

Status: Point in time view as at 31/10/1992.

Changes to legislation: Police Act 1964 is up to date with all changes known to be in force on or before 16 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 3.

COMBINED POLICE AUTHORITY CONSTITUTED AS COMMITTEE OF CONSTITUENT COUNCIL

- 1 In relation to a combined police authority constituted as a committee of the council of a county . . . ^{F1} the provisions of this Act shall have effect subject to the following provisions of this Schedule.

Textual Amendments

F1 Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

- 2 Subsections (6) and (7) of section 2 shall apply to the combined police authority as if it were a committee appointed under that section and section 3(3) shall not apply.
- 3 Notwithstanding anything in section 21(3) and Schedule 8, there shall be no combined police fund but the police fund for the combined area shall be the local fund of the county . . . ^{F2} and the amalgamation scheme shall make provision for the payment into that fund, out of the local funds of the other areas comprised in the combined area, of contributions assessed in accordance with the provisions of the scheme.

Textual Amendments

F2 Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

- 4 Sections 8(2) and 9(3) shall not apply, and subsections (3) and (4) of section 8 and subsections (1), (2) and (4) of section 9 shall apply as if the police area consisted only of the county . . . ^{F3}.

Textual Amendments

F3 Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

- 5 The council of the county . . . ^{F4} shall have the same power under section 10(1) as if the combined police force were maintained only for the county . . . ^{F4}.

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Textual Amendments

F4 Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

- 6 Any provision made under section 21(3)(e) may be for transfer to the council of the county . . . ^{F5} instead of to the combined police authority, and for the use of any transferred property by that council instead of, or as well as, that authority.

Textual Amendments

F5 Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

- 7 In relation to an amalgamation scheme to be approved or made by virtue of section 23 of this Act—
- (a) the reference in subsection (4) of section 3 of this Act to a committee of one of the constituent councils shall include a reference to a committee of the council [^{F6}for any relevant area, that is to say, any area which under the order in question is (within the meaning of section 23 of this Act) a prospective police area and to which the scheme is to apply] and
 - (b) the request required by that subsection shall include the request of [^{F7}every council which is the council for a county the whole or any part of which is included in a relevant area.]

Textual Amendments

- F6** Words in [Sch. 1 para. 7\(a\)](#) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 27, **Sch. 3 para. 4(a)**; S.I. 1992/2371, **art. 2**
- F7** Words in [Sch. 1 para. 7 \(b\)](#) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 27, **Sch. 3 para. 4(b)**; S.I. 1992/2371, **art. 2**

VALID FROM 08/08/1994

[^{F8}SCHEDULE 1B

POLICE AUTHORITIES ESTABLISHED UNDER SECTION 3]

Textual Amendments

- F8** [Sch. 1B](#) inserted (8.8.1994 for certain purposes and 1.4.1995 for all other purposes) by [1994 c. 29](#), s. 3(2), **Sch. 9 Pt. I**; S.I. 1994/2025, **art. 4**; S.I. 1994/3262, art. 4, Sch.

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VALID FROM 21/07/1994

^{F9}SCHEDULE 1C

POLICE AUTHORITIES: SELECTION OF INDEPENDENT MEMBERS

Textual Amendments

- F9** Sch. 1C inserted (21.7.1994 so far as makes regulations under para. 11 and 8.8.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, ss. 3(2), 94(3)(a)(ii), Sch. 2; S.I. 1994/2025, art. 4; S.I. 1994/3262, art. 4, Sch.

SCHEDULE 2

Section 18.

FORM OF DECLARATION

I, of do solemnly and sincerely declare and affirm that I will well and truly serve Our Sovereign Lady the Queen in the office of constable, without favour or affection, malice or ill will; and that I will to the best of my power cause the peace to be kept and preserved, and prevent all offences against the persons and properties of Her Majesty's subjects; and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof faithfully according to law.

SCHEDULE 3

Section 21.

PROCEDURE IN RESPECT OF AMALGAMATION SCHEMES MADE BY SECRETARY OF STATE

Modifications etc. (not altering text)

- C4** Sch. 3 excluded by Local Government Act 1972 (c. 70), s. 196(9)

- 1 Where the Secretary of State proposes to make an amalgamation scheme under subsection (2) of section 21 of this Act, he shall give to the police authorities for the police areas proposed to be amalgamated a notice describing the general nature of the proposed scheme and specifying the period within which objection may be made thereto.

Modifications etc. (not altering text)

- C5** Sch. 3 para. 1 modified (*prosp.*) by 1994 c. 19, ss. 24(5)(6), 66(3)

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- 2 Where any of the authorities to whom notice is required to be given under paragraph 1 above is a combined police authority, the Secretary of State shall give the like notice to the council of each county . . . ^{F10} comprised in the combined area.

Textual Amendments

F10 Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

Modifications etc. (not altering text)

C6 [Sch. 3 para. 2](#) modified (*prosp.*) by [1994 c. 16, ss. 24\(5\)\(6\)](#), [66\(3\)](#)

- 3 [^{F11}Subject to paragraph 3A below]if, within the period specified in the notice, any police authority or council to whom the notice is given gives notice to the Secretary of State of an objection to the proposed scheme or any feature of that scheme, the Secretary of State shall, before making the scheme, cause a local inquiry to be held in respect of that objection by a person appointed by him (who shall not be an officer of police or of any Government department).

Textual Amendments

F11 Words in [Sch. 3 para. 3](#) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 27, [Sch. 3 para. 5\(1\)](#); S.I. 1992/2371, [art.2](#)

Modifications etc. (not altering text)

C7 [Sch. 3 para. 3](#) modified (*prosp.*) by [1994 c. 16, ss. 24\(5\)\(6\)](#), [66\(3\)](#)

- [^{F12}3A If, in a case where a notice of objection with respect to any proposed scheme is received by the Secretary of State as mentioned in paragraph 3 above—
- (a) it appears to the Secretary of State that the proposed scheme contains only such provision as is appropriate in consequence of an order under Part II of the Local Government Act 1992 containing provision for giving effect to a structural change (within the meaning of that Part); and
 - (b) the period (if any) that has elapsed between the making of that order and the giving of the notice which is required to be given under paragraph 1 above in relation to that scheme does not exceed twelve months,
- the Secretary of State shall be under a duty to consider that objection but shall not be required to cause a local inquiry to be held in respect of it.]

Textual Amendments

F12 [Sch. 3 para. 3A](#) inserted (31.10.1992) by [Local Government Act 1992 \(c. 19\)](#), s. 27, [Sch. 3 para. 5\(2\)](#); S.I. 1992/2371, [art.2](#)

- 4 Where such an inquiry has been held, the Secretary of State shall consider the report of the person holding that inquiry before determining whether the scheme should be made and if so subject to what modifications, if any.

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- 5 [F13Subsections (2) and (3) of section 250 of the M3Local Government Act 1972] shall apply to any inquiry under this Schedule as they apply to an inquiry under that section.

Textual Amendments

F13 Words substituted by virtue of [Local Government Act 1972 \(c. 70\), s. 272\(2\)](#)

Marginal Citations

M3 1972 c. 70.

- 6 Where the Secretary of State proposes to make an amalgamation scheme after holding a local inquiry under this Schedule, a copy of the report of the person by whom the inquiry was held shall be laid before Parliament together with the draft of the statutory instrument comprising the scheme.

SCHEDULE 4

Section 21.

TRANSITORY PROVISIONS FOR AMALGAMATION SCHEMES

Constables and cadets

- 1 (1) All members of a transferred force who are transferred by an amalgamation scheme shall be deemed to have been duly appointed as members of the new force under Part I of this Act, and to have been duly attested as such, and shall hold in that force the same ranks respectively as they held immediately before the date of transfer in the force from which they are transferred.
- (2) All special constables appointed for a transferred area who are transferred by an amalgamation scheme shall be deemed to have been appointed as special constables for the new area under Part I of this Act, and to have been duly attested as such.
- (3) All police cadets who are transferred by an amalgamation scheme shall be deemed to have been appointed under Part I of this Act to undergo training with a view to becoming members of the new force.
- 2 Where, immediately before the date of transfer—
- (a) section 43(1)(a) of this Act, or
 - (b) section 2 of the M4Police (Overseas Service) Act 1945. [F14 or
 - (c) section 2 of the M5Police Act 1969]
- applied to any person as having been a member of a transferred force, that section shall, unless the amalgamation scheme otherwise provides, apply to him in relation to any period after the date of transfer, as if for any reference to the police force to which he was entitled to revert there were substituted a reference to the new

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force, and references in that section to the appropriate authority shall be construed accordingly.

Textual Amendments

F14 Words inserted by [Police Act 1969 \(c. 63\)](#), [S. 2\(4\)](#)

Modifications etc. (not altering text)

C8 [Sch. 4 para. 2](#) modified by [Overseas Development and Co-operation Act 1980 \(c. 63, SIF 88\)](#), s. 11

Marginal Citations

M4 1945c. 17. (9 & 10 Geo. 6).

M5 1969 c. 63.

Staff and assets

- 3 (1) Where any officers or servants, property, rights or liabilities have been transferred by virtue of an amalgamation scheme from one authority to another, or will be so transferred on the date of transfer, those authorities may by agreement provide for the making of such adjustments in relation to their respective property, rights and liabilities as appear to them to be desirable having regard to the transfer, and any such agreement may, in particular, provide for the making of payments by either party thereto.
- (2) If any question arises—
- (a) whether any persons, property, rights or liabilities have been or will on the date of transfer be transferred from one authority to another by virtue of an amalgamation scheme; or
 - (b) whether any such adjustment as is mentioned in the foregoing sub-paragraph ought to be made between any authorities,
- that question shall, in default of agreement between the authorities concerned, be referred to a single arbitrator agreed upon between the parties, or in default of agreement appointed by the Secretary of State, and the award of the arbitrator with respect to any such question as is mentioned in paragraph (b) of this sub-paragraph may provide for any matter for which provision might have been made by an agreement under the foregoing sub-paragraph.

Pending proceedings

- 4 (1) Where, immediately before the date of transfer, proceedings were pending by or against any authority with respect to any property, rights or liabilities which are transferred by virtue of an amalgamation scheme, those proceedings may be carried on thereafter with the substitution for that authority of the authority to whom the property, rights or liabilities are so transferred.
- (2) Where, immediately before the date of transfer, a member of a transferred force is entitled to appeal to the Secretary of State under the provisions of section 37 of this Act, or of any corresponding provisions repealed by this Act, or where any such member has appealed to the Secretary of State under any of those provisions before

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the said date but the appeal has not been determined, then, unless the Secretary of State otherwise directs, the disciplinary authority for the new area shall be the respondent for the purposes of the appeal, and in the case of a pending appeal, shall be substituted as respondent for the disciplinary authority for the transferred force.

Superannuation

- 5 (1) F15
(4) ... F16
(5) F17
(6) F18

Textual Amendments

- F15** Sch. 4 para. 5(1)—(3) repealed by S.I. 1977/1341, **Sch. 6 Pt. I** except in relation to persons transferred before 1.4.1974 by virtue of a scheme made under Part I of the Act
- F16** Sch. 4 para. 5(4) repealed by Superannuation Act 1972 (c. 11), s. 29(4), **Sch. 8**
- F17** Sch. 4 para. 5(5) repealed with saving by Superannuation Act 1972 (c. 11), s. 29(4), **Sch. 7 para. 5** Table para. 9, Sch. 8 and S.I. 1974/520, reg. M2(1), **Sch. 19 Pt. I**
- F18** Sch. 4 para. 5(6)(7) repealed by S.I. 1977/1341, **Sch. 6 Pt. I** except in relation to a person transferred before 1.4.1974 by virtue of a scheme made under Part I of the Act

Registers

- 6 Any register, or the appropriate part of any register, kept in pursuance of any enactment by the chief constable of a transferred area shall be transferred by him to the chief constable of the new area as soon as may be after the date of transfer, and as from that date shall be deemed to form part of the corresponding register kept by that chief constable.

Supplementary

- F19
7

Textual Amendments

- F19** Sch. 4 para. 7 repealed by S.I. 1974/520, **Sch. 19 Pt. II** except in relation to persons (a) transferred before 1.4.1974 by virtue of a scheme made under Part I of the Act or (b) transferred to the employment of the Common Council of the City of London after 31.3.1974

- 8 In this Schedule—

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“date of transfer” means the date on which an amalgamation scheme comes into operation or, where different provisions of the scheme come into operation on different dates, the last of those dates;

“pension” includes a lump sum and a gratuity;

“statutory provision” means a provision, whether of a general or a special nature, contained in, or in any document made or issued under, any Act, whether of a general or a special nature;

“transferred area” means a police area which becomes comprised in a combined police area by virtue of an amalgamated scheme, or which is divided into two or more police areas by virtue of a scheme amending or revoking such a scheme;

“transferred force” means the police force of a transferred area;

“new area” means, in relation to any person or property, the police area in which a transferred area becomes comprised by virtue of an amalgamation scheme or, in the case of an area which is divided into two or more police areas by virtue of a scheme amending or revoking an amalgamation scheme, such of those areas as may be prescribed by that scheme;

“new force” means the police force of a new area

[^{F20}SCHEDULE 5

Section 37.]

DISCIPLINARY APPEALS

Textual Amendments

F20 Sch. 5 substituted by [Police and Criminal Evidence Act 1984 \(c. 60, S.I.F.95\)](#), s. 103(2)

Notice of appeal

- 1 Any appeal under section 37 of this Act (in this Schedule referred to as “the principal section”) shall be instituted by giving a notice of appeal within the time prescribed under this Schedule.

Respondent

- 2 (1) On any appeal under the principal section against the decision of a police authority the respondent shall be that authority.
- (2) On any other appeal under that section the respondent shall be the chief officer of police of the police force to which the appellant belongs or such other person as the Secretary of State may direct; and the Secretary of State may direct any respondent under this sub-paragraph to act in relation to the appeal in consultation with such other person or persons as the Secretary of State may specify.

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Inquiries

- 3 (1) The Secretary of State may appoint three persons to hold an inquiry into and report to him on any appeal under the principal section other than an appeal from a decision of a police authority and, subject to sub-paragraph (2) below, shall do so where—
- (a) it appears to him that the appeal cannot be properly determined without taking evidence; or
 - (b) the appellant has been punished by way of dismissal, requirement to resign or reduction in rank and has requested that such persons be appointed.
- (2) The Secretary of State need not make an appointment under sub-paragraph (1) above if he is satisfied that there are sufficient grounds for allowing the appeal without an inquiry.
- (3) The persons appointed under sub-paragraph (1) above shall be—
- (a) a, [^{F21}person who has a 7 year general qualification, within the meaning of section 71 of the Courts and Legal Services Act 1990] who shall be chairman;
 - (b) a serving or retired inspector of constabulary or a retired chief officer; and
 - (c) a retired officer of appropriate rank within the meaning of sub-paragraph (4) below.
- (4) A retired officer of appropriate rank means—
- (a) where the appellant was, immediately before the disciplinary proceedings, of the rank of chief superintendent or superintendent, a retired police officer who at the time of his retirement was of either of those ranks; and
 - (b) in any other case, a retired police officer who at the time of his retirement was of the rank of chief inspector or below.
- (5) The Secretary of State may appoint one or more persons to hold an inquiry into and report to him on an appeal under the principal section from a decision of a police authority.
- (6) The Secretary of State may require persons appointed under this paragraph to deal in their report with any particular matter specified by him.
- (7) Subsections (2) and (3) of section 250 ^{M6} of the Local Government Act 1972 shall apply to any inquiry under this paragraph as they apply to an inquiry under that section.
- (8) The Secretary of State may require persons appointed under this paragraph to hold a hearing.
- (9) Persons so appointed shall hold a hearing in any case where they are not required to do so under sub-paragraph (8) above, unless it appears to them that it is unnecessary to do so.
- (10) A decision whether to hold a hearing shall not be taken under sub-paragraph (9) above unless both the appellant and the respondent have been afforded an opportunity to make written or, if either so requests, oral representations and any such representations have been considered.
- (11) Where a hearing is held in the course of an inquiry, the appellant shall have the right to appear by a serving member of a police force or by counsel or a solicitor; and the

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respondent shall have the right to appear by an officer of the police force or by the clerk or other officer of the police authority or by counsel or a solicitor.

- (12) Before making an order under the principal section the Secretary of State shall consider any report made to him under this paragraph, as well as the notice of appeal and any other documents submitted to him by the appellant and the respondent in accordance with rules under this Schedule.
- (13) The Secretary of State may, before making an order under the principal section, remit the case for further investigation by the person or persons who held the inquiry or, if he thinks fit, for further consideration by the person or persons whose decision is the subject of the appeal.

Textual Amendments

F21 Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), s. 71(2), [Sch. 10](#), para. 22

Marginal Citations

M6 [1972 c. 70 \(81:1\)](#)

Notice and effect of orders

- 4 (1) A copy of any order made by the Secretary of State, together with a written statement of his reasons for making it, shall as soon as made be sent to the appellant and the respondent together with, if an inquiry was held, a copy of the report of the person or persons who held the inquiry; and the order shall be final and binding upon all parties.
- (2) Where an appeal is allowed or the punishment is varied by the Secretary of State, the order shall take effect by way of substitution for the decision appealed from, and as from the date of that decision; and where the effect of the order is to reinstate the appellant in the force or in his rank, he shall, for the purpose of reckoning service for pension, and, to such extent (if any) as may be determined by the order, for the purpose of pay, be deemed to have served in the force or in that rank, as the case may be, continuously from the date of the decision to the date of his reinstatement and, if he were suspended for a period immediately preceding the date of the decision, the order shall deal with the suspension.
- (3) Any costs payable under the principal section shall be subject to taxation in such manner as the Secretary of State may direct.

Rules

- 5 (1) The Secretary of State may make rules as to the procedure on appeals and at inquiries under this Schedule and in particular, but without prejudice to the generality of this provision, may make rules—
- (a) prescribing the form and content of the notice of appeal and the documents to be submitted by the appellant and the time within which such documents are to be submitted; and

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- (b) prescribing the documents to be submitted and the time within which they are to be submitted by the respondent; and
 - (c) providing for the person or persons holding an inquiry to receive evidence or representations in writing instead of holding a hearing.
- (2) Any rules made under this paragraph shall be laid before Parliament after being made.

^{F22}SCHEDULES 6

.....

Textual Amendments

F22 Sch. 6 repealed by [Police Pensions Act 1976 \(c. 35\)](#), **Sch. 3**

^{F23}SCHEDULES 7

.....

Textual Amendments

F23 Sch. 7 repealed by [Police \(Scotland\) Act 1967 \(c. 77, SIF 95\)](#), **Sch. 5 Pt. I**

SCHEDULE 8

Section 62.

MEANING OF POLICE AREA, &C.

Police area	Police Authority	Chief Officer of Police	Police fund
The City of London.	The Common Council.	The Commissioner of City of London Police.	The fund out of which the expenses of the City police are paid.
The metropolitan police district.	The Secretary of State	The Commissioner of Police of the Metropolis.	The metropolitan police fund.
[^{F24} A non-metropolitan county]	[^{F24} The police committee.]	[^{F24} The chief constable.]	[^{F24} The county fund.]
[^{F24} A metropolitan county]	[^{F24} The metropolitan county police authority]	[^{F24} The chief constable]	[^{F24} The general fund]

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[^{F24} The Northumbria police area]	[^{F24} The Northumbria Police Authority]	[^{F24} The chief constable]	[^{F24} The general fund]
...
F25	F25	F25	F25
A combined area	The combined police authority.	The chief constable.	The combined police fund.
...
F26	F26	F26	F26

Textual Amendments

- F24** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 37, **Sch. 11 para. 1(8)**
- F25** Entry repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**
- F26** Entry repealed by [Statute Law \(Repeals\) Act 1971 \(c. 52\)](#), **Sch. Pt. IX**

In this Schedule “the City of London” means the City as defined for the purposes of the Acts relating to the City of London police; “the metropolitan police district” means that district as defined in section 76 of the London Government Act 1963; references to a county . . . ^{F27} shall be construed in accordance with Part I of this Act; . . . ^{F28}

Textual Amendments

- F27** Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**
- F28** Words repealed by [Statute Law \(Repeals\) Act 1971 \(c. 52\)](#), **Sch. Pt. IX**

^{X1}SCHEDULE 9

Section 63

MINOR AND CONSEQUENTIAL AMENDMENTS

Editorial Information

- X1** The text of Sch. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Enactment	Amendment
...	...
F29	F29
...	...
F30	F30
...	...
F30	F30
...	...

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F31	F31
...	...
F32	F32
The M7 Metropolitan Police Act 1886.	In section 2 for the words “Minister of Health” there shall be substituted the words “Secretary of State”.
The M8 Riot (Damages) Act 1886	Throughout the Act for the words “police authority” there shall be substituted the words “compensation authority”. In section 2(1), for the words “the police rate” there shall be substituted the words “the police fund”. In section 5, in subsection (1), for the words from “moneys held by them” to “the said moneys” there shall be substituted the words “the police fund, and shall also pay out of the said fund” ; in subsection (3) for the words “riot expenses” there shall be substituted the words “any compensation, costs and expenses payable under subsection (1) of this section”; and subsection (4) shall be omitted. In section 9, for the words from “means one of the districts” to “assigned to them” there shall be substituted the words and the expression “police fund” have the same meaning as in the Police Act 1964 and the expression “compensation authority” means— (a) in relation to a district for which the police authority is a committee of the council of a county or borough, that council; (b) in relation to the metropolitan police district, the Receiver for that district; and (c) in relation to any other district, the police authority.
The M9 Metropolitan Police (Receiver) Act 1895.	In section 1 for the words “absent from his duties” there shall be substituted the words “unable to act whether by reason of absence or otherwise”.
The M10 Children and Young Persons Act 1933.	In section 107(1), in the definition “chief officer of police”, for the words “means as regards” to “The Police Act 1890” there shall be substituted the words “as regards England has the same meaning as in the Police Act 1964”.
...	...

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F33

F34

The
M11

Police (Overseas Service) Act 1945.

In section 2, after subsection (1) there shall be inserted the following subsection—

(1A) Notwithstanding anything in the last foregoing subsection, a person who has engaged for a period of overseas service may be promoted in his home police force as if he were serving in that force; and in any such case the reference in that subsection to the rank in which he was serving immediately before he was engaged as aforesaid shall be construed as a reference to the rank to which he is promoted, and for the purposes of any such scale as is mentioned in that subsection he shall be treated as having served in that rank from the time of his promotion.

In section 2(2) for the words “the last foregoing subsection” there shall be substituted the words “subsection (1) of this section”.

In section 3(1) for the words “within the meaning of the Police Prnsions Act 1921” there shall be substituted the words “within the meaning of the Police(Scotland) Act 1956 or the Police Act 1964”.

F30

F35

The
M12

Local Government (Miscellaneous Provisions) Act 1953.

F30

F35

In section 18, after subsection (2) there shall be added the following subsection — “(3)– In relation to a council of any county or county borough any reference in paragraph (a) or (b) of subsection (1) of section 1 of this Act to the authority, and any references in paragraph (a) of subsection (1) of section 2 of this Act to the local authority, shall be construed as including a reference to a police authority which is a committee of that council”.

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In section 60(2), after the words “the Act of 1933” there shall be inserted the words “or

Status: Point in time view as at 31/10/1992.

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Local Government Act 1958. of any order under Part I of the Police Act 1964”; and for the words “that Act” there shall be substituted the words “the Act of 1933”.

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The M14 In Schedule 2, in paragraph 1, sub-paragraph (5) shall be omitted.

Betting, Gaming and Lotteries Act 1963.

Textual Amendments

- F29** Sch. 9: entry relating to the Metropolitan Police Act 1839 repealed by Statute Law (Repeals) Act 1974 (c. 22), s. 1, Sch. Pt. XI, and expressed to be repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1 Pt. I
- F30** Sch. 9: entries relating to the City of London Police Act 1839, the Town Police Clauses Act 1847, the National Insurance (Industrial Injuries) Act 1946, the Homicide Act 1957 and the Road Traffic and Roads Improvement Act 1960, repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1 Pt. I
- F31** Entry relating to The Juries Act 1870 repealed by Criminal Justice Act 1972 (c.71, S I F 39:1), s. 64(2), Sch. 6 Pt. I
- F32** Entry relating to Metropolitan Police Staff (Superannuation) Act 1875 repealed by Statute Law Repeals Act 1974 (c. 22), s. 1, Sch. Pt. XI
- F33** Entry relating to the Local Government Act 1933 repealed by S.I. 1974/595, art. 3(22), Sch. 1 Pt. I
- F34** Entry relating to Firearms Act 1937 repealed by Firearms Act 1968 (c. 27, S I F 51:1), s. 59(1), Sch. 7
- F35** Entry relating to the Police Pensions Act 1948 repealed by Police Act 1976(c. 35, S I F 95), s. 13(2), Sch. 3

Marginal Citations

- M7** 49 & 50 Vict. 22
- M8** 49 & 50 Vict. c. 38
- M9** 58 & 59 Vict c. 12
- M10** 23 & 24 Geo. 5. c. 12
- M11** 9 & 10 Geo. 6. c. 17
- M12** 1 & 2 Eliz. 2. c. 26.
- M13** 6 & 7 Eliz. 2. c. 55
- M14** c. 55

F36 SCHEDULE 10

Textual Amendments

- F36** Sch. 10 repealed by Statute Law (Repeals) Act 1974 (c. 22), Sch. Pt. XI

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SCHEDULE 11

Section 64.

TRANSITIONAL PROVISIONS

Police authorities

- 1 On the date on which the police authority for a police area is constituted pursuant to section 2 of this Act, there shall be transferred to that authority—
- (a) all officers and servants who, immediately before that date, were employed by the previous police authority for police purposes or for the purposes of the functions of the police authority under section 2 of the^{M15}Road Traffic and Roads Improvement Act 1960;
 - (b) all property which, immediately before that date, was held by the police authority for any of those purposes; and
 - (c) all rights acquired and liabilities incurred by the previous police authority by reason of the exercise of any of their police functions or of any of their functions under the said Act of 1960.

Marginal Citations

M15 1960 c. 63.

- 2 Anything done before the said date by, to or before the previous police authority shall, so far as may be necessary for the purpose or in consequence of section 2 of this Act, have effect after that date as if it had been done by, to or before the police authority constituted pursuant to that section.

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Textual Amendments

F37 Sch. 11 para.3 repealed by S.I. 1977/1341, Sch. 6 Pt. I except in relation to persons transferred before 1.4.1974 by virtue of a scheme made under Part I of the Act

- 4 (1) Where, for the purposes of any such statutory provision as is mentioned in subparagraph (2) of the said paragraph 5, the previous police authority for a police area would (if this Act had not been passed) at any time on or after the date on which a police authority is constituted for that area pursuant to section 2 of this Act have been the employing authority or former employing authority in relation to—
- (a) a person who before that date died while in the employment of the previous police authority for any of the purposes mentioned in paragraph 1(a) of this Schedule, or otherwise ceased to be employed by that authority having been employed for any of those purposes when his employment ceased, or
 - (b) the widow or any other dependant of such a person,

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the police authority constituted for that area as aforesaid shall be treated as being at that time the employing authority or former employing authority for those purposes in relation to that person, or to that person's widow or other dependant, as the case may be.

(2) Where before the date on which the police authority for a police area is constituted pursuant to section 2 of this Act a gratuity, by way of periodical payments or an annuity,—

- (a) was granted to any person by the previous police authority on his ceasing to be employed by them for any of the purposes mentioned in paragraph 1(a) of this Schedule, or
- (b) was granted to the widow or any other dependant of a person who died while in the employment of that authority for any of those purposes, or who died during the currency of such a gratuity granted to him by that authority on his ceasing to be employed by them for any of those purposes,

and, if payment in respect of the gratuity had continued in accordance with the terms of the grant, one or more payments in respect of that gratuity would have been made by the previous police authority on or after that date, whether the authority would have been obliged to make those payments or not, those payments shall be made by the police authority constituted pursuant to section 2 of this Act.

Amalgamation schemes

5 Any amalgamation scheme approved or made under the ^{M16}Police Act 1946 and in force at the commencement of this Act shall continue in force and have effect as if made under Part I of this Act, and may be amended or revoked accordingly.

Marginal Citations

M16 1946 c. 46

6 Without prejudice to section 22 of this Act, the Secretary of State may, after consulting the combined police authority for the police area constituted by an amalgamation scheme in force at the commencement of this Act under the Police Act 1946, by order made by statutory instrument amend the scheme to such extent as he considers expedient for securing compliance with the provisions of the said Part I with respect to the constitution of combined police authorities.

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F38 7—13.

Textual Amendments

F38 Sch. 11 paras. 7—13 repealed by Local Government Act 1972 (c. 70, S I F 81:1), Sch. 30

Status:

Point in time view as at 31/10/1992.

Changes to legislation:

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