

SCHEDULES

SCHEDULE 11

Section 64.

TRANSITIONAL PROVISIONS

Police authorities

- 1 On the date on which the police authority for a police area is constituted pursuant to section 2 of this Act, there shall be transferred to that authority—
- (a) all officers and servants who, immediately before that date, were employed by the previous police authority for police purposes or for the purposes of the functions of the police authority under section 2 of the Road Traffic and Roads Improvement Act 1960;
 - (b) all property which, immediately before that date, was held by the police authority for any of those purposes; and
 - (c) all rights acquired and liabilities incurred by the previous police authority by reason of the exercise of any of their police functions or of any of their functions under the said Act of 1960.
- 2 Anything done before the said date by, to or before the previous police authority shall, so far as may be necessary for the purpose or in consequence of section 2 of this Act, have effect after that date as if it had been done by, to or before the police authority constituted pursuant to that section.

Superannuation

- 3 Paragraph 5 of Schedule 4 to this Act shall apply in relation to—
- (a) any officer or servant who is transferred by virtue of paragraph 1(a) of this Schedule, and
 - (b) any police cadet in respect of whom superannuation functions are transferred by virtue of section 17(3) of this Act,
- as it applies in relation to the persons mentioned in sub-paragraph (1) of that paragraph, and as if references in that paragraph to the date of transfer were references to the date on which those officers or servants, or those functions, are so transferred, as the case may be.
- 4 (1) Where, for the purposes of any such statutory provision as is mentioned in sub-paragraph (2) of the said paragraph 5, the previous police authority for a police area would (if this Act had not been passed) at any time on or after the date on which a police authority is constituted for that area pursuant to section 2 of this Act have been the employing authority or former employing authority in relation to—
- (a) a person who before that date died while in the employment of the previous police authority for any of the purposes mentioned in paragraph 1(a) of this Schedule, or otherwise ceased to be employed by that authority having been employed for any of those purposes when his employment ceased, or
 - (b) the widow or any other dependant of such a person,

Status: This is the original version (as it was originally enacted).

the police authority constituted for that area as aforesaid shall be treated as being at that time the employing authority or former employing authority for those purposes in relation to that person, or to that person's widow or other dependant, as the case may be.

(2) Where before the date on which the police authority for a police area is constituted pursuant to section 2 of this Act a gratuity, by way of periodical payments or an annuity.—

- (a) was granted to any person by the previous police authority on his ceasing to be employed by them for any of the purposes mentioned in paragraph 1(a) of this Schedule, or
- (b) was granted to the widow or any other dependant of a person who died while in the employment of that authority for any of those purposes, or who died during the currency of such a gratuity granted to him by that authority on his ceasing to be employed by them for any of those purposes,

and, if payment in respect of the gratuity had continued in accordance with the terms of the grant, one or more payments in respect of that gratuity would have been made by the previous police authority on or after that date, whether the authority would have been obliged to make those payments or not, those payments shall be made by the police authority constituted pursuant to section 2 of this Act.

Amalgamation schemes

- 5 Any amalgamation scheme approved or made under the Police Act 1946 and in force at the commencement of this Act shall continue in force and have effect as if made under Part I of this Act, and may be amended or revoked accordingly.
- 6 Without prejudice to section 22 of this Act, the Secretary of State may, after consulting the combined police authority for the police area constituted by an amalgamation scheme in force at the commencement of this Act under the Police Act 1946, by order made by statutory instrument amend the scheme to such extent as he considers expedient for securing compliance with the provisions of the said Part I with respect to the constitution of combined police authorities.

Consolidation agreements

- 7 Any consolidation agreement made under section 14 of the County Police Act 1840 (consolidation of borough police forces with county police forces) which is in force at the commencement of this Act by virtue of section 12 of the Police Act 1946 shall continue in force unless and until it ceases to have effect or is determined under the following paragraphs of this Schedule or under the Local Government Act 1958.
- 8 An amalgamation scheme may be made under Part I of this Act for the amalgamation for police purposes of the areas of a county borough and a county, notwithstanding that those areas are subject to a consolidation agreement, as if they were separate police areas ; and any such scheme may determine the consolidation agreement as from such date as may be specified in the scheme, and may make provision for any purpose for which provision may be made by a scheme revoking an amalgamation scheme.
- 9 In relation to any amalgamation scheme made under the said Part I in respect of a police area which, by virtue of a consolidation agreement, includes the area of a county borough (including any such scheme as is authorised by paragraph 8

Status: This is the original version (as it was originally enacted).

above), any reference in the said Part I to a constituent council shall be construed as including a reference to the council of the borough.

- 10 A consolidation agreement may, with the approval of the Secretary of State, be determined by agreement between the police authority for the county and the council of the county borough to which it applies ; and any agreement made for that purpose may make provision for any purpose for which provision may be made by a scheme revoking an amalgamation scheme under Part I of this Act and the provisions of Schedule 4 to this Act shall apply, subject to any necessary modifications, in relation to any such agreement as they apply in relation to any such scheme.

Street collections and house to house collections

- 11 Where, immediately before the commencement of this Act, the functions of a police authority under section 5 of the Police, Factories, &c. (Miscellaneous Provisions) Act 1916 or under the House to House Collections Act 1939 were vested in the watch committee of a borough by virtue of paragraph 4 of Schedule 3 to the Police Act 1946, those functions shall be transferred to the council of that borough and shall, unless and until the Secretary of State otherwise directs, be exercised by the council in consultation with the police authority for the police area in which the borough is situated.
- 12 Where, immediately before the commencement of this Act, the watch committee of a county borough was exercising any such functions as aforesaid under a consolidation agreement, those functions shall be transferred to the council of the county borough.
- 13 (1) Any amalgamation scheme approved or made under the Police Act 1946 which contains provisions authorising or requiring any such functions as aforesaid to be delegated to the watch committee of a borough, to the standing joint committee of the quarter sessions for a county and a county council, or to the joint police committee for the Isles of Scilly, shall have effect as if it authorised or required those functions to be delegated to the council of the borough, the council of the county, or the Council of the Isles of Scilly, as the case may be.
- (2) Any functions which are delegated to a council by virtue of this paragraph may be delegated by that council to a committee of the council.

TABLE OF STATUTES REFERRED TO IN THIS ACT

Short Title	Session and Chapter
Metropolitant Police Act 1839	2 & 3 Vict. c. 47.
City of London Police Act 1839	2 & 3 Vict. c. xciv.
County Police Act 1840	3 & 4 Vict. c. 88.
Town Police Clauses Act 1847	10 & 11 Vict. c. 89.
Juries Act 1870	33 & 34 Vict. c. 77.
Riot (Damages) Act 1886	49 & 50 Vict. c. 38.
Police Act 1890	53 & 54 Vict. c. 45.

Status: This is the original version (as it was originally enacted).

Short Title	Session and Chapter
Police, Factories, &c. (Miscellaneous Provisions) Act 1916	6 & 7 Geo. 5. c. 31.
Special Constables Act 1923	13 & 14 Geo. 5. c. 11.
Children and Young Persons Act 1933	23 & 24 Geo. 5. c. 12.
Local Government Act 1933	23 & 24 Geo. 5. c. 51.
Firearms Act 1937	1 Edw. 8 & 1 Geo. 6. c. 12.
Local Government Superannuation Act 1937	1 Edw. 8 & 1 Geo. 6. c. 68.
House to House Collections Act 1939	2 & 3 Geo. 6. c. 44.
Police (Overseas Service) Act 1945	9 & 10 Geo. 6. c. 17.
Police Act 1946	9 & 10 Geo. 6. c. 46.
Acquisition of Land (Authorisation Procedure) Act 1946	9 & 10 Geo. 6. c. 49.
Local Government (Scotland) Act 1947	10 & 11 Geo. 6. c. 43.
Police Pensions Act 1948	11 & 12 Geo. 6. c. 24.
Superannuation (Miscellaneous Provisions) Act 1948	11 & 12 Geo. 6. c. 33.
Justices of the Peace Act 1949	12, 13 & 14 Geo. 6. c. 101.
Local Government (Miscellaneous Provisions) Act 1953	1 & 2 Eliz. 2. c. 26.
Police (Scotland) Act 1956	4 & 5 Eliz. 2. c. 26.
Local Government Act 1958	6 & 7 Eliz. 2. c. 55
National Insurance Act 1959	7 & 8 Eliz. 2. c. 47.
Road Traffic and Roads Improvement Act 1960	8 & 9 Eliz. 2. c. 63.
Betting, Gaming and Lotteries Act 1963	1963. c. 2.
London Government Act 1963	1963. c. 33.