



# Police Act 1964

## 1964 CHAPTER 48

### PART III

#### POLICE REPRESENTATIVE INSTITUTIONS

#### 44 Police Federations.

- (1) There shall continue to be a Police Federation for England and Wales and a Police Federation for Scotland for the purpose of representing members of the police forces in England and Wales and in Scotland respectively in all matters affecting their welfare and efficiency, other than questions of discipline [<sup>F1</sup>affecting individuals, except as provided by subsection (1A) below, and questions of] promotion affecting individuals.
- [<sup>F2</sup>(1A) A Police Federation may represent a member of a police force at any disciplinary proceedings or on an appeal from any such proceedings.
- (1B) Except on an appeal to the Secretary of State or as provided by section 102 of the Police and Criminal Evidence Act 1984, a member of a police force may only be represented under subsection (1A) above by another member of a police force.]
- (2) The Police Federations shall act through local and central representative bodies; and the Police Federations and every branch thereof shall be entirely independent of, and [<sup>F3</sup>subject to subsection (2A) of this section] unassociated with, any body or person outside the police service, but may employ persons outside the police service in an administrative or advisory capacity.
- [<sup>F4</sup>(2A) The Secretary of State from time to time may authorise a Police Federation or a branch thereof to be associated with a person or body outside the police service in such cases and manner, and subject to such conditions and restrictions, as he may specify and may vary or withdraw an authorisation previously given; and anything for the time being so authorised shall not be precluded by subsection (2) of this section.]
- (3) The Secretary of State may by regulations prescribe the constitution and proceedings of the Police Federations [<sup>F5</sup>or authorise the Federations to make rules concerning such matters relating to their constitution and proceedings as may be specified in the

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regulations] and, without prejudice to the generality of that power, regulations under this subsection may make provision—

- (a) with respect to the membership of the Federations;
  - (b) with respect to the raising of funds by the Federations by voluntary subscription and the use and management of funds derived from such subscriptions;
  - (c) with respect to the manner in which representations may be made by committees or bodies of the Federations to police authorities, chief officers of police and the Secretary of State;
  - (d) for the payment by the Secretary of State of expenses incurred in connection with the Federations and for the use by the Federations of premises provided by police authorities for police purposes; and
  - (e) for modifying any regulations under the [<sup>F6</sup>M<sup>1</sup>Police Pensions Act 1976] under section 33 of this Act or under [<sup>F7</sup>section 26 of the <sup>M2</sup>Police (Scotland) Act 1967] in relation to any member of a police force who is the secretary or an officer of a Police Federation and for requiring the appropriate Federation to make contributions in respect of the pay, pension or allowances payable to or in respect of any such person.
- (4) Regulations under this section may contain such supplementary and transitional provisions as the Secretary of State thinks fit, including provisions adapting references in any enactment (including this Act) to committees or other bodies of the Federations.
- (5) Before making any regulations under this section the Secretary of State shall consult the three Central Committees of the Police Federation to which the regulations will relate, sitting together as a Joint Committee; and any statutory instrument containing such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) This section applies to police cadets as it applies to members of police forces, and references to the police service shall be construed accordingly.

**Textual Amendments**

- F1** Words substituted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 109\(a\)](#)
- F2** [S. 44\(1A\)\(1B\)](#) inserted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 109\(b\)](#)
- F3** Words inserted by [Police Act 1972 \(c. 39\), s. 1\(2\)](#)
- F4** Words inserted by [Police Act 1972 \(c. 39\), s. 1\(3\)](#)
- F5** Words inserted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 109\(c\)](#)
- F6** Words substituted by virtue of [Police Pensions Act 1976 \(c. 35\), s. 12\(3\)](#)
- F7** Words substituted by [Police \(Scotland\) Act 1967 \(c. 77\), Sch. 4](#)

**Marginal Citations**

- M1** [1976 c. 35](#)
- M2** [1967 c. 77](#)

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#### Textual Amendments

**F8** S. 45 repealed by [Police Act 1969 \(c. 63\), s. 4\(8\)](#)

### 46 Police Advisory Boards for England and Wales and for Scotland.

- (1) There shall be a Police Advisory Board for England and Wales and a Police Advisory Board for Scotland for the purpose of advising the Secretary of State on general questions affecting the police in those countries respectively.
- (2) The constitution and proceedings of each of the Police Advisory Boards shall be such as the Secretary of State may determine after consulting organisations representing the interests of police authorities and of members of police forces and police cadets.
- (3) Before making regulations under section 33 or section 35 of this Act, [<sup>F9</sup>other than regulations with respect to any of the matters mentioned in section 1(1) of the <sup>M3</sup>Police Negotiating Board Act 1980] the Secretary of State shall furnish a draft of the regulations to the Police Advisory Board for England and Wales, and take into consideration any representations made by that Board.

#### Textual Amendments

**F9** Words substituted by virtue of [Police Negotiating Board Act 1980 \(c. 10, SIF 95\), s. 2\(4\)](#)

#### Marginal Citations

**M3** 1980 c. 10.

### 47 Membership of trade unions.

- (1) Subject to the provisions of this section, a member of a police force shall not be a member of any trade union, or of any association having for its objects, or one of its objects, to control or influence the pay, pensions or conditions of service of any police force:  
  
Provided that where a person was a member of a trade union before becoming a member of a police force, he may, with the consent of the chief officer of police, continue to be a member of that union during the time of his service in the police force.
- (2) If any question arises whether any body is a trade union or an association to which this section applies, the question shall be determined by the chief registrar of friendly societies.
- (3) This section applies to police cadets as it applies to members of a police force, and references to a police force or to service in a police force shall be construed accordingly.
- (4) Nothing in this section applies to membership of the Police Federations, or of any body recognised by the Secretary of State for the purposes of this section as representing members of police forces who are not members of those Federations.

**Status:**

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**Changes to legislation:**

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