



# Police Act 1996

## 1996 CHAPTER 16

### PART V

#### MISCELLANEOUS AND GENERAL

##### *Offences*

#### **89 Assaults on constables.**

- (1) Any person who assaults a constable in the execution of his duty, or a person assisting a constable in the execution of his duty, shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both.
- (2) Any person who resists or wilfully obstructs a constable in the execution of his duty, or a person assisting a constable in the execution of his duty, shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding one month or to a fine not exceeding level 3 on the standard scale, or to both.
- (3) This section also applies to a constable who is a member of a police force maintained in Scotland or Northern Ireland when he is executing a warrant, or otherwise acting in England or Wales, by virtue of any enactment conferring powers on him in England and Wales.
- [<sup>F1</sup>(4) In this section references to a person assisting a constable in the execution of his duty include references to any person who is neither a constable nor in the company of a constable but who—
  - (a) is a member of an international joint investigation team that is led by a member of a police force <sup>F2</sup>...; and
  - (b) is carrying out his functions as a member of that team.
- (5) In this section “international joint investigation team” means any investigation team formed in accordance with—

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- (a) any framework decision on joint investigation teams adopted under Article 34 of the Treaty on European Union;
  - (b) the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union, and the Protocol to that Convention, established in accordance with that Article of that Treaty; or
  - (c) any international agreement to which the United Kingdom is a party and which is specified for the purposes of this section in an order made by the Secretary of State.
- (6) A statutory instrument containing an order under subsection (5) shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

#### Textual Amendments

- F1** S. 89(4)-(6) inserted (1.10.2002) by [Police Reform Act 2002 \(c. 30\)](#), **ss. 104(1)**, 108(2)-(5); S.I. 2002/2306, **art. 2(f)(xiii)**
- F2** Words in s. 89(4)(a) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), Sch. 4 para. 81, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)

#### Modifications etc. (not altering text)

- C1** S. 89 modified (26.4.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\)](#), **ss. 84(1)**, 94(1); S.I. 2004/786, art. 3(1)(2)
- C2** S. 89(1)(2) applied (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), **s. 68(1)(3)**; S.I. 2004/1572, art. 3(yy)
- C3** S. 89(1)(2) modified (1.4.2005) by [Energy Act 2004 \(c. 20\)](#), **ss. 68(1)**, 198(2); S.I. 2005/877, art. 2(1), Sch. 1

## 90 Impersonation, etc.

- (1) Any person who with intent to deceive impersonates a member of a police force or special constable, or makes any statement or does any act calculated falsely to suggest that he is such a member or constable, shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both.
- (2) Any person who, not being a constable, wears any article of police uniform in circumstances where it gives him an appearance so nearly resembling that of a member of a police force as to be calculated to deceive shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) Any person who, not being a member of a police force or special constable, has in his possession any article of police uniform shall, unless he proves that he obtained possession of that article lawfully and has possession of it for a lawful purpose, be guilty of an offence and liable on summary conviction to a fine not exceeding level 1 on the standard scale.
- (4) In this section—
- (a) “article of police uniform” means any article of uniform or any distinctive badge or mark or document of identification usually issued to members of police forces or special constables, or anything having the appearance of such an article, badge, mark or document,

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- [<sup>F3</sup>(ab) “member of a police force” includes a member of the staff of the National Policing Improvement Agency who is a constable, and]
- (b) “special constable” means a special constable appointed for a police area.

#### Textual Amendments

- F3** S. 90(4)(ab) substituted for s. 90(4)(aa) (1.4.2007) by virtue of [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 1 para. 70](#); [S.I. 2007/709](#), art. 3(a) (with art. 6)

#### Modifications etc. (not altering text)

- C4** S. 90 applied (with modifications) (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), s. 68(2)(3); [S.I. 2004/1572](#), art. 3(yy)
- C5** S. 90 modified (1.4.2005) by [Energy Act 2004 \(c. 20\)](#), ss. 68(2), 198(2); [S.I. 2005/877](#), art. 2(1), Sch. 1

## 91 Causing disaffection.

- (1) Any person who causes, or attempts to cause, or does any act calculated to cause, disaffection amongst the members of any police force, or induces or attempts to induce, or does any act calculated to induce, any member of a police force to withhold his services, shall be guilty of an offence and liable—

- (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.

[<sup>F4</sup>(2) This section applies in the case of—

- (a) special constables appointed for a police area,

[<sup>F5</sup>(aa) members of the staff of the National Policing Improvement Agency who are constables,]

- (b) members of the Civil Nuclear Constabulary, and

- (c) members of the British Transport Police Force,

as it applies in the case of members of a police force.]

[<sup>F6</sup>(3) Liability under subsection (1) for any behaviour is in addition to any civil liability for that behaviour.]

#### Textual Amendments

- F4** S. 91(2) substituted (1.4.2005) by [Energy Act 2004 \(c. 20\)](#), ss. 68(3), 198(2); [S.I. 2005/877](#), art. 2(1), Sch. 1
- F5** S. 91(2)(aa) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 1 para. 71](#); [S.I. 2007/709](#), art. 3(a) (with art. 6)
- F6** S. 91(3) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 14 para. 30](#); [S.I. 2007/709](#), art. 3(p) (with art. 6)

#### Modifications etc. (not altering text)

- C6** S. 91 amended (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), [Sch. 5 para. 4](#); [S.I. 2004/1572](#), art. 3(jjj)

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### *Miscellaneous financial provisions*

#### **92 Grants by local authorities.**

- (1) The council of a county, district, county borough [<sup>F7</sup>London borough, parish or community] may make grants to any police authority established under section 3 whose police area falls wholly or partly within the [<sup>F7</sup>council's area].
- (2) The council of a London borough, county, [<sup>F8</sup>district or parish] which falls wholly or partly within the metropolitan police district may make grants for police purposes to the [<sup>F9</sup>Metropolitan Police Authority].
- (3) Grants under this section may be made unconditionally or, with the agreement of the chief officer of police for the police area concerned, subject to conditions.
- (4) This section applies to the Council of the Isles of Scilly as it applies to a county council.

#### **Textual Amendments**

- F7** Words in s. 92(1) substituted (19.5.1997) by 1997 c. 29, s. 31(2); S.I. 1997/1097, art. 3(a)
- F8** Words in s. 92(2) substituted (19.5.1997) by 1997 c. 29, s. 31(2); S.I. 1997/1097, art. 3(a)
- F9** Words in s. 92(2) substituted (3.7.2000) by 1999 c. 29, s. 325, Sch. 27 para. 100 (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, Sch.

#### **93 Acceptance of gifts and loans.**

- (1) A police authority may, in connection with the discharge of any of its functions, accept gifts of money, and gifts or loans of other property, on such terms as appear to the authority to be appropriate.
- (2) The terms on which gifts or loans are accepted under subsection (1) may include terms providing for the commercial sponsorship of any activity of the police authority or of the police force maintained by it.

<sup>F10</sup>(3) .....

#### **Textual Amendments**

- F10** S. 93(3) repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 101, Sch. 34 Pt. VII (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, Sch.

#### **94 Financing of new police authorities.**

- (1) The Secretary of State may make grants to any police authority established under section 3 in respect of expenditure incurred (or to be incurred) by it at any time before the beginning of its first precepting year.
- (2) Without prejudice to any other powers to borrow, a police authority established under section 3 may borrow by way of temporary loan or overdraft from a bank or otherwise any sums which it may require for the purpose of meeting its expenditure before the beginning of its first precepting year.

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- (3) The sums borrowed by an authority under this section shall not exceed such amount as the Secretary of State may determine, and shall be repaid before the end of its first precepting year.
- (4) For the purposes of this section the “first precepting year” of a police authority is the financial year in which revenue is first received by it as a result of a precept issued by it under Part I of the <sup>M1</sup>Local Government Finance Act 1992.

**Marginal Citations**

**M1** 1992 c. 14.

**95** [<sup>F11</sup>The City of London police Fund.]

There shall be paid out of <sup>F12</sup> . . . the City of London police fund <sup>F13</sup> . . . any expenditure incurred under this Act in respect of—

- (a) any special constables appointed for <sup>F12</sup> . . . the City of London police area; and
- (b) any police cadets appointed in relation to <sup>F12</sup> . . . the City of London police force.

**Textual Amendments**

**F11** Sidenote to s. 95 substituted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 102(3)** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

**F12** Words in s. 95(a)(b) repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 102(2)(a)(c)(d), **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

**F13** Words in s. 95 repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 102(2)(b), **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

*Miscellaneous*

**96 Arrangements for obtaining the views of the community on policing.**

- (1) Arrangements shall be made for each police area for obtaining—
  - (a) the views of people in that area about matters concerning the policing of the area, and
  - (b) their co-operation with the police in preventing crime in that area.
- (2) Except as provided by [<sup>F14</sup>subsections (6)], arrangements for each police area shall be made by the police authority after consulting the chief constable [<sup>F15</sup>or, in the case of the metropolitan police district, the Commissioner of Police of the Metropolis,] as to the arrangements that would be appropriate.

<sup>F16</sup>(3) . . . . .

<sup>F16</sup>(4) . . . . .

<sup>F16</sup>(5) . . . . .

- (6) The Common Council of the City of London shall issue guidance to the Commissioner of Police for the City of London concerning arrangements for the City of London

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police area; and the Commissioner shall make arrangements under this section after taking account of that guidance.

- (7) A body or person whose duty it is to make arrangements under this section shall review the arrangements so made from time to time.
- (8) If it appears to the Secretary of State that arrangements for a police area are not adequate for the purposes set out in subsection (1), he may require the body or person whose duty it is to make arrangements for that area to submit a report to him concerning the arrangements.
- (9) After considering a report submitted under subsection (8), the Secretary of State may require the body or person who submitted it to review the arrangements and submit a further report to him concerning them.
- (10) A body or person whose duty it is to make arrangements shall be under the same duties to consult when reviewing arrangements as when making them.

#### Textual Amendments

- F14** Words in s. 96(2) substituted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 103(2)(a)** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**
- F15** Words in s. 96(2) inserted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 103(2)(b)** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**
- F16** S. 96(3)-(5) repealed (3.7.2000) by 1999 c. 26, ss. 325, 423, Sch. 27 para. 103(3), **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

#### [<sup>F17</sup>96A National and international functions of the metropolitan police.

- (1) The Secretary of State and the Metropolitan Police Authority may enter into agreements with respect to the level of performance to be achieved by the metropolitan police force in respect of any of its national or international functions.
- (2) If the Secretary of State is of the opinion that the metropolitan police force is not performing any or all of its national or international functions—
  - (a) to the standard specified in any agreement in force under subsection (1), or
  - (b) if no agreement is in force under that subsection in relation to the function or functions in question, to a standard which the Secretary of State considers to be satisfactory,
 he may direct the Metropolitan Police Authority to take such measures as may be specified in the direction.
- (3) The Metropolitan Police Authority shall comply with any directions given under subsection (2).
- (4) For the purposes of this section “national or international functions” means functions relating to—
  - (a) the protection of prominent persons or their residences,
  - (b) national security,
  - (c) counter-terrorism, or
  - (d) the provision of services for any other national or international purpose.]

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#### Textual Amendments

**F17** Ss. 96A, 96B inserted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 104** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

### [<sup>F18</sup>**96B National and international functions: application of requirements relating to reports etc.**

(1) In its application to the Metropolitan Police Authority, section 6 shall have effect as if the reference in subsection (1) to securing the maintenance of an efficient and effective police force for the metropolitan police district included a reference to securing that that force discharges its national or international functions efficiently and effectively.

(2) In its application to the Metropolitan Police Authority, [<sup>F19</sup>section 6ZB(1) shall have effect as if a reference] to the policing of the metropolitan police district included a reference to the discharge by the metropolitan police force of its national or international functions.

<sup>F20</sup>(3) .....

(4) In its application to the Metropolitan Police Authority, [<sup>F21</sup>section 6ZC(1)] shall have effect as if the reference to the policing of the metropolitan police district included a reference to the discharge by the metropolitan police force of its national or international functions.

(5) In their application to the metropolitan police force, sections 22 and 44 shall have effect as if references to policing the metropolitan police district included references to the discharge by the metropolitan police force of its national or international functions.

(6) Section 95(1) and (3) of the Greater London Authority Act 1999 (minimum budget for Metropolitan Police Authority) shall have effect as if the references to restoring or maintaining an efficient and effective police force for the metropolitan police district included references to securing that that force discharges its national or international functions efficiently and effectively.

(7) Subsection (4) of section 96A shall apply for the purposes of this section as it applies for the purposes of that section.]

#### Textual Amendments

**F18** Ss. 96A, 96B inserted (3.7.2000) by 1999 c. 26, s. 325, **Sch. 27 para. 104** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

**F19** Words in s. 96B(2) substituted (1.4.2008) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 2 para. 13(2)**; S.I. 2008/790, art. 2(b)

**F20** S. 96B(3) repealed (1.4.2008) by Police and Justice Act 2006 (c. 48), s. 53(1), Sch. 2 para. 13(3), **Sch. 15 Pt. 1(B)**; S.I. 2008/790, art. 2(b)

**F21** Words in s. 96B(4) substituted (1.4.2008) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 2 para. 13(4)**; S.I. 2008/790, art. 2(b)

### **97 Police officers engaged on service outside their force.**

(1) For the purposes of this section “relevant service” means—

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- (a) temporary service on which a person is engaged in accordance with arrangements made under section 26;
- [<sup>F22</sup>(aa) temporary service on which a person is engaged in accordance with arrangements made under paragraph 6(2) of Schedule 2 to the Police Reform Act 2002 (c. 30) ;]
- (b) temporary service under section 56 on which a person is engaged with the consent of the appropriate authority;
- (c) temporary service under the Crown in connection with the provision by the Secretary of State of—
- (i) such organisations and services as are described in section 57, or
- (ii) research or other services connected with the police,
- on which a person is engaged with the consent of the appropriate authority;
- <sup>F23</sup>(ca) .....
- <sup>F24</sup>(cb) .....
- <sup>F25</sup>(cc) .....
- <sup>F25</sup>(cd) .....
- <sup>F26</sup>[<sup>F27</sup>(ce)] .....
- [<sup>F28</sup>(cf) temporary service as a member of the staff of the Serious Organised Crime Agency on which a person is engaged with the consent of the appropriate authority;]
- [<sup>F29</sup>(cg) temporary service with the National Policing Improvement Agency on which a person is engaged with the consent of the appropriate authority;]
- [<sup>F30</sup>(ch) temporary service with the Scottish Police Services Authority on which a person is engaged with the consent of the appropriate authority;
- (ci) temporary service with the Scottish Police Services Authority on which a person is engaged with the consent of the appropriate authority;]
- (d) temporary service as an adviser to the Secretary of State on which a person is engaged with the consent of the appropriate authority;
- (e) service the expenses of which are payable under section 1(1) of the <sup>M2</sup>Police (Overseas Service) Act 1945, on which a person is engaged with the consent of the appropriate authority;
- [<sup>F31</sup>(ea) temporary service with the Police Ombudsman for Northern Ireland on which a person is engaged in accordance with arrangements made under paragraph 8 of Schedule 3 to the Police (Northern Ireland) Act 1998;]
- (f) service in the [<sup>F32</sup>Police Service of Northern Ireland], on which a person is engaged with the consent of the Secretary of State and the appropriate authority; <sup>F33</sup> . . .
- (g) service pursuant to an appointment under section 10 of the <sup>M3</sup>Overseas Development and Co-operation Act 1980, on which a person is engaged with the consent of the appropriate authority. [<sup>F34</sup>, or
- (h) service in connection with the provision by the Secretary of State of assistance under the International Development Act 2001 on which a person is engaged with the consent of the appropriate authority.]
- (2) In subsection (1) “appropriate authority”, in relation to a member of a police force, means the chief officer of police acting with the consent of the police authority, except that in relation to the chief officer of police it means the police authority.
- (3) Subject to subsections (4) to (8), a member of a police force engaged on relevant service shall be treated as if he were not a member of that force during that service; but,



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except where a pension, allowance or gratuity becomes payable to him out of money provided by Parliament by virtue of regulations made under the <sup>M4</sup>Police Pensions Act 1976—

- (a) he shall be entitled at the end of the period of relevant service to revert to his police force in the rank in which he was serving immediately before the period began, and
  - (b) he shall be treated as if he had been serving in that force during the period of relevant service for the purposes of any scale prescribed by or under regulations made under section 50 above fixing his rate of pay by reference to his length of service.
- (4) In the case of relevant service to which subsection (1)(e) refers, the reference in subsection (3) to regulations made under the Police Pensions Act 1976 shall be read as including a reference to regulations made under section 1 of the <sup>M5</sup>Police (Overseas Service) Act 1945.
- (5) A person may, when engaged on relevant service, be promoted in his police force as if he were serving in that force; and in any such case—
  - (a) the reference in paragraph (a) of subsection (3) to the rank in which he was serving immediately before the period of relevant service began shall be construed as a reference to the rank to which he is promoted, and
  - (b) for the purposes mentioned in paragraph (b) of that subsection he shall be treated as having served in that rank from the time of his promotion.
- (6) A member of a police force who—
  - (a) has completed a period of relevant service within [<sup>F35</sup>paragraph (a), (aa), (b), (c), <sup>F36</sup>... <sup>F37</sup>... (cf) [<sup>F38</sup>, (cg) ] [<sup>F39</sup>, (ch), (ci) ], (d), (g) or (h) of subsection (1)], or
  - (b) while engaged on relevant service within paragraph (e) of that subsection, is dismissed from that service by the disciplinary authority established by regulations made under section 1 of the Police (Overseas Service) Act 1945 or is required to resign as an alternative to dismissal, or
  - (c) while engaged on relevant service within paragraph [<sup>F40</sup>(ea) or] (f) of that subsection, is dismissed from that service or is required to resign as an alternative to dismissal,may be dealt with under regulations made in accordance with section 50(3) for anything done or omitted while he was engaged on that service as if that service had been service in his police force; and section 85 shall apply accordingly.
- (7) For the purposes of subsection (6) a certificate certifying that a person has been dismissed, or required to resign as an alternative to dismissal, shall be evidence of the fact so certified, if—
  - (a) in a case within paragraph (b) of that subsection, it is given by the disciplinary authority referred to in that paragraph, or
  - (b) in a case within paragraph (c) of that subsection, it is given by or on behalf of [<sup>F41</sup>the Police Ombudsman for Northern Ireland or (as the case may be)] the chief constable of the [<sup>F42</sup>Police Service of Northern Ireland], or such other person or authority as may be designated for the purposes of this subsection by order of the Secretary of State.
- (8) A member of a police force engaged on relevant service within [<sup>F43</sup>paragraph (aa), (b), (c), <sup>F44</sup>... <sup>F45</sup>... (cf) [<sup>F46</sup>, (cg) ] [<sup>F47</sup>, (ch), (ci) ] or (d) of subsection (1) —
  - (a) shall continue to be a constable, and

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- (b) shall be treated for the purposes of sections 30, 59, 60, 64 and 90 as if he were a member of his police force.
- (9) The Secretary of State shall be liable in respect of [<sup>F48</sup>any unlawful conduct of] a member of a police force engaged on relevant service within paragraph (b), (c) or (d) of subsection (1) in the performance or purported performance of his functions in like manner as a master is liable in respect of torts committed by his servants in the course of their employment, and shall in [<sup>F49</sup>, in the case of a tort,] be treated for all purposes as a joint tortfeasor.

### Textual Amendments

- F22** S. 97(1)(aa) inserted (1.4.2004) by Police Reform Act 2002 (c. 30), s. 108(2), **Sch. 7 para. 19(1)**; S.I. 2004/913, art. 2(e)
- F23** S. 97(1)(ca) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 82(2)(a)**, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F24** S. 97(1)(cb) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 82(2)(a)**, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F25** S. 97(1)(cc)(cd) repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(A)**; S.I. 2007/709, art. 3(q) (with art. 6); S.I. 2007/709, art. 3(q) (with art. 6)
- F26** S. 97(1)(ce) repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), Sch. 8 para. 155(2), **Sch. 14**; S.I. 2008/755, art. 2(1)(a)(d) (with arts. 3-14)
- F27** S. 97(1)(ce): s. 97(1)(cd) renumbered as s. 97(1)(ce) (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 82(2)(b)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F28** S. 97(1)(cf) inserted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 82(2)(c)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F29** S. 97(1)(cg) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 1 para. 72(2)**; S.I. 2007/709, art. 3(a) (with art. 6)
- F30** S. 97(1)(ch)(ci) inserted (1.4.2007) by The Police, Public Order and Criminal Justice (Scotland) Act 2006 (Consequential Provisions and Modifications) Order 2007 (S.I. 2007/1098), art. 1(3), **Sch. para. 3(3)(a)**
- F31** S. 97(1)(ea) inserted (9.2.1999 and 21.2.2003) by 1998 c. 32, s. 74(1), **Sch. 4 para. 20(3)**; S.R. 1999/48, **art. 3** (with art. 4); S.R. 2003/142, **art. 3**
- F32** Words in s. 97(1)(f) substituted (4.11.2001) by 2000 c. 32, s. 74, **Sch. 6 para. 12(3)**; S.R. 2001/396, art. 2, **Sch.**
- F33** Word in s. 97(1) repealed (17.6.2002) by International Development Act 2002 (c. 1), ss. 19, 20(2), **Sch. 4** (with Sch. 5 para. 5); S.I. 2002/1408, **art. 2**
- F34** S. 97(1)(h) and word inserted (17.6.2002) by International Development Act 2002 (c. 1), ss. 19, 20(2), **Sch. 3 para. 11(2)** (with Sch. 5 para. 5); S.I. 2002/1408, **art. 2**
- F35** Words in s. 97(6)(a) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 82(3)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F36** Words in s. 97(6)(a) repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(A)**; S.I. 2007/709, art. 3(q) (with art. 6)
- F37** Word in s. 97(6)(a) repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), Sch. 8 para. 155(3), **Sch. 14**; S.I. 2008/755, art. 2(1)(a)(d) (with arts. 3-14)
- F38** Word in s. 97(6)(a) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 1 para. 72(3)**; S.I. 2007/709, art. 3(a) (with art. 6)
- F39** Words in s. 97(6)(a) inserted (1.4.2007) by The Police, Public Order and Criminal Justice (Scotland) Act 2006 (Consequential Provisions and Modifications) Order 2007 (S.I. 2007/1098), art. 1(3), **Sch. para. 3(3)(b)**
- F40** Words in s. 97(6)(c) inserted (9.2.1999 and 21.2.2003) by 1998 c. 32, s. 74(1), **Sch. 4 para. 20(4)**; S.R. 1999/48, **art. 3** (with art. 4); S.R. 2003/142, **art. 3**

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- F41** Words in s. 97(7)(b) inserted (9.2.1999 and 21.2.2003) by 1998 c. 32, s. 74(1), **Sch. 4 para. 20(5)**; S.R. 1999/48, **art. 3** (with art. 4); S.R. 2003/142, **art. 3**
- F42** Words in s. 97(7)(b) substituted (4.11.2001) by 2000 c. 32, s. 74, **Sch. 6 para. 12(3)**; S.R. 2001/396, **art. 2, Sch.**
- F43** Words in s. 97(8) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 82(4)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F44** Words in s. 97(8) repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(A)**; S.I. 2007/709, art. 3(q) (with art. 6)
- F45** Word in s. 97(8) repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), Sch. 8 para. 155(4), **Sch. 14**; S.I. 2008/755, art. 2(1)(a)(d) (with arts. 3-14)
- F46** Word in s. 97(8) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 1 para. 72(3)**; S.I. 2007/709, art. 3(a) (with art. 6)
- F47** Words in s. 97(8) inserted (1.4.2007) by The Police, Public Order and Criminal Justice (Scotland) Act 2006 (Consequential Provisions and Modifications) Order 2007 (S.I. 2007/1098), art. 1(3), **Sch. para. 3(3)(b)**
- F48** Words in s. 97(9) substituted (1.10.2002) by Police Reform Act 2002 (c. 30), **ss. 102(1)(a)(2)(b), 108(2)-(5)**; S.I. 2002/2306, **art. 2(f)(xi)**
- F49** Words in s. 97(9) substituted (1.10.2002) by Police Reform Act 2002 (c. 30), **ss. 102(1)(b)(2)(b), 108(2)-(5)**; S.I. 2002/2306, **art. 2(f)(xi)**

**Modifications etc. (not altering text)**

- C7** S. 97(9) excluded by 1974 c. 37, s. 51A(2D)(2E)(c) (as inserted (7.4.2005) by Serious Organised Crime and Police Act 2005 (c. 15), **ss. 158(1), 178(1)(a)** (with s. 158(5)-(7)))

**Marginal Citations**

- M2** 9 & 10 Geo. 6 c. 17.
- M3** 1980 c. 63.
- M4** 1976 c. 35.
- M5** 9 & 10 Geo. 6 c. 17.

**98 Cross-border aid of one police force by another.**

- (1) The chief officer of police of a police force in England or Wales may, on the application of the chief officer of a police force in Scotland or the chief constable of the [<sup>F50</sup>Police Service of Northern Ireland], provide constables or other assistance for the purpose of enabling the Scottish force or the [<sup>F50</sup>Police Service of Northern Ireland] to meet any special demand on its resources.
- (2) The chief officer of a police force in Scotland may, on the application of the chief officer of police of a police force in England or Wales <sup>F51</sup>... the chief constable of the [<sup>F50</sup>Police Service of Northern Ireland]<sup>F52</sup>..., provide constables or other assistance for the purpose of enabling the English or Welsh force or the [<sup>F50</sup>Police Service of Northern Ireland]<sup>F52</sup>... to meet any special demand on its resources.
- (3) The chief constable of the [<sup>F50</sup>Police Service of Northern Ireland] may, on the application of the chief officer of police of a police force in England or Wales or the chief officer of a police force in Scotland <sup>F53</sup>..., provide constables or other assistance for the purpose of enabling the English or Welsh force or the Scottish force <sup>F53</sup>... to meet any special demand on its resources.

<sup>F54</sup>(3A) .....

- (4) If it appears to the Secretary of State—

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- (a) to be expedient in the interests of public safety or order that a police force<sup>F55</sup>...should be reinforced or should receive other assistance for the purpose of enabling it to meet any special demand on its resources, and
- (b) that satisfactory arrangements under subsection (1), [<sup>F56</sup>(2) or (3)] cannot be made, or cannot be made in time,

he may direct the chief officer of police of any police force in England or Wales, the chief officer of any police force in Scotland or the chief constable of the [<sup>F50</sup>Police Service of Northern Ireland]<sup>F55</sup>..., as the case may be, to provide such constables or other assistance for that purpose as may be specified in the direction.

- (5) While a constable is provided under this section for the assistance of another police force<sup>F57</sup>... he shall, notwithstanding any enactment,—
  - (a) be under the direction and control of the chief officer of police of that other force (or, where that other force is a police force in Scotland or the [<sup>F50</sup>Police Service of Northern Ireland]<sup>F57</sup>..., of its chief officer or the chief constable of the [Police Service of Northern Ireland]<sup>F58</sup>... respectively); and
  - (b) have in any place the like powers and privileges as a member of that other force has in that place as a constable.
- (6) The police authority maintaining a police force for which assistance is provided under this section shall pay to the police authority maintaining the force from which that assistance is provided such contribution as may be agreed upon between those authorities or, in the absence of any such agreement, as may be provided by any agreement subsisting at the time between all police authorities generally, or, in the absence of such general agreement, as may be determined by the Secretary of State.

<sup>F59</sup>(6A) .....

- (7) In the application of this section to Scotland, any expression used in this section and in the <sup>M6</sup>Police (Scotland) Act 1967 shall have the same meaning in this section as in that Act.

[<sup>F60</sup>(8) “Constable”, in relation to Northern Ireland, means a police officer within the meaning of the Police (Northern Ireland) Act 2000.]

#### Textual Amendments

- F50** Words in s. 98(1)-(5) substituted (4.11.2001) by 2000 c. 32, s. 74, **Sch. 6 para. 12(4)**; S.R. 2001/396, art. 2, **Sch.**
- F51** Word in s. 98(2) repealed (1.4.1998) by 1997 c. 50, s. 134(2), **Sch. 10**; S.I. 1998/354, art. 2(2)(ay)
- F52** Words in s. 98(2) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 83(2), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F53** Words in s. 98(3) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 83(2), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F54** S. 98(3A) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 83(3), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F55** Words in s. 98(4) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 83(4)(a), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F56** Words in s. 98(4) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 83(4)(b)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F57** Words in s. 98(5) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 83(5)(a), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)

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- F58** Words in s. 98(5) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 83(5)(b), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 1013(y)
- F59** S. 98(6A) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 83(6), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F60** S. 98(8) substituted (4.11.2001) for s. 98(8)(9) by 2000 c. 32, s. 74, **Sch. 6 para. 12(5)**; S.R. 2001/396, art. 2, **Sch.**

#### Marginal Citations

- M6** 1967 c. 77.

### 99 Jurisdiction of metropolitan police officers.

- (1) A member of the metropolitan police force who is assigned to the protection of any person or property in Scotland shall, in the discharge of that duty, have the powers and privileges of a constable of a police force maintained under the Police (Scotland) Act 1967.
- (2) A member of the metropolitan police force who is assigned to the protection of any person or property in Northern Ireland shall, in the discharge of that duty, have the powers and privileges of a constable of the Royal Ulster Constabulary.

#### Extent Information

- E1** S. 99(1) extends to S. only and s. 99(2) extends to N.I. only

### 100 Chief constables affected by police area alterations or local government reorganisations.

- (1) If the chief constable of a police force which ceases to exist in consequence of an order under section 32 above [<sup>F61</sup>or section 58 of the Local Government Act 1972] is not appointed chief constable or other member of the successor force as from the date of transfer, he shall on that date become a member of that force (or, if there is more than one successor force, of such of them as may be provided by or under the order) by virtue of this section.
- (2) While a person is a member of a police force by virtue only of this section he shall hold the rank of assistant chief constable but shall be treated for the purposes of his pay, pension and other conditions of service as if he had continued to be chief constable of the force which ceased to exist, subject however to section 10(1).
- (3) A chief constable who becomes a member of a police force by virtue of this section shall, subject to regulations under section 50, cease to be a member of that force at the end of three months unless he has then accepted and taken up an appointment in that force.
- (4) If a chief constable was appointed for a term which expires within three months of his becoming a member of a police force by virtue of this section, subsection (3) shall have effect as if the reference to three months were a reference to that term.
- (5) Where—
  - (a) the chief constable of a police force is engaged for a period of relevant service within paragraph (b), (c), (d) or (e) of section 97(1), and

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(b) before the end of that period that force ceases to exist as mentioned in subsection (1) above,

subsection (1) shall apply to the chief constable as if he were still the chief constable of that force, but with the substitution for references to the date of transfer of references to the end of the said period.

(6) In this section—

- (a) “successor force”, in relation to a police force which ceases to exist in consequence of an order, means a force to which members of that police force are transferred by virtue of the order; and
- (b) “date of transfer” means the date as from which those members are so transferred.

#### **Textual Amendments**

**F61** Words in s. 100(1) substituted (1.11.2007 for E.) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), s. 245\(5\), Sch. 1 para. 19\(3\)](#); S.I. 2007/3136, art. 2(b)

### *Supplemental*

#### **101 Interpretation.**

(1) Except where the context otherwise requires, in this Act—

<sup>F62</sup>“the Association of Chief Police Officers” means the Association of Chief Police Officers of England, Wales and Northern Ireland;]

<sup>F63</sup>[<sup>F64</sup>“British Transport Police Force” means the constables appointed under section 53 of the British Transport Commission Act 1949 (c. xxix);]

“chief officer of police” means—

- (a) in relation to a police force maintained under section 2, the chief constable,
- (b) in relation to the metropolitan police force, the Commissioner of Police of the Metropolis, and
- (c) in relation to the City of London police force, the Commissioner of Police for the City of London ;

“City of London police area” means the City of London as defined for the purposes of the Acts relating to the City of London police force;

“metropolitan police district” means that district as defined in section 76 of the <sup>M7</sup>London Government Act 1963;

“police area” means a police area provided for by section 1;

“police authority” means—

- (a) in relation to a police area listed in Schedule 1, the authority established under section 3,
- (b) in relation to the metropolitan police district, the [<sup>F65</sup>Metropolitan Police Authority], and
- (c) in relation to the City of London police area, the Common Council;

“police force” means a force maintained by a police authority;

“police fund” means—

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- (a) in relation to a force maintained under section 2 [<sup>F66</sup>or the metropolitan police force], the fund kept by that force’s police authority under section 14,
  - (b) <sup>F67</sup> .....
  - (c) in relation to the City of London police force, the fund out of which the expenses of that force are paid.
- (2) In this Act “police purposes”, in relation to a police area, includes the purposes of—
- (a) special constables appointed for that area,
  - (b) police cadets undergoing training with a view to becoming members of the police force maintained for that area, and
  - (c) civilians employed for the purposes of that force or of any such special constables or cadets.

**Extent Information**

**E2** S. 101 extends E.W. except s. 101(2) which extends G.B.

**Textual Amendments**

**F62** Words in s. 101(1) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 4 para. 8**; [S.I. 2007/709](#), art. 3(d) (with art. 6)

**F63** Definition in s. 101 ceases to have effect (1.7.2004) by virtue of [Railways and Transport Safety Act 2003 \(c. 20\)](#), **Sch. 5 para. 4**; [S.I. 2004/1572](#), art. 3(jjj)

**F64** S. 101(1): definition of “British Transport Police Force” inserted (14.12.2001) by [2001 c. 24](#), ss. 101, 127(2)(f), **Sch. 7 para. 27**

**F65** Words in definition of “police authority” in s. 101 substituted (3.7.2000) by [1999 c. 29](#), s. 312(2) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/1648](#), art. 2, **Sch.**

**F66** Words in definition of “police fund” in s. 101 inserted (3.7.2000) by [1999 c. 29](#), s. 312(3)(a) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/1648](#), art. 2, **Sch.**

**F67** Words in s. 101(1) repealed (3.7.2000) by [1999 c. 29](#), ss. 312(3)(b), 423, **Sch. 34 Pt. VII** (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/1648](#), art. 2, **Sch.**

**Modifications etc. (not altering text)**

**C8** S. 101 amended (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), **Sch. 5 para. 4**; [S.I. 2004/1572](#), art. 3(jjj)

**Marginal Citations**

**M7** [1963 c. 33](#).

**102 Orders, rules and regulations.**

Any power of the Secretary of State to make orders, rules or regulations under this Act shall be exercisable by statutory instrument.

**103 Consequential amendments, transitional provisions, repeals, etc.**

- (1) The enactments mentioned in Schedule 7 shall be amended as provided in that Schedule.
- (2) Schedule 8 (which contains transitional and transitory provisions, savings etc.) shall have effect.



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- (3) The enactments mentioned in Parts I and II of Schedule 9 are repealed, and the instruments mentioned in Part III of that Schedule are revoked, to the extent specified in the third column of the Schedule.

#### Extent Information

- E3** [S. 103](#) extends E.W. and insofar as it relates to Sch. 8 paras. 1-5, 7 and 11(1),(2) and(4) also to S. and insofar as it relates to Sch. 8 paras. 1-4 also to N.I.

### 104 Commencement.

- (1) Except as provided by subsection (2), this Act shall come into force at the end of the period of three months beginning with the day on which it is passed.
- (2) The following provisions of this Act—  
section 50(3),  
Part IV (including Schedules 5 and 6) other than section 88,  
paragraphs 43, 45 and 46 of Schedule 7,  
paragraph 12 of Schedule 8, and  
Part II of Schedule 9,  
shall come into force on such day as the Secretary of State may by order appoint.
- (3) An order under this section may appoint different days for different purposes or different areas.
- (4) The power to make orders under this section includes power to make such transitional provisions and savings as appear to the Secretary of State to be necessary or expedient.
- (5) Where an order under this section contains provisions made by virtue of subsection (4), the statutory instrument containing that order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### Subordinate Legislation Made

- P1** [S. 104](#) power partly exercised (3.3.1999): 1.4.1999 appointed for specified provisions by [S.I. 1999/533](#), [art. 2](#) (with [art. 3](#))

### 105 Extent.

- (1) Except as provided by subsections (2) to (5), this Act extends to England and Wales only.
- (2) The following provisions of this Act extend to Scotland (and in the case of section 99(1) to Scotland only)—  
section 21;  
[<sup>F68</sup>section 25(1A);]  
Part III;  
<sup>F69</sup> ...



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sections 98, 99(1), 101(2), 102 and 104 to 106 and paragraphs 1 to 5, 7 and 11(1), (2) and (4) of Schedule 8 (and section 103 so far as it relates to those paragraphs).

(3) The following provisions of this Act extend to Northern Ireland (and in the case of section 99(2) to Northern Ireland only)—

sections 61 and 62;

sections 98, 99(2), 102 and 104 to 106 and paragraphs 1 to 4 of Schedule 8 (and section 103 so far as it relates to those paragraphs).

(4) Subject to subsection (5), the amendments in Schedule 7 and the repeals and revocations in Schedule 9 have the same extent as the enactments to which they refer and section 103 extends accordingly.

(5) Paragraphs 2 to 6 of Schedule 7 extend to England, Wales and Scotland only.

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**Textual Amendments**

**F68** Words in s. 105(2) inserted (14.12.2001) by [2001 c. 24, ss. 101, 127\(2\)\(f\)](#), [Sch. 7 para. 28](#)

**F69** Words in s. 105(2) repealed (1.4.2004) by [Police Reform Act 2002 \(c. 30\), s. 108\(2\)](#), [Sch. 8](#); [S.I. 2004/913, art. 2\(f\)\(iv\)](#)

**106 Short title.**

This Act may be cited as the Police Act 1996.

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Police Act 1996, Part V.