



Police Act 1964

1964 CHAPTER 48

PART IV

MISCELLANEOUS AND GENERAL

Remedies and complaints against police

48 Liability for wrongful acts of constables.

- (1) The chief officer of police for any police area shall be liable in respect of torts committed by constables under his direction and control in the performance or purported performance of their functions in like manner as a master is liable in respect of torts committed by his servants in the course of their employment, and accordingly shall in respect of any such tort be treated for all purposes as a joint tortfeasor.
- (2) There shall be paid out of the police fund—
 - (a) any damages or costs awarded against the chief officer of police in any proceedings brought against him by virtue of this section and any costs incurred by him in any such proceedings so far as not recovered by him in the proceedings; and
 - (b) any sum required in connection with the settlement of any claim made against the chief officer of police by virtue of this section, if the settlement is approved by the police authority.
- (3) Any proceedings in respect of a claim made by virtue of this section shall be brought against the chief officer of police for the time being or, in the case of a vacancy in that office, against the person for the time being performing the functions of the chief officer of police; and references in the foregoing provisions of this section to the chief officer of police shall be construed accordingly.
- (4) A police authority may, in such cases and to such extent as they think fit, pay any damages or costs awarded against a member of the police force maintained by them, or any constable for the time being required to serve with that force by virtue of section 14 of this Act, or any special constable appointed for their area, in proceedings

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for a tort committed by him, any costs incurred and not recovered by him in any such proceedings, and any sum required in connection with the settlement of any claim that has or might have given rise to such proceedings; and any sum required for making a payment under this subsection shall be paid out of the police fund.

49 - 50 ^{F1}.....

Textual Amendments

F1 Ss. 49 - 50 repealed by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s.119(2), [Sch. 7 Pt. VI](#)

Offences

51 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—

[^{F2}on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding [^{F3}level 5 on the standard scale] or to both].
- (2) Subsection (2) of [^{F4}section 17 of the ^{M1}Firearms Act 1968] (additional penalty for possession of firearms when committing certain offences) shall apply to offences under subsection (1) of this section.
- (3) 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 [^{F5}level 3 on the standard scale], or to both.

Textual Amendments

F2 Words substituted by [Criminal Law Act 1977 \(c. 45\)](#), [Sch. 1 para. 18](#)

F3 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46

F4 Words substituted by virtue of [Interpretation Act 1978 \(c. 30\)](#), s. 17(2)(a)

F5 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46

Marginal Citations

M1 1968 c. 27.

52 Impersonation, &c.

- (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 [^{F6}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

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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 [^{F7}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 [^{F8}level 1 on the standard scale].
- (4) In this section “article of police uniform” means any article of uniform or any distinctive badge or mark or document of identification usually issued to members of police forces or special constables, or anything having the appearance of such an article, badge, mark or document; and “special constable” means a special constable appointed for a police area.

Textual Amendments

- F6** Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), ss. 39(2), 46, Sch. 3
- F7** Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), ss. 38, 46
- F8** Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), ss. 38, 46

53 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 or to commit breaches of discipline, 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 £100, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.
- (2) This section applies to special constables appointed for a police area as it applies to members of a police force.

VALID FROM 01/04/1995

[^{F9}53A Grants by local authorities.

- (1) The council of a county, district, county borough or London borough may make grants to any police authority established under section 3 of this Act whose police area falls wholly or partly within the county, district, county borough or borough.
- (2) The council of a London borough, county, or district which falls wholly or partly within the metropolitan police district may make grants for police purposes to the Receiver for the Metropolitan Police District.
- (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.

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(4) This section applies to the Council of the Isles of Scilly as it applies to a county council.]

Textual Amendments

F9 S. 53A inserted (1.4.1995) by 1994 c. 29, s. 24; S.I. 1994/3025, art. 4, Sch.

VALID FROM 01/10/1994

[^{F10}53B Acceptance of gifts and loans.

- (1) A police authority may, in connection with the discharge of any of its functions, accept gifts of money, and gifts or loans of other property, on such terms as the authority thinks fit.
- (2) The terms on which gifts or loans are accepted under subsection (1) of this section may include terms providing for the commercial sponsorship of any activity of the police authority or of the police force maintained by it.
- (3) In the application of this section to the metropolitan police, for the references to the police authority there shall be substituted references to the Receiver for the Metropolitan Police District.]

Textual Amendments

F10 S. 53B inserted (1.10.1994) by 1994 c. 29, s. 25; S.I. 1994/2025, art. 5

VALID FROM 01/04/1995

[^{F11}53C 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 15A(2) of this Act,
 - (b) central service (as defined in section 43(5) of this Act) on which a person is engaged with the consent of the appropriate authority,
 - (c) 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,
 - (d) service in the Royal Ulster Constabulary, on which a person is engaged with the consent of the Secretary of State and the appropriate authority, or
 - (e) 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.
- (2) In subsection (1) of this section “appropriate authority” has the same meaning as in section 43 of this Act.

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- (3) Subject to subsections (4) to (7) of this section, 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 33 of this Act fixing his rate of pay by reference to his length of service.
- (4) In the case of relevant service to which subsection (1)(c) of this section refers, the reference in subsection (3) to regulations made under the ^{M5}Police Pensions Act 1976 shall be read as including a reference to regulations made under section 1 of ^{M6}the 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) of this section 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 paragraph (a), (b) or (e) of subsection (1) of this section, or
 - (b) while engaged on relevant service within paragraph (c) of that subsection, is dismissed from that service by the disciplinary authority established by regulations made under section 1 of the ^{M7}Police (Overseas Service) Act 1945 or is required to resign as an alternative to dismissal, or
 - (c) while engaged on relevant service within paragraph (d) 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 subsection (3) of section 33 of this Act 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 37 of this Act shall apply accordingly.
- (7) For the purposes of subsection (6) of this section 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 the Chief Constable of the Royal Ulster Constabulary, or such other person or authority as may be designated for the purposes of this subsection by order of the Secretary of State.]

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Textual Amendments

F11 S. 53C inserted (1.4.1995) by 1994 c. 29, s. 26; S.I. 1994/3262, art. 4, Sch.

Marginal Citations

M2 1945 c. 17.

M3 1980 c. 63.

M4 1976 c. 35.

M5 1976 c. 35.

M6 1945 c. 17.

M7 1945 c. 17.

Miscellaneous

54 Criminal statistics.

- (1) The chief officer of police of every police force shall, at such times and in such form as the Secretary of State may direct, transmit to the Secretary of State such particulars with respect to offences, offenders, criminal proceedings and the state of crime in the area for which the force is maintained as the Secretary of State may require.
- (2) The Secretary of State shall cause a consolidated and classified abstract of the information transmitted to him under this section to be prepared and laid before Parliament.

55 Abolition of fees.

Section 23 of the ^{M8}Police Act 1890 (fees payable to constables), and any other enactment or rule of law whereby constables are authorised or required to take a fee for any act done in the course of their duty as such, shall cease to have effect.

Marginal Citations

M8 1890 c. 45.

56 Metropolitan and City of London police funds.

There shall be paid out of the metropolitan police fund and the City of London police fund respectively (subject, in the case of the metropolitan police fund, to the approval of the Secretary of State) any expenditure incurred under this Act in respect of—

- (a) any special constables appointed for the metropolitan police district or the City of London; and
- (b) any police cadets appointed in relation to the metropolitan police force or the City of London police force.

[^{F12}57 Police expenses of counties falling partly within the metropolitan police district.

- (1) Any police expenses payable out of the county fund of any county falling partly within the metropolitan police district shall be chargeable only on so much of the county as does not fall within that district, without prejudice, however, to section 67 of the

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^{M9}London Government Act 1963 (power of rating authority to aggregate like expenses chargeable on different parts of rating area.)

- (2) In this section “police expenses” means expenses for police purposes (including contributions to the police fund of a combined police authority) or expenses which are for any purpose treated as incurred for police purposes or are under any enactment payable out of the police fund.]

Textual Amendments

F12 S. 57 repealed (E.W.) by S.I. 1990/776, art. 3, Sch. 1

Marginal Citations

M9 1963 c. 33.

58 Chief constables affected by amalgamations or local government reorganisations.

- (1) If the chief constable of a police force which ceases to exist in consequence of an order under Part I of this Act or [^{F13}Part IV of the ^{M10}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 [^{F14}deputy]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 5(1) of this Act.
- (3) A chief constable who becomes a member of a police force by virtue of this section shall, subject to regulations under Part II of this Act, cease to be a member thereof at the expiration of three months unless he has then accepted and taken up an appointment in that force.
- (4) The provision to be made by regulations under section 60(2) of the Local Government Act 1958 (as extended by Schedule 9 to this Act) with respect to the chief constable of a police force who, after becoming a member of another police force by virtue of this section, ceases to be a member of that force without having accepted and taken up an appointment therein shall, if he was the chief constable of a police force at the commencement of this Act, be not less favourable than any provision by way of a pension that would have been payable to or in respect of him by virtue of the [^{F15}^{M11}Police Pensions Act 1976] had the first-mentioned police force been combined with another force by an amalgamation scheme under the ^{M12}Police Act 1946 and he had neither been transferred to the combined force nor joined it within three months.
- (5) Where the chief constable of a police force is engaged for a period of overseas service within the meaning of the ^{M13}Police (Overseas Service) Act 1945 or a period of central service within the meaning of section 43 of this Act, and before the end of that period that force ceases to exist as mentioned in subsection (1) of this section—
- (a) that subsection shall apply to him 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; and

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- (b) paragraph 2 of Schedule 4 to this Act shall not apply to him.
- (6) For the purposes of section 4(2) of this Act no account shall be taken of subsection (2) of this section.
- (7) In this section “successor force”, in relation to a police force which ceases to exist in consequence of any order, means a force to which members of that police force are transferred by virtue of the order; and “date of transfer” means the date as from which those members are so transferred.

Textual Amendments

F13 Words substituted by virtue of [Local Government Act 1972 \(c. 70\), s. 272\(2\)](#)

F14 Word substituted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 108\(6\)](#)

F15 Words substituted by [Police Pensions Act 1976 \(c. 35\), Sch. 2 para. 5](#)

Marginal Citations

M10 [1972 c. 70.](#)

M11 [1976 c. 35.](#)

M12 [1946 c. 46.](#)

M13 [1945 c. 17 \(9 & 10 Geo. 6\).](#)

59 ^{F16}

Textual Amendments

F16 [S. 59](#) repealed by [Police \(Scotland\) Act 1967 \(c. 77\), Sch. 5 Pt. I](#)

Supplemental

60 Orders, rules and regulations.

- (1) Any power of the Secretary of State to make orders, rules or regulations under this Act (other than orders on appeals under section 37) shall be exercisable by statutory instrument.
- (2) Any power of the Secretary of State to make orders under this Act (other than such orders as aforesaid) includes power to amend or revoke an order by a subsequent order.

61 Expenses.

There shall be defrayed out of moneys provided by Parliament any expenses of the Secretary of State under this Act, and any increase attributable to this Act in the sums payable out of moneys so provided under any other enactment.

62 Meaning of “police area” &c.

- Except where the context otherwise requires, in this Act . . . ^{F17}
- (a) “police area” or “police district” means any of the areas mentioned in column 1 of Schedule 8 to this Act;

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- (b) “police authority”, “chief officer of police” and “police fund” mean, in relation to any such area, the authority, officer or fund mentioned in respect of that area in columns 2, 3 and 4 of that Schedule respectively; and
- (c) “police force” means the force maintained by any of the police authorities mentioned in that Schedule.

Textual Amendments

F17 Words repealed by [Interpretation Act 1978 \(c. 30\)](#), [Sch. 3](#)

63 Minor and consequential amendments.

The enactments specified in Schedule 9 to this Act shall have effect subject to the amendments specified in the second column of that Schedule, being minor amendments and amendments consequential on the foregoing provisions of this Act.

Modifications etc. (not altering text)

C1 The text of s. 63 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

64 Interpretation, repeals and transitional provisions.

- (1) In this Act the expression “police purposes”, in relation to a police area, includes the purposes of special constables appointed for that area, of police cadets undergoing training with a view to becoming members of the police force maintained for that area and of civilians employed for the purpose of that force or of any such special constables or cadets.
- (2) References in this Act to any enactment shall be construed as references to that enactment as amended, and as including references thereto as extended or applied, by any subsequent enactment.
- (3) F18
- (4) The Secretary of State may by order repeal or amend any provision in any local Act, including an Act confirming a provisional order, or in any instrument in the nature of a local enactment under any Act, where it appears to him that that provision is inconsistent with, or has become unnecessary or requires modification in consequence of, any provision of this Act [F19 (including any provision of the M14 Police (Scotland) Act 1967 which re-enacts any provision of this Act repealed by that Act)] or corresponds to any provision repealed by this Act; and any statutory instrument made under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) The transitional provisions contained in Schedule 11 to this Act shall have effect for the purposes of this Act.
- (6) Without prejudice to subsection (5) above, where any provision is made by this Act corresponding to any enactment repealed by this section, any regulation, order, rule or appointment made, and any other thing done, under that enactment shall have effect as if it were made or done under that provision.

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Textual Amendments

F18 S. 64(3) repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt. XI**

F19 Words inserted by Police (Scotland) Act 1967 (c. 77), **Sch. 4**

Marginal Citations

M14 1967 c. 77.

65 Short title, commencement and extent.

- (1) This Act may be cited as the Police Act 1964.
- (2) This Act shall come into force on such date as the Secretary of State may by order appoint.
- (3) Different dates may be appointed by order under this section for different purposes of this Act; and any reference in any provision of this Act to the commencement of this Act shall, unless otherwise provided by any such order, be construed as a reference to the date on which that provision comes into operation.
- (4) An order under subsection (2) of this section may make such transitional provision as appears to the Secretary of State to be necessary or expedient in connection with the provisions thereby brought into force, including such adaptations of those provisions or of any provisions of this Act then in force as appear to the Secretary of State necessary or expedient for the purpose or in consequence of the operation of any provision of this Act before the coming into force of any other provision of this Act or of the ^{M15}London Government Act 1963.
- (5) The following provisions of this Act extend to Scotland, namely, Part III; . . . ^{F20}; section 63 and Schedule 9, so far as they relate to enactments extending to Scotland; section 64 and Part II of Schedule 10; and this section.
- (6) This Act does not extend to Northern Ireland.

Textual Amendments

F20 Words repealed by Police (Scotland) Act 1967 (c. 77), **Sch. 5 Pt. I**

Modifications etc. (not altering text)

C2 Power of appointment conferred by s. 65(2) fully exercised

C3 power of appointment conferred by s. 65(2) fully exercised: **S.I. 1964/873** and 1964/874

Marginal Citations

M15 1963 c. 33.

Status:

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Changes to legislation:

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