



Police, Factories, &c. (Miscellaneous Provisions) Act 1916

1916 CHAPTER 31

PART I

POLICE

1 Retention by ex-constables of pensions whilst employed for the purposes of the war

- (1) Where for purposes connected with the present war a constable in receipt of a pension under the Police Act, 1890, has, whether before or after the passing of this Act, enlisted or entered or been granted a commission in any of His Majesty's forces, or obtained employment under the Admiralty or Army Council or the Ministry of Munitions, or entered or re-entered the service of any police force, subsection (2) of section thirteen of the Police Act, 1890 (which relates to the suspension of pension in cases of appointments to new offices) shall not apply and shall be deemed never to have applied except to such extent as the police authority may otherwise determine.
- (2) This section shall apply to Scotland with the substitution of references to the Police (Scotland) Act, 1890, for the references to the Police Act, 1890.

2 Payments to constables serving in the naval and military forces and their dependants

- (1) Where before the passing of this Act a police authority has resolved, promised, sanctioned or agreed to make to any constable serving in His Majesty's forces for the purposes of the present war, payments in excess of the amounts authorised by the Police Constables (Naval and Military Service) Acts, 1914 and 1915, any such excess payments up to the date of the passing of this Act, or such later date as may be determined by the Secretary of State, shall be deemed to have been lawfully made, and the Secretary of State may, if he thinks fit, sanction the continuance of such excess payments after such date as aforesaid, and shall do so in any case where it appears

Status: This is the original version (as it was originally enacted).

to him that the constable joined His Majesty's forces in reliance on such resolution, promise, sanction, or agreement, and that the amount of the excess is not unreasonable.

- (2) In the case of any constable who dies or has died whilst employed on naval or military service in respect of whom no pension or gratuity is payable from the Police Fund the police authority shall have power to return to any of his dependants, as defined in section one of the Police Reservists (Allowances) Act, 1914, the rateable deductions which have been made from his pay towards pension.
- (3) This section shall apply to Scotland with the substitution of a reference to the Secretary for Scotland for the reference to the Secretary of State.

3 Power of police authority to pension persons injured whilst assisting police

- (1) Where a police authority has accepted the offer of any person to assist the police in the execution of any of their duties connected with the present war, and such person is incapacitated by an injury received by him whilst rendering such assistance under the supervision or in accordance with the directions of the police authority, or dies from the effect of any injury so received without his own default, the police authority may grant to him or to his widow and children or any of them a pension or pensions and allowances at the same rates as under the Police Act, 1890, would have been payable had such person been a constable who had completed not more than five years' service and was drawing pay at the rate of five shillings a day, and all such pensions and allowances shall be paid out of the Police Fund.
- (2) This section shall apply to Scotland with the substitution of a reference to the Police (Scotland) Act, 1890, for the reference to the Police Act, 1890.

4 Amendment of 51 & 52 Vict. c.41 s.24(1) (i) and (j)

In paragraphs (i) and (j) of subsection (2) of section twenty-four of the Local Government Act, 1888, which relate to transfers and payments charged on the Exchequer Contribution Account in respect of the pay and clothing of the police, the expression "pay of the police " shall be deemed to include the pay of any women who may be employed by a police authority to perform any of the duties of the police and are required to devote the whole of their time to such employment.

5 Regulation of street collections

- (1) A police authority may make regulations with respect to the places where and the conditions under which persons may be permitted in any street or public place, within the police area, to collect money or sell articles for the benefit of charitable or other purposes, and any person who acts in contravention of any such regulation shall be liable on summary conviction to a fine not exceeding forty shillings or in the case of a second or subsequent offence not exceeding five pounds:

Provided that—

- (a) regulations made under this section shall not come into operation until they have been confirmed by the Secretary of State, and published for such time and in such manner as the Secretary of State may direct; and
- (b) regulations made under this section shall not apply to the selling of articles in any street or public place when the articles are sold in the ordinary course of trade, and for the purpose of earning a livelihood, and no representation is

made by or on behalf of the seller that any part of the proceeds of sale will be devoted to any charitable purpose.

(2) This section, except subsection (3) thereof, shall apply to Ireland with the following modifications :—

(a) references to the Secretary of State shall be construed as references to the Lord Lieutenant; and

(b) references to a police authority shall, as respects streets and public places within the Dublin Metropolitan police district, be construed as references to the Chief Commissioner of Police for that district ; and as respects streets and public places not within that district, be construed as references to the Inspector General of the Royal Irish Constabulary.

(3) The power to make byelaws conferred upon the council of a county in Scotland by section fifty-seven of the Local Government (Scotland) Act, 1889, shall include a power to make byelaws regulating the conditions under which persons may be permitted in any street, road, or public place within the county to collect money or sell articles for the benefit of charitable or other purposes, provided that such byelaws shall not apply to the selling of articles in any street, road, or public place when the articles sold are sold in the ordinary course of trade and for the purpose of earning a livelihood.

(4) In this section—

the expression " street " includes any highway and any public bridge, road, lane, footway, square, court, alley, or passage, whether a thoroughfare or not.

6 Extent of Part I

This Part of this Act shall not apply, except where otherwise expressly provided, to Scotland or Ireland.