



Special Constables Act 1923

1923 CHAPTER 11 13 and 14 Geo 5

3 Substitution of special constables for metropolitan police at armament depots, &c.

- (1) Any two justices of the peace may appoint such persons as may be nominated for the purpose by [^{F1}the [^{F2}Defence Council]][^{F1}an authority who by virtue of any enactment are authorised to make nominations under this section], to be special constables within the yards and stations and limits within which constables of the metropolitan police force may by virtue of the ^{M1}Metropolitan Police Act 1860, or the ^{M2}Metropolitan Police (Employment in Scotland) Act 1914, [^{F3}both as originally enacted and as applied to the Air Force], be employed; and every person so appointed shall be sworn in by any such justices duly to execute the office of a constable within the places and limits aforesaid, and when so sworn in shall have the same powers and privileges, and be liable to the same duties and responsibilities as constables of the metropolitan police force have and are liable to under the said Acts.
- (2) Special constables appointed under this section shall be under the exclusive control of the [^{F4}department][^{F4}authority]on whose nomination they are appointed, and that [^{F4}department][^{F4}authority]shall have power to suspend or terminate the appointment of any such special constable.
- (3) In the application of this section to Scotland references to any two justices of the peace shall be construed as references to the magistrates of a burgh or the standing joint committee of a county, as the case may be, and the reference to swearing in shall be read as a reference to making a declaration or taking an oath, as the case may be, in the form and manner prescribed in section seventy-nine of the ^{M3}Burgh Police (Scotland) Act 1892, and section eleven of the ^{M4}Police (Scotland) Act 1857, respectively.

Textual Amendments

- F1** Words “an authority who by virtue of any enactment are authorised to make nominations under this section” substituted (E.W.S) for the words “the Defence Council” by [Ministry of Defence Police Act 1987 \(c. 4, SIF 95\), s. 7\(1\)\(a\)\(i\)](#)
- F2** Words substituted by [S.I. 1964/488, Sch. 1 Pt. I](#)

Changes to legislation: There are currently no known outstanding effects for the Special Constables Act 1923, Section 3. (See end of Document for details)

- F3** Words from “both” to “Force” repealed (E.W.S.) by Ministry of Defence Police Act 1987 (c. 4, SIF 95), **s. 7(1)(a)(ii)**
- F4** Word “authority” substituted (E.W.S.) for the word “department” in both places where occurring by Ministry of Defence Police Act 1987 (c. 4, SIF 95), **s. 7(1)(b)**

Modifications etc. (not altering text)

- C1** S. 3 extended by Emergency Laws (Miscellaneous Provisions) Act 1947 (11 & 12 Geo. 6 c. 10) Sch. 2 para. 1, Atomic Energy Authority Act 1954 (c. 32), **Sch. 3**, S.I. 1964/488, Sch. 1 Pt. 1, Nuclear Installations Act 1965 (c. 57) Sch. 1 para. 4, S.I. 1965/1536, **art. 6** and Atomic Energy Authority Act 1971 (c. 11), **s. 19 s. 3(2)** modified by Atomic Energy Authority (Weapons Group) Act 1973 (c. 4), **s. 2(2)**
- C2** Reference to making a declaration or taking an oath in the form and manner prescribed in Police (Scotland) Act 1857 (c. 72), **s. 11** and Burgh Police (Scotland) Act 1892 (c. 55), **s. 79** to be construed as reference to making a declaration prescribed under Police (Scotland) Act 1967 (c. 77), **s. 16**: *ibid.*, s. 52(7)
- C3** S. 3 modified (14.12.2001) by 2001 c. 24, **ss. 76(1), 127**

Marginal Citations

- M1** 1860 c. 135.
- M2** 1914 c. 44.
- M3** 1892 c. 55.
- M4** 1857 c. 72.

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