

SCHEDULES

SCHEDULE 1

Sections 1, 51.

BURGHS FOR WHICH (SUBJECT TO AMALGAMATION SCHEMES) POLICE FORCES ARE TO BE MAINTAINED

Aberdeen	Glasgow
Airdrie	Greenock
Arbroath	Hamilton
Ayr	Inverness
Coatbridge	Kilmarnock
Dumbarton	Kirkcaldy
Dumfries	Motherwell and Wishaw
Dundee	Paisley
Dunfermline	Perth
Edinburgh	Stirling.

SCHEDULE 2

Sections 21, 24, 25.

TRANSITORY PROVISIONS FOR THE PURPOSES OF AMALGAMATION SCHEMES

- 1 All constables of a police force who are transferred by an amalgamation scheme shall be deemed to have been duly appointed and attested under this Act as constables of the new force, and shall hold in that force the same ranks respectively as they held immediately before the date of such transfer in the transferred force.
- 2 Where immediately before the date when an amalgamation scheme comes into operation a constable of a transferred force is entitled to appeal to the Secretary of State under section 30 of this Act, or where any such constable has appealed to the Secretary of State under the " said section before the said date but the appeal has not been determined, the disciplinary authority for the new force 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 of the transferred force.
- 3 Any register kept in pursuance of any enactment by the chief constable of a transferred force shall be transferred by him to the chief constable of the new force as soon as may be after the date when the scheme came into operation, and as from that date shall be deemed to form part of the corresponding register kept by that chief constable.
- 4 Subject to the foregoing provisions of this Schedule, anything done before the date when an amalgamation scheme comes into operation by, to or before the police

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authority for any police area comprised in the combined area, or by, to or before the chief constable of a transferred force, shall, in so far as may be necessary for the purpose or in consequence of the provisions of this Act or of the scheme, have effect after that date as if it had been done by, to or before the joint police committee or the chief constable of the new force.

5 In this Schedule the expression " transferred force " means the police force maintained for any police area comprised in a combined area, and "new force" means the police force established by any amalgamation scheme, and any reference to attestation includes a reference to making a declaration under section 16 of this Act.

6 This Schedule shall have effect in relation to an amending or revoking scheme with the substitution where necessary—

- (a) for any reference to an amalgamation scheme, of a reference to the amending or revoking scheme,
- (b) for any reference to the combined area, of a reference to such area as may be prescribed by the amending or revoking scheme, and
- (c) for any reference to a police area comprised in a combined area, of a reference to the combined area under the scheme being amended or revoked ;

and for this purpose the expression " new force " shall be construed as including a reference to a police force re-established by an amending or revoking scheme.

SCHEDULE 3

Sections 30, 48, 51.

DISCIPLINARY APPEALS

Notice of Appeal

1 Any appeal under section 30 of this Act (in this Schedule referred to as " the principal section ") shall be instituted by giving a notice of appeal in the prescribed manner and within the prescribed time.

Respondent

2 On any appeal under the principal section, the appropriate disciplinary authority for the police force shall be made the respondent.

Inquiries

3 (1) The Secretary of State shall, unless it appears to him that the case is of such a nature that it can properly be determined without taking evidence, request the sheriff to hold an inquiry and report to him.

(2) The sheriff, in holding an inquiry under this paragraph, may require any person to attend as a witness and give evidence, or to produce any documents in his possession or power which relate to any matter in question at the inquiry and are such as would be subject to production in a court of law ; and if any person fails without reasonable excuse to comply with the provisions of any such requirement he shall be liable on summary conviction to a fine not exceeding five pounds.

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- (3) The sheriff, in the exercise of the functions conferred on him by this paragraph, shall have the like power as regards the administration of oaths as if he were acting in the exercise of his civil jurisdiction.
- (4) The Secretary of State shall, before determining an appeal under the principal section, 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.
- (5) The Secretary of State may, before determining an appeal under the principal section, remit the case for further investigation by the sheriff when an inquiry has been held, or in any case, if he thinks fit, for further consideration by the disciplinary authority.
- (6) In this paragraph " sheriff" does not include a sheriff-substitute.

Notice and effect of determinations

- 4 (1) A determination on an appeal made by the Secretary of State under the principal section shall, as soon as practicable, be sent to the appellant and the respondent together with, if an inquiry was held, a copy of the report of the sheriff holding the inquiry, and the determination 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 determination 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 determination 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 determination, 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 reinstatement, and if he was suspended for a period immediately preceding the date of the decision, the determination shall deal with the suspension.

Rules

- 5 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, shall make rules—
 - (a) prescribing the form and contents 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 ;
 - (b) prescribing the documents to be submitted and the time within which they are to be submitted by the respondent:

Provided that the rules shall provide for giving to the appellant the right to be represented at an inquiry by a constable or by counsel or a solicitor, and for giving to the respondent the right to be represented by a constable of the police force or by the clerk or other officer of the police authority or by counsel or a solicitor.

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SCHEDULE 4

Sections 52, 53.

CONSEQUENTIAL AMENDMENT OF ENACTMENTS

THE DOGS ACT 1906

(6 Edw. 7 c.32)

In section 8(b), for the words "the Police (Scotland) Act, 1890" there shall be substituted the words " the Police (Scotland) Act 1967 ".

THE CHILDREN AND YOUNG PERSONS ACT 1933

(23 & 24 Geo. 5 c.12)

In section 107(1), in the definition of " chief officer of police " for the words "the Police (Scotland) Act, 1890" there shall be substituted the words " the Police (Scotland) Act 1967 ".

THE FIREARMS ACT 1937

(1 Edw. 8 and 1 Geo. 6 c.12)

In Schedule 3, after the words " the Police Act 1964 " there shall be inserted the words " or under section 41 of the Police (Scotland) Act 1967 ".

THE POLICE (OVERSEAS SERVICE) ACT 1945

(9 & 10 Geo. 6 c.17)

In section 3(1), the words "the Police (Scotland) Act 1956 or" shall be omitted and after the words " the Police Act 1964 " there shall be inserted the words " or of the Police (Scotland) Act 1967 ".

THE LOCAL GOVERNMENT (SCOTLAND) ACT 1947

(10 & 11 Geo. 6. c. 43)

In Schedule 6, the entry relating to section 15 of the Police (Scotland) Act 1956 shall be omitted and there shall be inserted the following entry:—

“Section 15 of the Police (Scotland) Act 1956, except as regards dwelling-houses and other housing accommodation, and sections 2(4) and 10 of the Police (Scotland) Act 1967, except as aforesaid.

Such period not exceeding sixty years as the Secretary of State may fix.”

THE POLICE PENSIONS ACT 1948

(11 & 12 Geo. 6 c.24)

In section 8(1), in the definition of " police authority " the words "the Police (Scotland) Act 1956 or" shall be omitted and after the words " the Police Act 1964 " there shall be inserted the words " or of the Police (Scotland) Act 1967 ", and in the definition of " police force " the words

" the Police (Scotland) Act 1956 or " shall be omitted and after the words " the Police Act 1964 " there shall be inserted the words " or of the Police (Scotland) Act 1967 ".

THE CIVIL DEFENCE ACT 1948

(12, 13 & 14 Geo. 6 c. 5)

In section 4(6)(b), for the words from "' section eleven of the Police (Scotland) Act, 1946 " to the end there shall be substituted the words " ' section 10 of the Police (Scotland) Act 1967 on police authorities to acquire compulsorily land required for the purposes of their functions under that Act' ".

THE HOMICIDE ACT 1957

(5 & 6 Eliz. 2 c.11)

In section 5(5)(a), for the words " section forty of the Police (Scotland) Act, 1956 " there shall be substituted the words " section 50 of the Police (Scotland) Act 1967 ".

THE OVERSEAS SERVICE ACT 1958

(6 & 7 Eliz. 2 c.14)

In section 5(2)(b), for the words " section twenty-three of the Police (Scotland) Act, 1956 " there shall be substituted the words " section 24 of the Police (Scotland) Act 1967 ".

THE POLICE ACT 1964

(1964 c.48)

In section 19(6), for the words " section 5 of the Police (Scotland) Act 1956 " there shall be substituted the words " section 18 of the Police (Scotland) Act 1967 ".

In section 44(3)(e), for the words " section 11 of the Police (Scotland) Act 1956 " there shall be substituted the words " section 26 of the Police (Scotland) Act 1967 ".

In section 45(2), after the word " section " there shall be inserted the words " or section 26(8) of the Police (Scotland) Act 1967 (including the last-mentioned subsection as applied by section 27(3) of the said Act) ".

In section 64(4), after the words " any provision of this Act" there shall be inserted the words " (including any provision of the Police (Scotland) Act 1967 which re-enacts any provision of this Act repealed by that Act) ".

THE FIREARMS ACT 1965

(1965 c. 44)

In Schedule 1, in paragraph 2, after the words " the Police (Scotland) Act 1956 " there shall be inserted the words " or against section 41 of the Police (Scotland) Act 1967 ".

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THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT 1965

(1965 c. 52)

In section 77, for the words " the Police (Scotland) Act 1956 " there shall be substituted the words " the Police (Scotland) Act 1967 ".

THE SUPERANNUATION (MISCELLANEOUS PROVISIONS) ACT 1967

(1967 c. 28)

In section 13(3), for the words from 'sections 11A' to the end there shall be substituted the words ' sections 27 and 8 respectively of the Police (Scotland) Act 1967 '.

THE ROAD TRAFFIC REGULATION ACT 1967

(1967. c. 76)

In section 24(7)(c), for the words ' Police (Scotland) Act 1956 ' there shall be substituted the words ' Police (Scotland) Act 1967 '.

In section 81(12)(a), for the words ' section 13 of the Police (Scotland) Act 1956 ' there shall be substituted the words ' section 9 of the Police (Scotland) Act 1967 '.

SCHEDULE 5

Sections 52, 53.

ENACTMENTS REPEALED

PART I

ENACTMENTS CONSOLIDATED

Chapter	Short Title	Extent of Repeal
34 & 35 Vict. c. 96.	The Pedlars Act 1871.	In section 3, the definition of " chief officer of police ".
		In Schedule 1, the definition of " chief officer of police ".
34 & 35 Vict. c. 112.	The Prevention of Crimes Act 1871.	In section 20, the definition of " chief officer of police ".
38 & 39 Vict. c. 17.	The Explosives Act 1875.	In section 107, the definition of " chief officer of police ".
		In section 109, paragraph (7).
46 & 47 Vict. c. 34.	The Cheap Trains Act 1883.	In section 8, the definition of " police force ".
6 Edw. 7. c. 32.	The Dogs Act 1906.	In section 3(10), the definitions of " chief officer of police " and " police fund ".

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Chapter	Short Title	Extent of Repeal
9 Edw. 7. c. 30.	The Cinematograph Act 1909.	Section 8(a). In section 2(6), the definition of "chief officer of police".
4 & 5 Geo. 5. c. 34.	The Police Reservists (Allowances) Act 1914.	Section 8(2). In section 1(5), the definitions of " police force " and " police fund ". In section 2, the words from " with the substitution " to " Police Act 1890 ".
11 & 12 Geo. 5. c. 31.	The Police Pensions Act 1921.	In section 30, the definitions of " chief officer of police", " police fund " and " police force ". In Schedule 3, the definitions of " chief officer of police " and " police fund ".
1 Edw. 8. & 1 Geo. 6. c. 6.	The Public Order Act 1936.	In section 9(1), the definition of " chief officer of police ".
1 Edw. 8. & 1 Geo. 6. c. 12.	The Firearms Act 1937.	In section 32(1), the definition of " chief officer of police ".
2 & 3 Geo. 6. c. 44.	The House to House Collections Act 1939.	In section 11(1), the definition of " chief officer of police ".
2 & 3 Geo. 6. c. 103.	The Police and Firemen (War Service) Act 1939.	In section 10(3), the definition of " chief officer of a police force ". In section 14, in the definition of " constable" the words " within the meaning of the Police Pensions Act 1921 ".
10 & 11 Geo. 6. c. 41.	The Fire Services Act 1947.	In section 38(1), the definitions of " chief officer of police " and " police force ".
12, 13 & 14 Geo. 6. c. 5.	The Civil Defence Act 1948.	In section 9(1), the definition of " police force ".
12, 13 & 14 Geo. 6. c. 67.	The Civil Aviation Act 1949.	In Schedule 6, paragraph 8(4).

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Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 68.	The Representation of the People Act 1949.	Section 87(3), except so far as it relates to the definition of a police area.
14 Geo. 6. c. 36.	The Diseases of Animals Act 1950.	In section 86(2), the definition of " police force ".
14 & 15 Geo. 6. c. 65.	The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951.	In section 23(1), the definition of " police force ".
		In section 24(g), the words " for references to the Police Act 1946" and the words " there shall be respectively substituted references to the Police (Scotland) Act 1946 ".
4 & 5 Eliz. 2. c. 26.	The Police (Scotland) Act 1956.	The whole Act except section 37.
5 Eliz. 2. c. 1.	The Police, Fire and Probation Officers Remuneration Act 1956.	Section 1(1)(b).
8 & 9 Eliz. 2. c. 16.	The Road Traffic Act 1960.	Section 202(3).
		In section 257(1), the definition of " chief officer of police ".
1964 c. 48.	The Police Act 1964.	In section 45, in subsection (4), the words " or under section 11 or 11A of the Police (Scotland) Act 1956", and subsection (5).
		Section 59.
		In section 65(5), the words " section 59 and Schedule 7 ".
		Schedule 7.
1966 c. 52.	The Police (Scotland) Act 1966.	The whole Act.
1967 c. 76.	The Road Traffic Regulation Act 1967.	Section 52(9).
		In section 104(1), the definition of " chief officer of police ".

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PART II

ENACTMENTS WHICH ARE SPENT OR SUPERSEDED

Chapter	Short Title	Extent of Repeal
34 & 35 Vict. c. 96.	The Pedlars Act 1871.	In section 3, the definition of " police district". In Schedule 1, the definition of " police district".
34 & 35 Vict. c. 112.	The Prevention of Crimes Act 1871.	In section 20, the definition of " police district".
38 & 39 Vict. c. 17.	The Explosives Act 1875.	In section 107, the definition of " police district ".
46 & 47 Vict. c. 34.	The Cheap Trains Act 1883.	In section 8, the definition of " police authority ".
6 Edw. 7. c. 32.	The Dogs Act 1906.	In section 3(10), the definition of " police area ".
9 Edw. 7.c. 30.	The Cinematograph Act 1909.	In section 2(6), the definition of " police area ".
4 & 5 Geo. 5. c. 34.	The Police Reservists (Allowances) Act 1914.	Section 1(4). In section 1(5), the definition of " police authority ".
11 & 12 Geo. 5. c. 31.	The Police Pensions Act 1921.	In section 2, the words from " and of " to the end. In section 30, the definitions of " police area " and " police authority ".
1 Edw. 8 & 1 Geo. 6. c. 12.	The Firearms Act 1937.	In Schedule 3, the definitions of " police area " and " police authority ".
1 Edw. 8 & 1 Geo. 6. c. 37.	The Children and Young Persons (Scotland) Act 1937.	In section 32(1), in the definition of " area " the words from " as defined " to the end
2 & 3 Geo. 6. c. 44.	The House to House Collections Act 1939	In section 110(1), the definition " police authority ".
2 & 3 Geo. 6. c. 103.	The Police and Firemen (War Service) Act 1939.	In section 11(1), the definitions of " police area " and " police authority ".
		In section 14, in the definition of " appropriate authority " the words " within

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Chapter	Short Title	Extent of Repeal
10 & 11 Geo. 6. c. 41.	The Fire Services Act 1947.	the meaning of the Police Pensions Act 1921 ". In section 38(1), the definitions of " police area " and " police authority ".
12, 13 & 14 Geo. 6. c. 68.	The Representation of the People Act 1949.	In section 87(3), the words " and to a police area " in both places where they occur.
14 Geo. 6. c. 36.	The Diseases of Animals Act 1950.	In section 86(2), the definition of " police area ".
14 & 15 Geo. 6. c. 65.	The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951.	In section 23(1), in the definition of " relevant police authority " the words from " maintained " to " other police force " and the words " (within the meaning of the Police Pensions Act 1921) ". In section 24(g), the words " and to an authority responsible under a scheme for the maintenance of a police force" and the words from " and to a joint police committee " to the end. In Schedule 2, in Part I, in paragraph 4, in column 2, the words from the beginning to " any other police force" and the words " (within the meaning of the Police Pensions Act 1921)"
4 & 5 Eliz. 2. c. 26.	The Police (Scotland) Act 1956.	Section 37.