



Police Act 1964

1964 CHAPTER 48

PART I

ORGANISATION OF POLICE FORCES

County, county borough and combined forces

1 Police areas.

- [^{F1}(1) Subject to the provisions of this Act, a police force shall be maintained—
- (a) for every county in England and Wales which is not comprised in a combined area constituted by an amalgamation scheme or in the Northumbria police area;
 - (b) for every combined area constituted by an amalgamation scheme; and
 - (c) for the Northumbria police area.
- (1A) For the purposes of this Act the Northumbria police area shall consist of the county of Tyne and Wear and the county of Northumberland.]
- (2)^{F2}
- (4) For the purposes of this section, any part of a county which is for the time being comprised in the metropolitan police district shall be treated as not forming part of that county.

Textual Amendments

- F1** S.1(1)(1A) substituted for section 1(1) by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 37, [Sch. 11 para. 1\(1\)](#)
- F2** Ss. 1(2)(3), 2(3), 8(5) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

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Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Cross Heading: County, county borough and combined forces. (See end of Document for details)

2 Police authorities for counties and county boroughs.

- (1) The police authority for [^{F3}a police area consisting of a non-metropolitan county] . . .
^{F4} shall be a committee of the council of the county . . . ^{F4} constituted in accordance
with the provisions of this section, to be known . . . ^{F4} as the police committee . . . ^{F4}
- (2) The police committee for [^{F5}a police area consisting of a non-metropolitan county]
shall consist of such number of persons as may be determined by the council of the
county, and of that number—
- (a) two thirds shall be members of the council of the county appointed by that
council;
 - (b) ^{F6}one third shall be [^{F7}appointed
from among their own number by the magistrates for the county in accordance
with a scheme made by the magistrates' courts committee for, or for an area
including, the county and approved by the Secretary of State]
 - (c) ^{F8}
- (3) ^{F9}
- (4) The magistrates to be appointed members of a police committee . . . ^{F4} shall be
appointed at such times, in such manner and for such term as may be prescribed by
rules made by the Secretary of State; and the other members of a police committee . . .
^{F4} shall be appointed at such times, in such manner and for such term as may from
time to time be determined by the council responsible for appointing them.
- (5) The quorum of a police committee . . . ^{F4} shall be such as may from time to time be
determined by the council of the county . . . ^{F4}
- [^{F10}(6) Section 102(5) of the ^{M1}Local Government Act 1972 shall apply to a committee
appointed under this section as it applies to a committee appointed under that section.]
- (7) Any proceedings by or against a committee appointed under this section shall be
brought by or against the clerk of the council or town clerk as representing that
committee.

Textual Amendments

- F3** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 37, [Sch. 11 para. 1\(2\)](#)
- F4** Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)
- F5** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 37, [Sch. 11 para. 1\(3\)a](#)
- F6** Words inserted by [Local Government Act 1972 \(c. 70, SIF81:1\)](#), [Sch. 27 para. 18](#) and are repealed by
[Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 37, 102, [Sch. 11 para. 1\(3\)\(c\)](#), Sch. 17
- F7** Words substituted by [Courts Act 1971 \(c. 23\)](#), [s. 53\(5\)](#), (6)
- F8** Para. (c) inserted by [Local Government Act 1972 \(c. 70, SIF81:1\)](#), [Sch. 27 para. 18](#) and are repealed
by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 37, 102, [Sch. 11 para. 1\(3\)\(c\)](#), Sch. 17
- F9** [Ss. 1\(2\)\(3\), 2\(3\), 8\(5\)](#) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)
- F10** [S. 2\(6\)](#) substituted by [Local Government Act 1972 \(c. 70\)](#), [s. 196\(2\)](#)

Modifications etc. (not altering text)

- C1** Reference to clerk of the council and town clerk to be construed as reference to the proper officer of
the county council: [Local Government Act 1972 \(c. 70\)](#), [Sch. 29 Pt. I para. 4](#)
- C2** [S. 2](#) excluded by [S.I. 1973/734](#), [art. 3](#)

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Marginal Citations

M1 1972 c. 70.

[^{F11}2A Police authorities for metropolitan counties and Northumbria police area.

The police authority for a police area consisting of a metropolitan county shall be the metropolitan county police authority constituted in accordance with the provisions of Part IV of the Local Government Act 1985; and the police authority for the Northumbria police area shall be the Northumbria Police Authority constituted in accordance with those provisions.]

Textual Amendments

F11 S. 2A inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 37, [Sch. 11 para. 1\(4\)](#)

3 Police authorities for combined areas.

- (1) The police authority for a combined area shall be the combined police authority constituted for the purpose in accordance with the provisions of the relevant amalgamation scheme; and every such authority shall, subject to subsection (4) of this section, be a body corporate by such name as may be prescribed by the scheme.
- (2) A combined police authority shall be appointed in such manner, and shall consist of such number of persons, as may be prescribed by the amalgamation scheme; and of the number of persons so prescribed—
 - (a) two thirds shall be members of the constituent councils;
 - (b) one third shall be magistrates for the constituent areas.
- (3) Provision may be made by an amalgamation scheme for applying, in relation to the constitution and proceedings of the combined police authority and in relation to the officers of that authority, any of the provisions of [^{F12}Parts V and VI and sections 112 to 119 of the ^{M2}Local Government Act 1972]subject to such modifications as may be prescribed by the scheme.

[^{F13}(3A) Meetings of a combined police authority which is (as well as one which is not) a body corporate are open to the public, and documents relating to such meetings are open to inspection by the public, in accordance with the provisions of Part VA of the Local Government Act 1972.]

- (4) If the constituent councils request that the combined police authority to be constituted by an amalgamation scheme should be a committee of one of those councils, the scheme shall constitute the combined police authority a committee of that council instead of a body corporate; and the provisions of Schedule 1 to this Act shall have effect with respect to such a scheme and a combined police authority so constituted.

Textual Amendments

F12 Words substituted by virtue of [Local Government Act 1972 \(c. 70\)](#), s. 272(2)

F13 S. 3(3A) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\)](#), s. 3, [Sch. 2 para. 5](#)

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Marginal Citations

M2 1972 c. 70.

VALID FROM 21/07/1994

^{F14}3A Membership of police authorities etc.

- (1) Subject to subsection (2) of this section, each police authority established under section 3 of this Act shall consist of seventeen members.
- (2) The Secretary of State may by order provide in relation to a police authority specified in the order that the number of its members shall be a specified odd number greater than seventeen.
- (3) A statutory instrument containing an order made under subsection (2) of this section shall be laid before Parliament after being made.
- (4) Schedules 1B and 1C to this Act shall have effect in relation to police authorities established under section 3 and the appointment of their members.]

Textual Amendments

F14 Ss. 3A, 3B inserted (21.7.1994 and 8.8.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, ss. 3(1), 94(3)(a); S.I. 1994/2025, art. 4(2)(b); S.I. 1994/3262, art. 4, Sch.

VALID FROM 21/07/1994

^{F15}3B Reductions in size of police authorities.

- (1) This section applies to any order under subsection (2) of section 3A of this Act which varies or revokes an earlier order so as to reduce the number of a police authority's members.
- (2) Before making an order to which this section applies, the Secretary of State shall consult—
 - (a) the authority,
 - (b) the councils which are relevant councils in relation to the authority for the purposes of Schedule 1B to this Act, and
 - (c) any panel (or magistrates' courts committee) which is responsible, or is represented on a joint committee which is responsible, for the appointment of members of the authority.
- (3) An order to which this section applies may include provision as to the termination of the appointment of the existing members of the authority and the making of new appointments or re-appointments.

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Textual Amendments

F15 Ss. 3A, 3B inserted (21.7.1994 and 8.8.1994 for certain purposes and 1.4 1995 for all other purposes) by 1994 c. 29, ss. 3(1), 94(3)(a); S.I. 1994/2025, art. 4(2)(b); S.I. 1994/3262, art. 4, Sch.

4 General functions of police authorities.

- (1) It shall be the duty of the police authority for every police area for which a police force is required to be maintained by section 1 of this Act to secure the maintenance of an adequate and efficient police force for the area, and to exercise for that purpose the powers conferred on a police authority by this Act.
- (2) The police authority for every such police area shall, subject to the approval of the Secretary of State and to regulations under Part II of this Act, appoint the chief constable of the police force maintained by that authority and determine the number of persons of each rank in that force which is to constitute the establishment of the force.
- (3) The police authority for any such police area may, subject to the consent of the Secretary of State, provide and maintain such buildings, structures and premises, and make such alterations in any buildings, structures or premises already provided, as may be required for police purposes of the area.
- (4) The police authority for any such police area may, subject to any regulations under Part II of this Act, provide and maintain such vehicles, apparatus, clothing and other equipment as may be required for police purposes of the area.
- (5) A combined police authority may, if so authorised by the amalgamation scheme, make arrangements with any constituent authority for the use by the combined police authority of the services of officers of the constituent authority and the making of contracts and payments on behalf of the combined police authority by the constituent authority.

Modifications etc. (not altering text)

C3 S. 4 amended by S.I. 1973/734, art. 5

C4 S. 4(2) modified by Local Government Act 1985 (c. 51, SIF 81:1), s. 85(3)

5 Chief constables.

- (1) The police force maintained for a police area under section 1 of this Act shall be under the direction and control of the chief constable appointed under section 4(2) of this Act.
- (2) The same person may, with the consent of the police authorities concerned, be appointed chief constable of more than one police force.
- (3) The Secretary of State shall not approve the appointment as first chief constable of a combined force of any person other than the chief constable of a police force which ceases to exist in consequence of the formation of the combined force unless the Secretary of State is satisfied, having regard to the size and character of the combined force and any exceptional circumstances, that some other person should be appointed.

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- (4) Without prejudice to any regulations under Part II of this Act or under the ^{F16M3}Police Pensions Act 1976], the police authority, acting with the approval of the Secretary of State, may call upon the chief constable to retire in the interests of efficiency.
- (5) Before seeking the approval of the Secretary of State under subsection (4) of this section the police authority shall give the chief constable an opportunity to make representations and shall consider any representations so made.
- (6) A chief constable who is called upon to retire as aforesaid shall retire on such date as the police authority may specify or on such earlier date as may be agreed upon between him and the police authority.

Textual Amendments

F16 Words substituted by virtue of [Police Pensions Act 1976 \(c. 35\), s. 12\(3\)](#)

Modifications etc. (not altering text)

C5 [S. 5\(1\)](#) excluded by [Police Act 1969 \(c. 63\), s. 1\(3\)](#)

Marginal Citations

M3 [1976 c. 35.](#)

6 Deputy and assistant chief constables.

- (1) In every police force maintained under section 1 of this Act there shall be a ^{F17}person holding the rank of]deputy chief constable, who shall have all the powers and duties of the chief constable—
 - (a) during any absence, incapacity or suspension from duty of the chief constable;
 - (b) during any vacancy in the office of chief constable;
 but shall not have power to act by virtue of this subsection for any continuous period exceeding three months except with the consent of the Secretary of State.
- (2) The provisions of subsection (1) above shall be in addition to, and not in substitution for, any other enactment which makes provision for the exercise by any other person of the powers conferred by that enactment on a chief constable.
- (3) The establishment of any such police force as aforesaid may include one or more persons holding the rank of assistant chief constable.
- (4) ^{F18}Appointments or promotions to the rank of deputy chief constable or] assistant chief constable, shall be made, in accordance with regulations under Part II of this Act, by the police authority after consultation with the chief constable and subject to the approval of the Secretary of State.
- (5) Subsections (2), (4), (5) and (6) of section 5 of this Act shall apply to a deputy chief constable, and subsections (4), (5) and (6) of that section shall apply to an assistant chief constable, as they apply to a chief constable.

Textual Amendments

F17 Words inserted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 108\(2\)\(a \)](#)

F18 Words substituted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 108\(2\)\(b \)](#)

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[^{F19}6A Deputy chief constables— supplementary.

- (1) Any police force maintained under section 1 of this Act may include more than one person holding the rank of deputy chief constable, but only if the additional person or persons holding that rank—
 - (a) was a deputy chief constable before a period—
 - (i) of central service; or
 - (ii) of overseas service, as defined in ^{M4}section 3 of the Police (Overseas Service) Act 1945; or
 - (iii) of service in pursuance of an appointment under ^{M5}section 10 of the Overseas Development and Co-operation Act 1980 as an officer to whom that section applied; or
 - (b) became a deputy chief constable by virtue of section 58(2) of this Act.
- (2) If there is more than one person who holds the rank of deputy chief constable in a police force maintained under section 1 of this Act, one of the persons who hold it shall be designated as the officer having the powers and duties conferred on a deputy chief constable by section 6(1) of this Act.
- (3) A person shall be designated under subsection (2) of this section by the police authority after consultation with the chief constable and subject to the approval of the Secretary of State.]

Textual Amendments

F19 S. 6A inserted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 108\(3\)](#)

Marginal Citations

M4 1945 c.17(95)

M5 1980 c.63(88)

7 Other members of police forces.

- (1) The ranks which may be held in a police force maintained under section 1 of this Act shall be such as may be prescribed by regulations under Part II of this Act and the ranks so prescribed shall include, in addition to chief constable [^{F20}, deputy chief constable]and assistant chief constable, the ranks of superintendent, inspector, sergeant and constable.
- (2) Appointments and promotions to any rank below that of assistant chief constable in any such police force shall be made, in accordance with regulations under Part II of this Act, by the chief constable.

Textual Amendments

F20 Words inserted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 119\(1\), Sch. 6 para. 14](#)

8 Financial provisions.

- (1) Subject to the following provisions of this section and to any regulations under the [^{F21M6}Police Pensions Act 1976], all receipts of the police authority for a police area

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for which a police force is maintained under section 1 of this Act shall be paid into the police fund and all expenditure of any such police authority shall be paid out of that fund.

(2)

^{F22}(3) For every [^{F23}police area consisting of a non-metropolitan county] . . . ^{F24}an account, to be known as the police account, shall be kept of all expenditure and receipts of the police authority; and every such account, [^{F25}shall be treated for the purposes of [^{F26}Part III of the Local Government Finance Act 1982]as though it were included among the accounts of the council of that county, . . . ^{F27}]

(4) No sum shall be paid out of the police fund for a [^{F28}police area consisting of a non-metropolitan county] . . . ^{F29}without the approval of the council of the county . . . ^{F30}except—

- (a) any sum required for giving effect to regulations under Part II of this Act;
- (b) any sum required to satisfy any judgment or order of a court;
- (c) any sum directed to be paid out of that fund by or under any enactment other than this section, including any such enactment in this Act.

(5) ^{F31}

Textual Amendments

- F21** Words substituted by virtue of [Police Pensions Act 1976 \(c. 35\), s. 12\(3\)](#)
- F22** [S. 8\(2\)](#) repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), s. 194, [Sch. 12](#)
- F23** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 37, [Sch. 11 para. 1\(5\)](#)
- F24** Words repealed by [Local Government Act 1972 \(c. 70, SIF 81:1\)](#), s. 272, [Sch. 30](#)
- F25** Words substituted by [Local Government Act 1972 \(c. 70, SIF 81:1\)](#), s. [196\(3\)](#)
- F26** Words substituted by [Local Government Finance Act 1982 \(c. 32, SIF 81:1\)](#), s. 34, [Sch. 5 para. 2](#)
- F27** Words repealed by [Local Government Finance Act 1982 \(c. 32, SIF 81:1\)](#), s. 38, [Sch. 6 Pt. IV](#)
- F28** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 37, [Sch. 11 para. 1\(5\)](#)
- F29** Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)
- F30** Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)
- F31** [Ss. 1\(2\)\(3\), 2\(3\), 8\(5\)](#) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

Marginal Citations

- M6** [1976 c. 35.](#)

9 Acquisition of land.

(1) The council of any county . . . ^{F32}constituting a police area may by agreement acquire, whether by way of purchase, lease or exchange, any land which is required for the purpose of any of the functions of the police authority for the area; and [^{F33}subsections (3) and (4) of section 120 of the [Local Government Act 1972](#) shall apply to the acquisition of land under this subsection as they apply to the acquisition of land under that section];

(2) The council of any such county . . . ^{F34}may be authorised by the Secretary of State to purchase compulsorily any land which is required for the purpose of any of the functions of the police authority for the county . . . ^{F35}; and the ^{M7}[Acquisition of Land](#) [^{F36}[Act 1981](#) shall apply to a compulsory purchase under this section], [^{F37}and subsection (3) of section 121 of the ^{M8}[Local Government Act 1972](#) shall apply in

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relation to a proposal to acquire any land in exercise of the power conferred by this subsection as it applies in relation to a proposal to acquire land in exercise of the power conferred by subsection (1) of that section].

- (3) A combined police authority shall have the same powers with respect to the acquisition of land for police purposes, and the appropriation and disposal of land, as the council of a county . . . ^{F38}; and the provisions of this section, the [^{F39M9}Local Government Act 1972] . . . ^{M10}with respect to the acquisition, appropriation and disposal of land by such councils shall have effect accordingly as if references to the council of a county . . . ^{F40}included references to a combined police authority.
- (4) References in this Act to expenditure of a police authority or to expenses incurred for police purposes by any police authority include references to expenditure under this section by the council of a county . . . ^{F41} on behalf of a police authority.

Textual Amendments

- F32** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F33** Words substituted by [Local Government Act 1972 \(c. 70\), s. 196\(4\)\(a \)](#)
- F34** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F35** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F36** Words substituted by [Acquisition of Land Act 1981 \(c. 67 SIF 28:1\) s. 34, Sch. 4 para. 13](#)
- F37** Words added by [Local Government Act 1972 \(c. 70\), s. 196\(4\)\(b \)](#)
- F38** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F39** Words substituted by virtue of [Local Government Act 1972 \(c. 70\), s. 272\(2\)](#)
- F40** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F41** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)

Marginal Citations

- M7** [1981 c. 67.](#)
- M8** [1972 c. 70.](#)
- M9** [1972 c. 70.](#)
- M10** Words repealed by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\), s. 34, Sch. 6 Pt. I](#)

10 Civilian employees.

- (1) The police authority for a police area for which a police force is maintained under section 1 of this Act, and the council of any county . . . ^{F42} for which a police force is maintained under that section, may employ civilians for police purposes of the area.
- (2) ^{F43}
- (3) References in this Act to expenditure of a police authority or to expenses incurred for police purposes by any police authority include references to expenditure under this section by the council of a county ^{F44}.

Textual Amendments

- F42** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F43** [S. 10\(2\)](#) repealed by [Superannuation Act 1972 \(c. 11\), s. 29\(4\), Sch. 8](#)
- F44** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)

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11 Questions on police matters by members of county and county borough councils.

Arrangements shall be made (whether by standing orders or otherwise) for enabling questions on the discharge of the functions of the police authority for [^{F45}any non-metropolitan county], . . . ^{F46}or combined area to be put, in the course of the proceedings of the council for that county or, . . . ^{F47}as the case may be, of a constituent council, by members of that council for answer by a member thereof who is also a member of the police authority and is nominated by that authority for that purpose.

Textual Amendments

F45 Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 37, [Sch. 11 para. 1\(6\)](#)

F46 Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

F47 Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

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