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STATUTORY INSTRUMENTS

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**1995 No. 2864**

**The Police Areas (Wales) Order 1995**

**Transitional arrangements about membership of police authorities**

4.—(1) In this article, in relation to each of the following police authorities, namely, Dyfed Powys, Gwent, North Wales and South Wales, as established by section 3 of the Police Act 1964, (each of which is referred to as a “relevant authority”), “new councils” refers to the councils of the counties and county boroughs established under the Local Government (Wales) Act 1994<sup>(1)</sup> which, by virtue of the amendment made by article 2 above, will be listed in Schedule 1A to the Police Act 1964 as constituting the police area of each of those authorities.

(2) For the purposes of the functions to which this article applies—

- (a) paragraph 27(1) of Schedule 1B to the Police Act 1964 (meaning of “relevant council”)<sup>(2)</sup> shall have effect as though section 1 of the Local Government (Wales) Act 1994 (which creates new principal local government areas in Wales for the administration of local government on and after 1st April 1996) was in force for the purposes of that provision on 1st December 1995, and
- (b) accordingly, the appointments which are required to be made to each relevant authority by paragraph 2(2) of that Schedule (appointments of members of police authority by joint committee appointed by relevant councils) shall be made, as soon as practicable after that date, by a joint committee appointed by the new councils (as relevant councils) in accordance with that provision.

(3) The functions to which this article applies are—

- (a) on and after 1st April 1996, all functions of the relevant authorities;
- (b) before that date, the following functions of the relevant authorities in respect of the financial year beginning on 1st April 1996—
  - (i) functions under Chapter IV of Part I of the Local Government Finance Act 1992 (precepts)<sup>(3)</sup>; and
  - (ii) functions under sections 4A (local policing objectives) and 4B (local policing plans) of the Police Act 1964<sup>(4)</sup>.

(4) For the purposes of the functions referred to in paragraph (3)(b) above—

- (a) section 28(2)(b) of the Police and Magistrates' Courts Act 1994 (approval of decisions about precepts) shall have effect as though the reference to members of the police authority appointed under paragraph 2 of Schedule 1B to the Police Act 1964 was a reference to the members so appointed by virtue of paragraph (2) above; and
- (b) the members of each relevant authority appointed under paragraph 2 of that Schedule otherwise than by virtue of paragraph (2) above shall not participate in the discharge of those functions.

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(1) 1994 c. 19.

(2) Schedule 1B was inserted by section 3(2) of, and Schedule 2 to, the Police and Magistrates' Courts Act 1994.

(3) 1992 c. 14; section 39 of that Act was amended by section 27(1) of the Police and Magistrates' Courts Act 1994.

(4) Sections 4A and 4B were inserted by section 4 of the Police and Magistrates' Courts Act 1994.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(5) In determining the period of a term of years for the purposes of paragraph 17 of Schedule 1B to the Police Act 1964 (term of appointment of members of a police authority), any period as a member of the authority prior to 1st April 1996 under an appointment made by virtue of paragraph (2) above shall be disregarded.