



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 [^{F1}the Police Service of 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.
- [^{F2}(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 ^{F3}...; 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—
 - ^{F4}(a)

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- F4(b)
- (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** Words in s. 89(3) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 25(3)**
- F2** 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)**
- F3** Words in s. 89(4)(a) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), Sch. 4 para. 81, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch.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)
- F4** S. 89(5)(a)(b) and word omitted (31.12.2020) by virtue of [The Law Enforcement and Security \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/742\)](#), regs. 1, **67(3)** (with regs. 2(3), 10, 72) (as amended by S.I. 2020/1408, regs. 1, 8, 19); 2020 c. 1, Sch. 5 para. 1(1)

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 modified (31.7.2017) by [The Criminal Justice \(European Investigation Order\) Regulations 2017 \(S.I. 2017/730\)](#), regs. 1(1), **34(3)(b)** (with regs. 3, 34(1))
- C3** 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)
- C4** 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

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police forces or special constables, or anything having the appearance of such an article, badge, mark or document,

^{F5}(ab)

(b) “special constable” means a special constable appointed for a police area.

Textual Amendments

F5 S. 90(4)(ab) omitted (7.10.2013) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 8 para. 46](#); S.I. 2013/1682, art. 3(v)

Modifications etc. (not altering text)

C5 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)

C6 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.

[^{F6}(2) This section applies in the case of—

- (a) special constables appointed for a police area,
 - ^{F7}(aa)
 - (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.]

[^{F8}(3) Liability under subsection (1) for any behaviour is in addition to any civil liability for that behaviour.]

Textual Amendments

F6 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

F7 S. 91(2)(aa) omitted (7.10.2013) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 8 para. 47](#); S.I. 2013/1682, art. 3(v)

F8 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)

C7 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 [^{F9}London borough, parish or community] may make grants to any [^{F10}police and crime commissioner] whose police area falls wholly or partly within the [^{F9}council's area].
- (2) The council of a London borough, county, [^{F11}district or parish] which falls wholly or partly within the metropolitan police district may make grants ^{F12}... to the [^{F13}Mayor's Office for Policing and Crime].
- (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

- F9** Words in s. 92(1) substituted (19.5.1997) by 1997 c. 29, s. 31(2); S.I. 1997/1097, art. 3(a)
- F10** Words in s. 92(1) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), ss. 25(4)(a), 157(1); S.I. 2012/2892, art. 2(a)
- F11** Words in s. 92(2) substituted (19.5.1997) by 1997 c. 29, s. 31(2); S.I. 1997/1097, art. 3(a)
- F12** Words in s. 92(2) omitted (13.5.2014) by virtue of Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), ss. 142(2)(b), 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 12
- F13** Words in s. 92(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), ss. 25(4)(b), 157(1); S.I. 2011/3019, art. 3, Sch. 1

Modifications etc. (not altering text)

- C8** S. 92(1) applied (with modifications) (8.5.2017) by The Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017 (S.I. 2017/470), art. 1(2), Sch. 1 para. 10(6)

93 Acceptance of gifts and loans.

- (1) A [^{F14}local policing body] 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 [^{F15}the body] 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 [^{F16}local policing body] or of the police force maintained by it.

^{F17}(3)

Textual Amendments

- F14** Words in s. 93(1) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), ss. 25(5)(a), 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F15** Words in s. 93(1) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), Sch. 16 para. 43; S.I. 2011/3019, art. 3, Sch. 1
- F16** Words in s. 93(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), ss. 25(5)(b), 157(1); S.I. 2011/3019, art. 3, Sch. 1

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F17 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 ^{F18}police and crime commissioners].

- (1) The Secretary of State may make grants to any ^{F19}police and crime commissioner] in respect of expenditure incurred (or to be incurred) by ^{F20}the commissioner] at any time before the beginning of its first precepting year.
- (2) Without prejudice to any other powers to borrow, a ^{F21}police and crime commissioner] may borrow by way of temporary loan or overdraft from a bank or otherwise any sums which ^{F22}the commissioner] may require for the purpose of meeting ^{F23}the commissioner's] expenditure before the beginning of ^{F23}the commissioner's] first precepting year.
- (3) The sums borrowed by ^{F24}a commissioner] under this section shall not exceed such amount as the Secretary of State may determine, and shall be repaid before the end of ^{F25}the commissioner's] first precepting year.
- (4) For the purposes of this section the “first precepting year” of ^{F26}a police and crime commissioner] is the financial year in which revenue is first received by ^{F27}the commissioner] as a result of a precept issued by ^{F27}the commissioner] under Part I of the ^{M1}Local Government Finance Act 1992.

Textual Amendments

- F18** Words in s. 94 title substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 25(7)**, 157(1); S.I. 2012/2892, art. 2(a)
- F19** Words in s. 94(1) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 25(8)(a)**, 157(1); S.I. 2012/2892, art. 2(a)
- F20** Words in s. 94(1) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 25(8)(b)**, 157(1); S.I. 2012/2892, art. 2(a)
- F21** Words in s. 94(2) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 25(9)(a)**, 157(1); S.I. 2012/2892, art. 2(a)
- F22** Words in s. 94(2) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 25(9)(b)**, 157(1); S.I. 2012/2892, art. 2(a)
- F23** Words in s. 94(2) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 25(9)(c)**, 157(1); S.I. 2012/2892, art. 2(a)
- F24** Words in s. 94(3) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 25(10)(a)**, 157(1); S.I. 2012/2892, art. 2(a)
- F25** Words in s. 94(3) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 25(10)(b)**, 157(1); S.I. 2012/2892, art. 2(a)
- F26** Words in s. 94(4) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 25(11)(a)**, 157(1); S.I. 2012/2892, art. 2(a)
- F27** Words in s. 94(4) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 25(11)(b)**, 157(1); S.I. 2012/2892, art. 2(a)

Modifications etc. (not altering text)

- C9** S. 94 excluded (8.5.2017) by The Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017 (S.I. 2017/470), art. 1(2), **Sch. 2 para. 17**

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Marginal Citations

M1 1992 c. 14.

95 [F28 The City of London police Fund.]

There shall be paid out of ^{F29} . . . the City of London police fund ^{F30} . . . any expenditure incurred under this Act in respect of—

- (a) any special constables appointed for ^{F29} . . . the City of London police area; and
- (b) any police cadets appointed in relation to ^{F29} . . . the City of London police force.

Textual Amendments

- F28** 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.**
- F29** 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.**
- F30** 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.**

[F31 95A Charging of fees by College of Policing

- (1) The College of Policing may charge fees for providing services of a public nature only if—
 - (a) the services are of a specified description and are provided with a view to promoting the efficiency, effectiveness or professionalism of the police, and
 - (b) the fees are of a specified amount or are determined in a specified manner.
- (2) In this section “specified” means specified in an order made by the Secretary of State.
- (3) A statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F31** S. 95A inserted (13.5.2014) by **Anti-social Behaviour, Crime and Policing Act 2014 (c. 12)**, ss. 127, 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 10

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 [F32 and anti-social behaviour] in that area. [F33;

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and for obtaining the views of victims of crime in that area about matters concerning the policing of the area.]

[^{F34}(1A) Those arrangements must include, in the case of—

- (a) a police area listed in Schedule 1, or
- (b) the metropolitan police district,

arrangements for obtaining, before a police and crime plan is issued under section 5 or 6 of the Police Reform and Social Responsibility Act 2011, the views of the people in that police area, and the views of the victims of crime in that area, on that plan.

(1B) Those arrangements must include, in the case of a police area listed in Schedule 1, arrangements for obtaining, before the first precept for a financial year is issued by the police and crime commissioner under section 40 of the Local Government Finance Act 1992, the views of—

- (a) the people in that police area, and
- (b) the relevant ratepayers' representatives,

on the proposals of the police and crime commissioner for expenditure (including capital expenditure) in that financial year.

(1C) Those arrangements must include, in the case of the metropolitan police district, arrangements for obtaining, before the first calculations in relation to the Mayor's Office for Policing and Crime are made for a financial year under section 85 of the Greater London Authority Act 1999, the views of—

- (a) the people in the metropolitan police district, and
- (b) the relevant ratepayers' representatives,

on the proposals of the Mayor's Office for Policing and Crime for expenditure (including capital expenditure) in that financial year.]

[^{F35}(2) Arrangements under this section are to be made by the local policing body for the police area, after consulting the chief officer of police for that area.]

^{F36}(3)

^{F36}(4)

^{F36}(5)

[^{F37}(5A) In subsections (1B) and (1C) “relevant ratepayers' representatives”, in relation to a police area listed in Schedule 1, or the metropolitan police district, means the persons or bodies who appear to the elected local policing body for that area or district to be representative of persons subject to non-domestic rates under sections 43 and 45 of the Local Government Finance Act 1988 as regards hereditaments situated in that area or district.

(5B) In determining which persons or bodies are relevant ratepayers' representatives, an elected local policing body must have regard to any guidance given by the Secretary of State.]

^{F38}(6)

^{F38}(7)

^{F38}(8)

^{F38}(9)

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^{F38}(10)

Textual Amendments

- F32** Words in s. 96(1)(b) inserted (15.3.2010) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 2 para. 30(2)**; S.I. 2010/414, art. 2(b)
- F33** Words in s. 96(1) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 14(2)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)
- F34** S. 96(1A)-(1C) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 14(3)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)
- F35** S. 96(2) substituted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 14(4)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)
- F36** 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.**
- F37** S. 96(5A)(5B) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 14(5)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)
- F38** S. 96(6)-(10) omitted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 14(6)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)

Modifications etc. (not altering text)

- C10** S. 96(1) applied (with modifications) (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by 2004 c. 21, **Sch. A2 para. 2** (as inserted by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), **Sch. 1 para. 13**; S.I. 2017/399, reg. 2, **Sch. para. 38**)
- C11** S. 96(1B) applied (with modifications) (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by 2004 c. 21, **Sch. A2 para. 2** (as inserted by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), **Sch. 1 para. 13**; S.I. 2017/399, reg. 2, **Sch. para. 38**)
- C12** S. 96(1B) applied (with modifications) (8.5.2017) by [The Greater Manchester Combined Authority \(Transfer of Police and Crime Commissioner Functions to the Mayor\) Order 2017 \(S.I. 2017/470\)](#), art. 1(2), **Sch. 1 para. 10(7)**
- C13** S. 96(2) applied (with modifications) (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by 2004 c. 21, **Sch. A2 para. 2** (as inserted by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), **Sch. 1 para. 13**; S.I. 2017/399, reg. 2, **Sch. para. 38**)
- C14** S. 96(5A)(5B) applied (with modifications) (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by 2004 c. 21, **Sch. A2 para. 2** (as inserted by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), **Sch. 1 para. 13**; S.I. 2017/399, reg. 2, **Sch. para. 38**)

^{F39}96A National and international functions of the metropolitan police [^{F40} force and other police forces].

^{F41}(1) The Secretary of State and the Mayor's Office for Policing and Crime 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.

(1A) The Secretary of State and the police and crime commissioner that maintains a police force may enter into agreements with respect to the level of performance to be achieved by the police force in respect of any of its national or international functions.

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- (1B) The Secretary of State and the Common Council may enter into agreements with respect to the level of performance to be achieved by the City of London police force in respect of any of its national or international functions.]
- (2) If the Secretary of State is of the opinion that [^{F42}a 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 [^{F43}local policing body] to take such measures as may be specified in the direction.
- (3) [^{F44}A local policing body] shall comply with any directions given under subsection (2).
- ^{F45}(4)]

Textual Amendments

- F39** 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.**
- F40** Words in s. 96A title inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(2)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F41** Ss. 96A(1)-(1B) substituted for s. 96A(1) (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(3)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 5)
- F42** Words in s. 96A(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(4)(a)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F43** Words in s. 96A(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(4)(b)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F44** Words in s. 96A(3) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(5)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F45** S. 96A(4) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(6)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1

Modifications etc. (not altering text)

- C15** S. 96A(2): power to apply conferred (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by 2009 c. 20, **Sch. 5C para. 11(1)(e)** (as inserted by Cities and Local Government Devolution Act 2016 (c. 1), s. 25(2), **Sch. 2**)

^{F46}**96B National and international functions: application of requirements relating to reports etc.**

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Textual Amendments

- F46** S. 96B omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(7)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1

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97 Police officers engaged on service outside their force.

- (1) For the purposes of this section “relevant service” means—
- (a) temporary service on which a person is engaged in accordance with arrangements made under section 26;
 - [^{F47}(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;
 - ^{F48}(ca)
 - ^{F49}(cb)
 - ^{F50}(cc)
 - ^{F50}(cd)
 - ^{F51}(ce)
 - ^{F52}(cf)
 - ^{F53}(cg)
 - [^{F54}(ch) temporary service with the [^{F55}Disclosure and Barring Service] on which a person is engaged with the consent of the appropriate authority;]
 - ^{F56}(ch)
 - ^{F56}(ci)
 - [^{F57}(cj) temporary service as a National Crime Agency officer 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 ^{M2}Police (Overseas Service) Act 1945, on which a person is engaged with the consent of the appropriate authority;
 - [^{F58}(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 [^{F59}Police Service of Northern Ireland], on which a person is engaged with the consent of the Secretary of State and the appropriate authority; ^{F60} . . .
 - (g) service pursuant to an appointment under section 10 of the ^{M3}Overseas Development and Co-operation Act 1980, on which a person is engaged with the consent of the appropriate authority [^{F61}, 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.]
 - [^{F62}(i) temporary service with ^{F63}... the College of Policing on which a person is engaged with the consent of the appropriate authority;]

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- (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 ^{F64}local policing body], except that in relation to the chief officer of police it means the ^{F64}local policing body].
- (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, except where a pension, allowance or gratuity becomes payable to him out of money provided by Parliament by virtue of regulations made under the ^{M4}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 ^{M5}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 ^{F65}paragraph (a), (aa), (b), (c), ^{F66}... ^{F67}... ^{F68}... ^{F69}, (ch) ^{F70}, (ch), (ci) ^{F71}, (cj)], (d), (g) ^{F72}, (h) or (i),] 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 ^{F73}(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 ^{F74}the Police Ombudsman for Northern Ireland or (as the case may be)] the

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chief constable of the [^{F75}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 [^{F76}paragraph (aa), (b), (c), ^{F77}... ^{F78}... ^{F79}... [^{F80}, (ch)] [^{F81}, (ch), (ci)] [^{F82}, (d) or (i)] of subsection (1) —
- (a) shall continue to be a constable, and
 - (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 [^{F83}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 [^{F84}, in the case of a tort,] be treated for all purposes as a joint tortfeasor.

[^{F85}(8A) A person who is member of a police force engaged on relevant service within paragraph (cj) of subsection (1) shall be treated for the purposes of sections 59, 60 and 64 as if the person were a member of that police force.]

Textual Amendments

- F47** 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)
- F48** 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)
- F49** 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)
- F50** 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)
- F51** 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)
- F52** S. 97(1)(cf) omitted (7.10.2013) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 8 para. 48(2)(a)(i)**; S.I. 2013/1682, art. 3(v)
- F53** S. 97(1)(cg) omitted (7.10.2013) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 8 para. 48(2)(a)(ii)**; S.I. 2013/1682, art. 3(v)
- F54** S. 97(1)(ch) inserted (12.10.2009) by Safeguarding Vulnerable Groups Act 2006 (c. 47), s. 65, **Sch. 9 para. 13(2)** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2009/2611, art. 2, Sch.
- F55** Words in s. 97(1) substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **13(1)(2)(b)** (with Pt. 4)
- F56** S. 97(1)(ch)(ci) omitted (1.4.2013) by virtue of The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(4)**
- F57** S. 97(1)(cj) inserted (7.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 8 para. 48(2)(b)**; S.I. 2013/1682, art. 3(v)
- F58** 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**
- F59** 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.**
- F60** 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**
- F61** 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**

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Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Part V. (See end of Document for details)

- F62** S. 97(1)(i) inserted (21.12.2012) by The Police (Descriptions of Service) Order 2012 (S.I. 2012/2954), arts. 1(2), **3(2)**
- F63** Words in s. 97(1)(i) omitted (13.5.2014) by virtue of Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 88** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 23(f)
- F64** Words in s. 97(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 44**; S.I. 2011/3019, art. 3, Sch. 1
- F65** 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
- F66** 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)
- F67** 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)
- F68** Words in s. 97(6)(a) omitted (7.10.2013) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 8 para. 48(3)(a)**; S.I. 2013/1682, art. 3(v)
- F69** Words in s. 97(6)(a) inserted (12.10.2009) by Safeguarding Vulnerable Groups Act 2006 (c. 47), s. 65, **Sch. 9 para. 13(3)** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2009/2611, art. 2, Sch.
- F70** 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)**
- F71** Words in s. 97(6)(a) inserted (7.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 8 para. 48(3)(b)**; S.I. 2013/1682, art. 3(v)
- F72** Words in s. 97(6)(a) substituted (21.12.2012) by The Police (Descriptions of Service) Order 2012 (S.I. 2012/2954), arts. 1(2), **3(3)**
- F73** 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**
- F74** 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**
- F75** 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.**
- F76** 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
- F77** 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)
- F78** 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)
- F79** Words in s. 97(8) omitted (7.10.2013) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 8 para. 48(4)**; S.I. 2013/1682, art. 3(v)
- F80** Words in s. 97(8) inserted (12.10.2009) by Safeguarding Vulnerable Groups Act 2006 (c. 47), s. 65, **Sch. 9 para. 13(3)** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2009/2611, art. 2, Sch.
- F81** 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)**
- F82** Words in s. 97(8) substituted (21.12.2012) by The Police (Descriptions of Service) Order 2012 (S.I. 2012/2954), arts. 1(2), **3(4)**
- F83** 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)**
- F84** 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)**
- F85** S. 97(8A) inserted (7.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 8 para. 48(5)**; S.I. 2013/1682, art. 3(v)

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Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Part V. (See end of Document for details)

Modifications etc. (not altering text)

- C16** S. 97 applied (with modifications) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 3 para. 5**
- C17** 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.

[^{F86}97A Power to amend section 97

- (1) The Secretary of State may by order amend the definition of “relevant service” in section 97(1).
- (2) An order under this section may make transitional, consequential, incidental and supplemental provision or savings.
- (3) The provision that may be made under subsection (2) includes provision amending any enactment.
- (4) A statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F86** S. 97A inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 10(1)**, 116(1); S.I. 2010/125, art. 2(a)

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 [^{F87}the chief constable of the Police Service of Scotland] or the chief constable of the [^{F88}Police Service of Northern Ireland], provide constables or other assistance for the purpose of enabling the Scottish force or the [^{F88}Police Service of Northern Ireland] to meet any special demand on its resources.
- (2) [^{F89}The chief constable of the Police Service of Scotland] may, on the application of the chief officer of police of a police force in England or Wales ^{F90} ... the chief constable of the [^{F88}Police Service of Northern Ireland]^{F91} ..., provide constables or other assistance for the purpose of enabling the English or Welsh force or the [^{F88}Police Service of Northern Ireland]^{F91} ... to meet any special demand on its resources.
- (3) The chief constable of the [^{F88}Police Service of Northern Ireland] may, on the application of the chief officer of police of a police force in England or Wales or [^{F92}the chief constable of the Police Service of Scotland]^{F93} ..., provide constables or other assistance for the purpose of enabling the English or Welsh force or the Scottish force ^{F93} ... to meet any special demand on its resources.

^{F94}(3A)

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- (4) If it appears to the Secretary of State—
- (a) to be expedient in the interests of public safety or order that a police force^{F95} ...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), [^{F96}(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, [^{F97}the chief constable of the Police Service of Scotland] or the chief constable of the [^{F88}Police Service of Northern Ireland]^{F95} ..., 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^{F98} ... 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 [^{F99}the Police Service of Scotland] or the [^{F88}Police Service of Northern Ireland]^{F98} ..., of [^{F100}the chief constable of that Service]^{F101} ...); 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 [^{F102}local policing body] maintaining a police force for which assistance is provided under this section shall pay to the [^{F102}local policing body] maintaining the force from which that assistance is provided such contribution as may be agreed upon between [^{F103}those bodies] or, in the absence of any such agreement, as may be provided by any agreement subsisting at the time between all [^{F104}local policing bodies] generally, or, in the absence of such general agreement, as may be determined by the Secretary of State.
- ^{F105}(6A)
- ^{F106}(6B) In this section “local policing body” includes—
- (a) [^{F107}the Scottish Police Authority], and
 - (b) the Northern Ireland Policing Board.]
- (7) In the application of this section to Scotland, any expression used in this section and in the [^{F108}Police and Fire Reform (Scotland) Act 2012] shall have the same meaning in this section as in that Act.
- ^{F109}(8) “Constable”, in relation to Northern Ireland, means a police officer within the meaning of the Police (Northern Ireland) Act 2000.]

Textual Amendments

- F87** Words in s. 98(1) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 25(5)**
(a)
- F88** 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.**
- F89** Words in s. 98(2) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 25(5)**
(b)
- F90** 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)**

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Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Part V. (See end of Document for details)

- F91** 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)
- F92** Words in s. 98(3) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(c)**
- F93** 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)
- F94** 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)
- F95** 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)
- F96** 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
- F97** Words in s. 98(4) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(d)**
- F98** 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)
- F99** Words in s. 98(5)(a) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(e)(i)**
- F100** Words in s. 98(5)(a) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(e)(ii)**
- F101** Words in s. 98(5)(a) omitted (1.4.2013) by virtue of The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(e)(iii)**
- F102** Words in s. 98(6) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 45(2)(a)**; S.I. 2011/3019, art. 3, Sch. 1
- F103** Words in s. 98(6) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 45(2)(b)**; S.I. 2011/3019, art. 3, Sch. 1
- F104** Words in s. 98(6) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 45(2)(c)**; S.I. 2011/3019, art. 3, Sch. 1
- F105** 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)
- F106** S. 98(6B) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 45(3)**; S.I. 2011/3019, art. 3, Sch. 1
- F107** Words in s. 98(6B) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(f)**
- F108** Words in s. 98(7) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(g)**
- F109** 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.**

Modifications etc. (not altering text)

- C18** S. 98(6): power to apply conferred (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by 2009 c. 20, **Sch. 5C para. 11(1)(a)** (as inserted (E.W.) by Cities and Local Government Devolution Act 2016 (c. 1), s. 25(2), **Sch. 2**)

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Part V. (See end of Document for details)

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 [^{F110}the Police Service of Scotland].
- (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

Textual Amendments

F110 Words in s. 99(1) substituted (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 7 para. 13\(5\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121) and (N.I.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), [Sch. 1 para. 5\(9\)](#)

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 [^{F111}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
 - (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.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Part V. (See end of Document for details)

(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

F111 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)

[^{F112}100A] Appointment of senior police officers as staff of College of Policing

- (1) This section applies where a person who—
 - (a) holds the office of constable with a rank above that of chief superintendent, or
 - (b) hold that office and is eligible to be appointed to a rank above that of chief superintendent,
 is appointed as a member of the staff of the College of Policing.
- (2) The person continues to hold the office of constable while a member of the staff of the College.
- (3) On appointment—
 - (a) a person within subsection (1)(a) holds that office with the same rank that the person held immediately before appointment, or with whatever higher rank the College decides;
 - (b) a person within subsection (1)(b) holds that office with whatever rank, above that of chief superintendent, the College decides.]

Textual Amendments

F112 S. 100A inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\), ss. 128, 185\(1\)](#) (with [ss. 21, 33, 42, 58, 75, 93](#)); S.I. 2014/949, art. 3, Sch. para. 10

[^{F113}100B] Disclosure of information to College of Policing

A person who, apart from this section, would not have power to disclose information to the College of Policing has power to do so where the disclosure is made for the purposes of the exercise by the College of any of its functions.]

Textual Amendments

F113 S. 100B inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\), ss. 129, 185\(1\)](#) (with [ss. 21, 33, 42, 58, 75, 93](#)); S.I. 2014/949, art. 3, Sch. para. 10

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Part V. (See end of Document for details)

Supplemental

101 Interpretation.

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

^{F114}

...
[^{F115}[^{F116}“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;

[^{F117}“Common Council” means the Common Council of the City of London in its capacity as police authority for the City of London police area;

“elected local policing body” means—

- (a) a police and crime commissioner;
- (b) the Mayor's Office for Policing and Crime;

“local policing body” means—

- (a) a police and crime commissioner (in relation to a police area listed in Schedule 1);
- (b) the Mayor's Office for Policing and Crime (in relation to the metropolitan police district);
- (c) the Common Council (in relation to the City of London police area);

“Mayor's Office for Policing and Crime” means the body established under section 3 of the Police Reform and Social Responsibility Act 2011;]

“metropolitan police district” means that district as defined in section 76 of the ^{M6}London Government Act 1963;

[^{F118}“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;

[^{F119}“the National Police Chiefs' Council” means the body called the National Police Chiefs' Council which was established in accordance with a collaboration agreement under section 22A above entered into on 1 April 2015;]

“police and crime commissioner” means a body established under section 1 of the Police Reform and Social Responsibility Act 2011;]

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

^{F120}

...

“police force” means a force maintained by a [^{F121}local policing body];

“police fund” means—

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Part V. (See end of Document for details)

- (a) [^{F122}in relation to a police area for which there is an elected local policing body, the fund kept by that body under section 21 of the Police Reform and Social Responsibility Act 2011;]
- (b) [^{F123}.....]
- (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—
- special constables appointed for that area,
 - police cadets undergoing training with a view to becoming members of the police force maintained for that area, and
 - civilians employed for the purposes of that force or of any such special constables or cadets.
- [^{F124}(3) References in this Act to the staff of a police and crime commissioner, or to the staff of the Mayor's Office for Policing and Crime, have the same meaning as in the Police Reform and Social Responsibility Act 2011.]

Extent Information

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

Textual Amendments

- F114** Words in s. 101(1) omitted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 14 para. 1\(2\)](#); S.I. 2017/399, reg. 2, [Sch. para. 41](#)
- F115** 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)
- F116** 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](#)
- F117** Words in s. 101(1) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 96\(2\)\(a\)](#), 157(1); S.I. 2011/3019, art. 3, [Sch. 1](#) (with art. 10(1)(2)); S.I. 2012/2892, art. 2(a)
- F118** Words in s. 101(1) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 96\(2\)\(b\)](#), 157(1); S.I. 2011/3019, art. 3, [Sch. 1](#) (with art. 10(1)(2)); S.I. 2012/2892, art. 2(a)
- F119** Words in s. 101(1) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 14 para. 1\(3\)](#); S.I. 2017/399, reg. 2, [Sch. para. 41](#)
- F120** Words in s. 101(1) omitted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 96\(2\)\(c\)](#), 157(1); S.I. 2011/3019, art. 3, [Sch. 1](#) (with art. 10(1)(2)); S.I. 2012/2892, art. 2(a)
- F121** Words in s. 101(1) substituted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 96\(2\)\(d\)](#), 157(1); S.I. 2011/3019, art. 3, [Sch. 1](#) (with art. 10(1)(2)); S.I. 2012/2892, art. 2(a)
- F122** Words in s. 101(1) substituted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 96\(2\)\(e\)](#), 157(1); S.I. 2011/3019, art. 3, [Sch. 1](#) (with art. 10(1)(2)); S.I. 2012/2892, art. 2(a)
- F123** 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.](#)

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Part V. (See end of Document for details)

F124 S. 101(3) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Police Reform and Social Responsibility Act 2011 (c. 13), ss. 96(3), 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 10(1)(2)); S.I. 2012/2892, art. 2(a)

Modifications etc. (not altering text)

C19 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

M6 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.
- (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.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Part V. (See end of Document for details)

- (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;
[^{F125}section 25(1A);]
Part III;
^{F126}...
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)—
[^{F127}Part 3A];
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.

Textual Amendments

- F125** Words in s. 105(2) inserted (14.12.2001) by 2001 c. 24, ss. 101, 127(2)(f), Sch. 7 para. 28
- F126** 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)
- F127** Words in s. 105(3) substituted (1.9.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), Sch. 11 para. 89 (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2125, art. 2(f)(iii)

106 Short title.

This Act may be cited as the Police Act 1996.

Status:

Point in time view as at 31/12/2020.

Changes to legislation:

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