations under Part II of this Act;
  - (b) any sum required to satisfy any judgment or order of a court;
  - (c) any sum directed to be paid out of that fund by or under any enactment other than this section, including any such enactment in this Act.
- (5) Where a detached part of a county is policed by the police force of another police area, there shall be paid out of the police fund of that county into the police fund of that other police area a contribution of such amount as the police authorities concerned may agree or as may, in default of agreement, be determined by the Secretary of State.

## **9 Acquisition of land**

- (1) The council of any county or county borough constituting a police area may by agreement acquire, whether by way of purchase, lease or exchange, any land which is required for the purpose of any of the functions of the police authority for the area ; and section 176 of the Local Government Act 1933 (application of Lands Clauses Acts to purchases by agreement) shall apply to the acquisition of land under this section as it applies to the acquisition of land under Part VII of that Act, and as if references to that Act included references to this Act.
- (2) The council of any such county or county borough may be authorised by the Secretary of State to purchase compulsorily any land which is required for the purpose of any of the functions of the police authority for the county or county borough; and the Acquisition of Land (Authorisation Procedure) Act 1946 shall apply as if this subsection had been in force immediately before the commencement of that Act.
- (3) A combined police authority shall have the same powers with respect to the acquisition of land for police purposes, and the appropriation and disposal of land, as the council of a county or county borough; and the provisions of this section, the Local Government Act 1933 and the Acquisition of Land (Authorisation Procedure) Act 1946 with respect to the acquisition, appropriation and disposal of land by such councils shall have effect accordingly as if references to the council of a county or county borough included references to a combined police authority.
- (4) References in this Act to expenditure of a police authority or to expenses incurred for police purposes by any police authority include references to expenditure under this section by the council of a county or county borough on behalf of a police authority.

## **10 Civilian employees**

- (1) The police authority for a police area for which a police force is maintained under section 1 of this Act, and the council of any county or county borough for which a

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police force is maintained under that section, may employ civilians for police purposes of the area.

- (2) The Local Government Superannuation Act 1937 shall have effect as if any such police authority were a local authority specified in Part I of Schedule 1 to that Act; and in relation to contributory employees of a combined police authority the appropriate superannuation fund for the purposes of that Act shall be such fund as may be determined by or under the amalgamation scheme.
- (3) References in this Act to expenditure of a police authority or to expenses incurred for police purposes by any police authority include references to expenditure under this section by the council of a county or county borough.

## **11 Questions on police matters by members of county and county borough councils**

Arrangements shall be made (whether by standing orders or otherwise) for enabling questions on the discharge of the functions of the police authority for any county, county borough or combined area to be put, in the course of the proceedings of the council for that county or county borough or, as the case may be, of a constituent council, by members of that council for answer by a member thereof who is also a member of the police authority and is nominated by that authority for that purpose.

### *General provisions*

## **12 Reports by chief constables to police authorities**

- (1) Every chief constable shall, as soon as possible after the end of each calendar year, submit to the police authority a general report in writing on the policing during that year of the area for which his force is maintained.
- (2) The chief constable of a police force shall, whenever so required by the police authority, submit to that authority a report in writing on such matters as may be specified in the requirement, being matters connected with the policing of the area for which the force is maintained.
- (3) If it appears to the chief constable that a report in compliance with any such requirement of the police authority would contain information which in the public interest ought not to be disclosed, or is not needed for the discharge of the functions of the police authority, he may request that authority to refer the requirement to the Secretary of State; and in any such case the requirement shall be of no effect unless it is confirmed by the Secretary of State.
- (4) This section applies to the City of London police force as if for references to the chief constable there were substituted references to the Commissioner.

## **13 Collaboration agreements**

- (1) If it appears to the chief officers of police of two or more police forces that any police functions can more efficiently be discharged by members of those forces acting jointly, they may, with the approval of the police authorities for the areas for which those forces are maintained, make an agreement for that purpose.

- (2) If it appears to any two or more police authorities that any premises, equipment or other material or facilities can with advantage be provided jointly for the police forces maintained by those authorities, they may make an agreement for that purpose.
- (3) Any expenditure incurred under an agreement made under this section shall be borne by the police authorities in such proportions as they may agree or as may, in default of agreement, be determined by the Secretary of State.
- (4) An agreement under subsection (1) or subsection (2) of this section may be varied or determined by a subsequent agreement.
- (5) If it appears to the Secretary of State that an agreement should be made under subsection (1), subsection (2) or subsection (4) of this section, he may/after considering any representations made by the parties concerned, direct those parties to enter into such an agreement under those provisions as may be specified in the direction.
- (6) The reference in subsection (1) of this section to members of a police force includes a reference to special constables for the area for which that force is maintained.

#### **14 Aid of one police force by another**

- (1) The chief officer of police of any police force may, on the application of the chief officer of police of any other police force, provide constables or other assistance for the purpose of enabling the other force to meet any special demand on its resources.
- (2) If it appears to the Secretary of State to be expedient in the interests of public safety or order that any police force should be reinforced or should receive other assistance for the purpose of enabling it to meet any special demand on its resources, and that satisfactory arrangements under subsection (1) above cannot be made, or cannot be made in time, he may direct the chief officer of police of any police force to provide such constables or other assistance for that purpose as may be specified in the direction.
- (3) While a constable is provided under this section for the assistance of another police force he shall, notwithstanding section 5(1) of this Act, be under the direction and control of the chief officer of police of that other force.
- (4) The police authority maintaining a police force for which assistance is provided under this section shall pay to the police authority maintaining the force from which that assistance is provided such contribution as may be agreed upon between those authorities or, in default of any such agreement, as may be provided by any agreement subsisting at the time between all police authorities generally, or, in default of such general agreement, as may be determined by the Secretary of State.

#### **15 Provision of special services**

- (1) The chief officer of police of any police force may provide, at the request of any person, special police services at any premises or in any locality in the police area for which the force is maintained, subject to the payment to the police authority of charges on such scales as may be determined by that authority.
- (2) In the application of this section to the metropolitan police, for the reference in subsection (1) to the police authority there shall be substituted a reference to the Receiver for the Metropolitan Police District.

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## **16 Special constables**

- (1) The chief officer of police of the police force maintained for any police area may, in accordance with regulations under Part II of this Act, appoint special constables for that area.
- (2) Subject to such regulations as aforesaid, all special constables for a police area (including persons appointed as such before the commencement of this Act) shall be under the direction and control of, and subject to dismissal by, the chief officer of police.

## **17 Police cadets**

- (1) The chief officer of police of any police force may, in accordance with regulations under Part II of this Act and subject to the approval of the police authority as to numbers, appoint persons as police cadets to undergo training with a view to becoming members of that police force.
- (2) Subject to such regulations as aforesaid, all police cadets (including persons appointed as such before the commencement of this Act) shall be under the control of, and subject to dismissal by, the chief officer of police.
- (3) Without prejudice to subsection (2) above, the police authority by whom a police force is maintained shall, for the purposes of any enactment relating to the functions of employers and of any rule of law with respect to the vicarious liability of employers, be treated as the employer of any police cadets undergoing training with that force.
- (4) In the application of this section to the metropolitan police, for the reference in subsection (3) to the police authority there shall be substituted a reference to the Receiver for the Metropolitan Police District.

## **18 Attestation of constables**

Every member of a police force maintained for a police area and every special constable appointed for a police area shall, on appointment, be attested as a constable by making a declaration in the form set out in Schedule 2 to this Act—

- (a) in the case of the metropolitan police district, before the Commissioner or an Assistant Commissioner of Police of the Metropolis ;
- (b) in any other case, before a justice of the peace having jurisdiction within the police area.

## **19 Jurisdiction of constables**

- (1) A member of a police force shall have all the powers and privileges of a constable throughout England and Wales.
- (2) A special constable shall have all the powers and privileges of a constable in the police area for which he is appointed.
- (3) Without prejudice to subsection (2) above, a special constable appointed for any police area shall have all the powers and privileges of a constable—
  - (a) in the case of a police area not being a county borough, in any other police area which is contiguous to his own police area and in any police area being a county borough which is contiguous to any such other police area;



- (b) in the case of a police area being a county borough, in any other police area which is contiguous to the borough and in any area in which special constables appointed for any such other police area have those powers and privileges by virtue of paragraph (a) above.
- (4) A special constable who is for the time being required by virtue of section 13 or section 14 of this Act to serve with another police force shall have all the powers and privileges of a constable in any area in which special constables appointed for the area for which that force is maintained have those powers and privileges under this section.
- (5) Subsection (3) of this section shall apply to the City of London as if it were a county borough; and for the purposes of that subsection in its application to special constables appointed for the metropolitan police district, the county of Berkshire shall be deemed to be contiguous to that district.
- (6) This section is without prejudice to section 5 of the Police (Scotland) Act 1956 (execution of warrants in border counties of England and Scotland) and to any other enactment conferring powers on constables for particular purposes.

## **20 Rewards for diligence**

A police authority may, on the recommendation of the chief officer of police, grant out of the police fund to members of the police force maintained by that authority rewards for exceptional diligence or other specially meritorious conduct.

### *Amalgamations*

## **21 Amalgamation schemes**

- (1) If it appears to the police authorities for any two or more police areas, being areas for which police forces are required by section 1 of this Act to be maintained, that it is expedient that those areas should be amalgamated for police purposes, they may for that purpose submit to the Secretary of State an amalgamation scheme, and the Secretary of State may by order approve any scheme so submitted to him.
- (2) If it appears to the Secretary of State that it is expedient in the interests of efficiency that an amalgamation scheme should be made for any two or more such police areas and no scheme satisfactory to him has been submitted under subsection (1) of this section, the Secretary of State may for that purpose by order make such amalgamation scheme as he considers expedient.
- (3) An amalgamation scheme shall make provision with respect to the following matters, that is to say—
  - (a) the establishment of a combined police authority and a combined police force for the combined area constituted by the scheme, and of a combined police fund for the payment of the expenses of that authority and force;
  - (b) the appointment of officers of the combined police authority, including a clerk of that authority and a treasurer of the combined police fund;
  - (c) the payment into the combined police fund, out of the local funds of the areas comprised in the combined area, of contributions assessed in accordance with the provisions of the scheme ;

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- (d) the transfer for the purposes of the scheme of members of the police forces concerned, other than chief constables, and of special constables and police cadets;
- (e) the transfer to the combined police authority of property, rights and liabilities of the constituent authorities, and officers of those authorities, or the use by the combined police authority of any such property;
- (f) the delegation to the constituent councils of the functions of police authorities under section 5 of the Police, Factories, &c. (Miscellaneous Provisions) Act 1916 and under the House to House Collections Act 1939;

and may provide for any other matters incidental to or consequential on the provisions of the scheme.

- (4) Any functions which are delegated to a council by virtue of paragraph (f) of subsection (3) of this section may be delegated by that council to a committee of the council.
- (5) An amalgamation scheme shall come into force on such date as may be prescribed by the scheme, and different dates may be so prescribed for the purposes of the provisions of the scheme relating to the constitution of the combined police authority and the performance by that authority of functions necessary for bringing the scheme into full operation, and for other purposes of the scheme.
- (6) Before approving or making an amalgamation scheme the Secretary of State shall ascertain whether the constituent councils desire to make such a request as is referred to in section 3(4) of this Act.
- (7) Schedule 3 to this Act shall have effect with respect to the procedure for making amalgamation schemes under subsection (2) of this section; and the transitory provisions set out in Schedule 4 to this Act shall have effect in relation to any amalgamation scheme under this section.
- (8) A draft of any statutory instrument to be made under subsection (2) of this section shall be laid before Parliament.

## **22 Amendment and revocation of schemes**

- (1) An amalgamation scheme may be amended or revoked by a subsequent scheme approved or made by the Secretary of State; and section 21 of this Act, and Schedules 3 and 4 to this Act, shall, so far as applicable, have effect in relation to any such subsequent scheme subject to any necessary modifications and to the following provisions of this section.
- (2) Without prejudice to the generality of the foregoing subsection, provision may be made by any such subsequent scheme—
  - (a) for the division of the combined area into two or more police areas, being either counties or county boroughs or combined areas constituted by the subsequent scheme, or for the inclusion in the combined area of any other police area ;
  - (b) for the dissolution and winding up of any combined police authority constituted under the original scheme, and of any combined police fund established thereunder, or for the reconstitution of any such authority or fund;

- (c) for the transfer or retransfer to such police forces or police areas as may be determined by the subsequent scheme of members of the combined force other than the chief constable, or of special constables or police cadets;
  - (d) for the transfer or retransfer to such authorities as may be determined by the subsequent scheme of any officers, property, rights or liabilities of the combined police authority;
  - (e) for any other matters incidental to or consequential on the provisions of the subsequent scheme.
- (3) The authority by whom a scheme for the amendment or revocation of an amalgamation scheme may be submitted under subsection (1) of section 21 of this Act shall be the combined police authority constituted by the original scheme, or if more than one scheme is to be amended or revoked, the combined police authorities constituted by those schemes, together with the police authority for any other police area which is to be included in a combined area under the scheme.
- (4) The authorities to whom, under paragraph 1 of Schedule 3 to this Act, notice must be given by (the Secretary of State of a scheme proposed to be made by him for the amendment or revocation of an amalgamation scheme shall be the authority or authorities by whom a scheme for that purpose could be submitted by virtue of subsection (3) of this section.

## **23 Alteration of local government areas**

- (1) An amalgamation scheme may be approved or made under this Act with respect to a new county or county borough which is to be constituted, or a county or county borough the area of which is to be altered, by an order under section 140 of the Local Government Act 1933 or under Part II of the Local Government Act 1958, and may be so approved or made before the date on which that order comes into force:

Provided that, except so far as it relates to the constitution of the combined police authority and to the performance by that authority of functions necessary for bringing the scheme into full operation on that date, no such scheme shall come into force until the date on which the said order comes into force.

- (2) In relation to an amalgamation scheme to be approved or made by virtue of this section, sections 21 and 22 of this Act and the Schedules therein mentioned shall apply subject to any necessary modifications and in particular to the following modifications, that is to say—
- (a) any reference to a police area shall include a reference to the area which is to constitute the new or altered county or county borough ;
  - (b) any reference to a constituent authority shall include a reference to the police authority for any area, and the council for any county or county borough, which is to be wholly or partly included in the area of the new or altered county or county borough ;
  - (c) in relation to that area, for any reference to the police authority (except a reference to a constituent authority) there shall be substituted—
    - (i) in the case of a new county, a reference to the police authority for any county or county borough of which the whole or part is to be included in the new county and the council of any such county or county borough which has no separate police authority;
    - (ii) in the case of a new county borough, a reference to the police authority for any county borough of which the whole or part is to be included

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in the new county borough, the council of any such county borough which has no separate police authority, and the council of any county district of which the whole or part is to be so included;

- (iii) in the case of an altered county or county borough, a reference to the police authority for the existing county or county borough or, if that county or county borough has no separate police authority, to the council of that county or county borough.
- (3) In the case of an amalgamation scheme to be approved or made by virtue of this section with respect to any area, any steps required by this Part of this Act to be taken before an amalgamation scheme is approved or made may be taken at any time after notice of proposals affecting that area has been given under section 22(5) or section 24(3) of the Local Government Act 1958 or under paragraph 7(2)(b) of Schedule 8 to that Act, and the Minister of Housing and Local Government has notified the public authorities concerned of the general nature of the order which he intends to make to give effect to those proposals.
- (4) An amalgamation scheme may be amended or revoked under this Act notwithstanding that it has been modified by an order under Part VI of the said Act of 1933 or Part II of the said Act of 1958.

## **24 Adaptation of local Acts**

- (1) Where, by any local Act in force with respect to an area which ceases to be a separate police area by virtue of an amalgamation scheme, provision is made for conferring or imposing special powers or duties on the police, the Secretary of State may by order adapt the local Act so far as appears to him to be necessary or expedient for the purpose of the exercise or performance of those powers or duties by the police of the combined area.
- (2) Nothing in this section or in any order made thereunder shall be construed as extending the area within which or the matters in relation to which any such powers or duties as aforesaid are authorised or required by a local Act to be exercised or performed.
- (3) Any statutory instrument made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

### *Miscellaneous and supplemental*

## **25 Cambridge and Peterborough**

- (1) Subject to the provisions of this section, the cities of Cambridge and Peterborough shall be treated for the purposes of this Part of this Act as if they were county boroughs, and any amalgamation scheme combining either of those cities with another police area shall have effect accordingly.
- (2) If it appears to the Secretary of State that the population of either of those cities will, on the coming into force of an order under Part II of the Local Government Act 1958, be less than one half of the population of the county in which it is situated, he may make an order—
  - (a) directing that subsection (1) of this section shall cease to have effect in relation to that city on the coming into force of the order under the said Act of 1958 ;
  - and

- (b) making such transitional, supplementary and financial provisions as he considers necessary or proper in consequence of the city ceasing to be treated as if it were a county borough;
- and the Secretary of State may, if he thinks fit, include in any order under this section provision for any matter relating to the police for which provision could be made in the relevant order under the said Act of 1958.
- (3) The provisions of Schedule 4 to this Act shall apply, subject to any necessary modifications, in relation to an order under this section as they apply in relation to an amalgamation scheme.
- (4) On the coming into force of an order under this section in respect of either of the said cities, the functions exercisable in respect of that city by a police authority under section 5 of the Police, Factories, &c. (Miscellaneous Provisions) Act 1916 and under the House to House Collections Act 1939 shall vest in the council of that city and shall, unless and until the Secretary of State otherwise directs, be exercised by that council in consultation with the police authority for the police area in which the city is situated.
- (5) The police authority for any police area consisting of or including the City of Cambridge shall include, in addition to the number of persons determined or prescribed under the foregoing provisions of this Act, five persons representing the University of Cambridge; and those persons shall be appointed at such times, in such manner and for such term as may be prescribed—
- (a) in the case of a combined area, by the amalgamation scheme;
  - (b) in any other case, by rules made by the Secretary of State.

## **26 The Scilly Isles**

- (1) For the purposes of the application of this Part of this Act to the Isles of Scilly—
- (a) the Isles shall be treated as if they were a county; and
  - (b) references to the council of a county and to the county fund shall be construed as references to the Council of the Isles and to the general fund of that Council respectively;
- and any amalgamation scheme combining the Isles with any police area shall have effect accordingly.
- (2) This section shall cease to have effect on the coming into force of any order under Part II of the Local Government Act 1958 whereby the Isles are included in a county.

## **27 Interpretation of Part I**

In this Part of this Act, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

" amalgamation scheme " means a scheme under this Part of this Act or under the Police Act 1946;

" consolidation agreement " means an agreement under section 14 of the County Police Act 1840 ;

" constituent area " means a police area which is combined by an amalgamation scheme, and includes, in relation to a scheme amending an amalgamation scheme, the combined area constituted by the original scheme;

" constituent authority " means the police authority for an area which is combined by an amalgamation scheme and includes, in the case of a county,

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*Status: This is the original version (as it was originally enacted).*

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the council of the county and, in the case of a county borough, the council of the borough, and " constituent council" means any such council;

" local fund " in relation to a county, means the county fund and, in relation to a county borough, means the general rate fund ;

" magistrate " has the same meaning as in the Justices of the Peace Act 1949 ;

" officer " includes servant.