



Police Act 1964

1964 CHAPTER 48

PART I

ORGANISATION OF POLICE FORCES

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 ;
 - (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;

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- (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 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;

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- (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.