

Status: Point in time view as at 08/08/1994.

Changes to legislation: Police Act 1964 is up to date with all changes known to be in force on or before 07 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 1A

POLICE AREAS]

Textual Amendments

- F1** Sch. 1A substituted for Sch. 1 (8.8.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, s. 1(2), Sch. 1; S.I. 1994/2025, art. 4, S.I. 1994/3262, art. 4, Sch.

^{F2} *England (except London)*

Textual Amendments

- F2** Sch. 1A substituted for Sch. 1 (8.8.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, s. 1(2), Sch. 1; S.I. 1994/2025, art. 4; S.I. 1994/3262, art. 4, Sch.

<i>Name of police area</i>	<i>Extent</i>
Avon and Somerset	The counties of Avon and Somerset
Bedfordshire	The county of Bedfordshire
Cambridgeshire	The county of Cambridgeshire
Cheshire	The county of Cheshire
Cleveland	The county of Cleveland
Cumbria	The county of Cumbria
Derbyshire	The county of Derbyshire
Devon and Cornwall	The counties of Devon and Cornwall and the Isles of Scilly
Dorset	The county of Dorset
Durham	The county of Durham
Essex	The county of Essex
Gloucestershire	The county of Gloucestershire
Greater Manchester	The metropolitan districts of Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford and Wigan
Hampshire	The counties of Hampshire and Isle of Wight
Hertfordshire	The county of Hertfordshire

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Humberside	The county of Humberside
Kent	The county of Kent
Lancashire	The county of Lancashire
Leicestershire	The county of Leicestershire
Lincolnshire	The county of Lincolnshire
Merseyside	The metropolitan districts of Knowsley, Liverpool, St. Helens, Sefton and Wirral
Norfolk	The county of Norfolk
Northamptonshire	The county of Northamptonshire
Northumbria	The county of Northumberland and the metropolitan districts of Gateshead, Newcastle upon Tyne, North Tyneside, South Tyneside and Sunderland
North Yorkshire	The county of North Yorkshire
Nottinghamshire	The county of Nottinghamshire
South Yorkshire	The metropolitan districts of Barnsley, Doncaster, Rotherham and Sheffield
Staffordshire	The county of Staffordshire
Suffolk	The county of Suffolk
Surrey	The county of Surrey
Sussex	The counties of East Sussex and West Sussex
Thames Valley	The counties of Berkshire, Buckinghamshire and Oxfordshire
Warwickshire	The county of Warwickshire
West Mercia	The counties of Hereford and Worcester and Shropshire
West Midlands	The metropolitan districts of Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton
West Yorkshire	The metropolitan districts of Bradford, Calderdale, Kirklees, Leeds and Wakefield
Wiltshire	The county of Wiltshire

F3 Wales

Textual Amendments

F3 Sch. 1A substituted for Sch. 1 (8.8.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, s. 1(2), Sch. 1; S.I. 1994/2025, art. 4; S.I. 1994/3262, art. 4, Sch.

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<i>Name of police area</i>	<i>Extent</i>
Dyfed Powys	The counties of Dyfed and Powys
Gwent	The county of Gwent
North Wales	The counties of Clwyd and Gwynedd
South Wales	The counties of Mid Glamorgan, South Glamorgan and West Glamorgan

[^{F4}SCHEDULE 1B

POLICE AUTHORITIES ESTABLISHED UNDER SECTION 3]

Textual Amendments

- F4** Sch. 1B inserted (8.8.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, s. 3(2), Sch. 9 Pt. I; S.I. 1994/2025, art. 4; S.I. 1994/3262, art. 4, Sch.

Membership of police authorities

- 1 (1) Where, by virtue of section 3A of this Act, a police authority is to consist of seventeen members—
- (a) nine of those members shall be members of a relevant council appointed under paragraph 2 of this Schedule,
 - (b) five shall be persons appointed under paragraph 5, and
 - (c) three shall be magistrates appointed under paragraph 8.
- (2) Where, by virtue of an order under subsection (2) of that section, a police authority is to consist of more than seventeen members—
- (a) a number which is greater by one than the number of members provided for in paragraphs (b) and (c) of this sub-paragraph shall be members of a relevant council appointed under paragraph 2 of this Schedule,
 - (b) such number as may be prescribed by the order, not exceeding one third of the total membership, shall be persons appointed under paragraph 5, and
 - (c) the remainder shall be magistrates appointed under paragraph 8.

Appointment of members by relevant councils

- 2 (1) In the case of a police authority in relation to which there is only one relevant council, the members of the police authority referred to in paragraph 1(1)(a) or (2)(a) of this Schedule shall be appointed by that council.
- (2) In any other case, those members shall be appointed by a joint committee consisting of persons appointed by the relevant councils from among their own members.

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Modifications etc. (not altering text)

C1 Sch. 1B para. 2 restricted (31.1.1995) by S.I. 1995/187, art. 5(4)(b)

- 3 The number of members of the joint committee, and the number of those members to be appointed by each relevant council, shall be such as the councils may agree or, in the absence of agreement, as may be determined by the Secretary of State.
- 4 (1) A council or joint committee shall exercise its power to appoint members of a police authority under paragraph 2 of this Schedule so as to ensure that, so far as practicable, the members for whose appointment it is responsible reflect—
- (a) in the case of appointments by a council, the balance of parties for the time being prevailing among the members of the council, and
 - (b) in the case of appointments by a joint committee, the balance of parties for the time being prevailing among the members of the relevant councils taken as a whole.
- (2) The members referred to in sub-paragraph (1)(a) and (b) of this paragraph do not include any member of a relevant council who is disqualified for being appointed as or being a member of the police authority under paragraph 13 of this Schedule.

Appointment of independent members

- 5 The members of a police authority referred to in paragraph 1(1)(b) or (2)(b) of this Schedule shall be appointed—
- (a) by the members of the police authority appointed under paragraph 2 or 8,
 - (b) from among persons on a short-list prepared by the Secretary of State in accordance with Schedule 1C to this Act.
- 6 (1) Every police authority shall arrange for a notice stating—
- (a) the name of each of its members appointed under paragraph 5 of this Schedule, and
 - (b) such other information relating to him as the authority considers appropriate, to be published in such manner as it thinks fit.
- (2) A police authority shall send to the Secretary of State a copy of any notice which it has arranged to be published under sub-paragraph (1) of this paragraph.

Appointment of magistrates

- 7 The members of a police authority referred to in paragraph 1(1)(c) or (2)(c) of this Schedule—
- (a) must be magistrates for an area all or part of which constitutes or forms part of the authority's area, and
 - (b) shall be appointed in accordance with paragraph 8 of this Schedule;

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and in that paragraph and paragraph 9 references to a panel are references to a selection panel established under regulations made in accordance with section 21(1A) of the ^{M1}Justices of the Peace Act 1979.

Marginal Citations

M1 1979 c. 55.

- 8 (1) Where there is a panel for an area which constitutes or includes the police authority's area, that panel shall make the appointment.
- (2) Where the area of more than one panel falls wholly or partly within the police authority's area, the appointment shall be made by a joint committee consisting of representatives from the panels concerned.
- (3) The number of members of a joint committee, and the number of those members to be appointed by each panel, shall be such as the panels may agree or, in the absence of agreement, as may be determined by the Lord Chancellor.
- 9 In relation to any appointment made at a time when no panels have been established, paragraph 8 of this Schedule shall have effect as if for any reference to a panel there were substituted a reference to a magistrates' courts committee.

Chairman

- 10 (1) A police authority shall at each annual meeting appoint a chairman from among its members.
- (2) The appointment under sub-paragraph (1) of this paragraph shall be the first business transacted at the meeting.
- (3) On a casual vacancy occurring in the office of chairman, an appointment to fill the vacancy shall be made—
- (a) at the next meeting of the authority (other than an extraordinary meeting), or
- (b) if that meeting is held within fourteen days after the date on which the vacancy occurs and is not an annual meeting, not later than the next following meeting.

Disqualification

- 11 A person shall be disqualified for being appointed as a member of a police authority if he has attained the age of seventy years.
- 12 (1) Subject to sub-paragraphs (3) and (4) of this paragraph, a person shall be disqualified for being appointed as or being a member of a police authority if—

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- (a) he holds any paid office or employment appointments to which are or may be made or confirmed by the police authority or any committee or sub-committee of the authority, or by a joint committee on which the authority are represented, or by any person holding any such office or employment;
 - (b) a bankruptcy order has been made against him or his estate has been sequestrated or he has made a composition or arrangement with, or granted a trust deed for, his creditors;
 - (c) he is subject to a disqualification order under the ^{M2}Company Directors Disqualification Act 1986, or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order); or
 - (d) he has within five years before the date of his appointment or since his appointment been convicted in the United Kingdom, the Channel Islands or the Isle of Man of an offence, and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months.
- (2) A paid employee of a police authority who is employed under the direction of a joint board, joint authority or joint committee on which the authority is represented and any member of which is appointed on the nomination of some other police authority shall be disqualified for being appointed as or being a member of that other police authority.
- (3) Where a person is disqualified under sub-paragraph (1)(b) of this paragraph by reason that a bankruptcy order has been made against him or his estate has been sequestrated, the disqualification shall cease—
- (a) unless the bankruptcy order is previously annulled or the sequestration of his estate is recalled or reduced, on his obtaining a discharge; and
 - (b) if the bankruptcy order is annulled or the sequestration of his estate is recalled or reduced, on the date of that event.
- (4) Where a person is disqualified under sub-paragraph (1)(b) of this paragraph by reason of his having made a composition or arrangement with, or granted a trust deed for, his creditors and he pays his debts in full, the disqualification shall cease on the date on which the payment is completed, and in any other case it shall cease at the end of the period of five years beginning with the date on which the terms of the deed of composition or arrangement or trust deed are fulfilled.
- (5) For the purposes of sub-paragraph (1)(d) of this paragraph, the date of a conviction shall be taken to be the ordinary date on which the period allowed for making an appeal or application expires or, if an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of its non-prosecution.

Marginal Citations

M2 1986 c. 46.

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authority under paragraph 2 of this Schedule if he was elected for an electoral division or ward wholly within the metropolitan police district.

- 14 (1) Without prejudice to paragraphs 11 and 12 of this Schedule, a person shall be disqualified for being appointed as a member of a police authority under paragraph 5 of this Schedule if—
- (a) he has not yet attained the age of twenty-one years, or
 - (b) neither his principal or only place of work, nor his principal or only place of residence, has been in the area of the authority during the whole of the period of twelve months ending with the day of appointment.
- (2) Without prejudice to paragraphs 11 and 12 of this Schedule, a person shall be disqualified for being a member so appointed if, at any time, neither his principal or only place of work, nor his principal or only place of residence, is within that area.
- 15 (1) Without prejudice to paragraphs 11 and 12 of this Schedule, a person shall be disqualified for being appointed as a member of a police authority under paragraph 5 of this Schedule, and for being a member so appointed, if he is—
- (a) a member of the council for a county, district, county borough or London borough which is wholly or partly within the area of the police authority;
 - (b) a magistrate eligible for appointment to the police authority under paragraph 8 of this Schedule;
 - (c) a member of the selection panel for the police authority's area established under Schedule 1C to this Act;
 - (d) a member of a police force;
 - (e) an officer or employee of a police authority; or
 - (f) an officer or employee of a relevant council.
- (2) A person shall not be regarded for the purposes of sub-paragraph (1)(f) of this paragraph as an employee of a relevant council by reason of his holding—
- (a) the post of head teacher or principal of a school, college or other educational institution or establishment which is maintained or assisted by a local education authority; or
 - (b) any other post as a teacher or lecturer in any such school, college, institution or establishment.

Tenure of office

- 16 Subject to the following paragraphs (and to the provisions of any order under section 3A(2) of this Act), a person shall hold and vacate office as a member of a police authority in accordance with the terms of his appointment.
- 17 (1) A person shall be appointed to hold office as a member for—
- (a) a term of four years or a term expiring on his attaining the age of seventy years, whichever is the shorter, or
 - (b) such shorter term as the body appointing him may determine in any particular case.

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- (2) A person shall not, by virtue of sub-paragraph (1)(b) of this paragraph, be appointed under paragraph 5 of this Schedule for a term shorter than four years without the approval of the Secretary of State.

Modifications etc. (not altering text)

- C2** Sch. 1B para. 17 modified (12.7.1995) by S.I. 1995/1775, art. 4(7)
 Sch. 1B para. 17 modified (12.7.1995) by S.I. 1995/1770, art. 6(7)
 Sch. 1B para. 17 modified (12.7.1995) by S.I. 1995/1771, art. 4(7)
 Sch. 1B para. 17 modified (12.7.1995) by S.I. 1995/1772, art. 4(7)
 Sch. 1B para. 17 modified (12.7.1995) by S.I. 1995/1773, art. 4(7)
 Sch. 1B para. 17 modified (12.7.1995) by S.I. 1995/1774, art. 4(7)
 Sch. 1B para. 17 modified (12.7.1995) by S.I. 1995/1776, art. 4(7)
 Sch. 1B para. 17 modified (12.7.1995) by S.I. 1995/1779, art. 6(7)

- 18 (1) A person may at any time resign his office as a member, or as chairman, by notice in writing to the police authority.
- (2) Where a member appointed under paragraph 5 of this Schedule resigns his office as a member under sub-paragraph (1) of this paragraph, he shall send a copy of the notice to the Secretary of State.
- 19 (1) A member of a relevant council appointed to be a member of a police authority under paragraph 2 of this Schedule shall cease to be a member of the authority if he ceases to be a member of the council (and does not on the same day again become a member of the council).
- (2) A magistrate appointed to be a member of a police authority under paragraph 8 of this Schedule shall cease to be a member of the authority if he ceases to be a magistrate for an area all or part of which constitutes or forms part of the authority's area.
- 20 (1) A police authority may remove a member from office by notice in writing if—
- (a) he has been absent from meetings of the police authority for a period longer than three consecutive months without the consent of the authority,
 - (b) he has been convicted of a criminal offence (but is not disqualified for being a member under paragraph 12 of this Schedule),
 - (c) the police authority is satisfied that the member is incapacitated by physical or mental illness, or
 - (d) the police authority is satisfied that the member is otherwise unable or unfit to discharge his functions as a member.
- (2) Where a police authority removes a member under sub-paragraph (1) of this paragraph, it shall give notice of that fact—
- (a) in the case of a member appointed under paragraph 2 or 8 of this Schedule, to the body which appointed him, and
 - (b) in the case of a member appointed under paragraph 5, to the Secretary of State.

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21 A council or joint committee may remove from office a member of a police authority appointed by it under paragraph 2 of this Schedule with a view to appointing another in his place if it considers that to do so would further the object provided for by paragraph 4.

22 If a chairman of a police authority ceases to be a member, he shall also cease to be chairman.

Eligibility for re-appointment

23 A person who ceases to be a member, otherwise than by virtue of paragraph 20 of this Schedule, or ceases to be chairman, may (if otherwise eligible) be re-appointed.

Validity of acts

24 The acts and proceedings of any person appointed to be a member or chairman of a police authority and acting in that office shall, notwithstanding his disqualification or want of qualification, be as valid and effectual as if he had been qualified.

25 The proceedings of a police authority shall not be invalidated by a vacancy in the membership of the authority or in the office of chairman or by any defect in the appointment of a person as a member or as chairman.

Allowances

26 (1) A police authority may make to its chairman and other members such payments by way of reimbursement of expenses and allowances as the Secretary of State may, with the approval of the Treasury, determine.

(2) Payments made under sub-paragraph (1) of this paragraph may differ according to whether the recipient is a chairman or other member or was appointed under paragraph 2, 5 or 8 of this Schedule.

Interpretation

27 (1) For the purposes of this Schedule, a council is a “relevant council” in relation to a police authority if—

- (a) it is the council for a county, district, county borough or London borough which constitutes, or is wholly within, the authority’s police area, and
- (b) in the case of a district council, the district is not in a county having a county council within paragraph (a).

(2) In determining for the purposes of sub-paragraph (1) of this paragraph whether a county or district is wholly within a police area, any part of the county or district which is within the metropolitan police district shall be disregarded.

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Modifications etc. (not altering text)

- C3** Sch. 1B para. 27(1) modified (31.1.1995 with effect as mentioned in art. 5(2)(a) of the amending S.I.) by S.I. 1995/187 art. 5(2)(a)
- Sch. 1B para. 27(1) modified (1.3.1995 with effect as mentioned in art. 12(2)(a) of the amending S.I.) by S.I. 1995/493 art. 12(2)(a)
- Sch. 1B para. 27(1) modified (8.3.1995 with effect as mentioned in art. 11(2)(a) of the amending S.I.) by S.I. 1995/610, **art. 11(2)(a)**
- Sch. 1B para. 27(1) modified (12.7.1995 with effect as mentioned in art. 4(2)(a) of the amending S.I.) by S.I. 1995/1769, **art. 4(2)(a)**
- Sch. 1B para. 27(1) modified (12.7.1995 with effect as mentioned in art. 6(2)(a) of the amending S.I.) by S.I. 1995/1770, **art. 6(2)(a)**
- Sch. 1B para. 27(1) modified (12.7.1995 with effect as mentioned in art. 4(2)(a) of the amending S.I.) by S.I. 1995/1771, **art. 4(2)(a)**
- Sch. 1B para. 27(1) modified (12.7.1995 with effect 1.10.1996 as mentioned in art. 4(2)(a) of the amending S.I.) by S.I. 1995/1772, **art. 4(2)(a)**
- Sch. 1B para. 27(1) modified (12.7.1995 with effect 1.10.1996 as mentioned in art. 4(2)(a) of the amending S.I.) by S.I. 1995/1773, **art. 4(2)(a)**
- Sch. 1B para. 27(1) modified (12.7.1995 with effect 1.10.1996 as mentioned in art. 4(2)(a) of the amending S.I.) by S.I. 1995/1774, **art. 4(2)(a)**
- Sch. 1B para. 27(1) modified (12.7.1995 with effect 1.10.1996 as mentioned in art. 4(2)(a) of the amending S.I.) by S.I. 1995/1775, **art. 4(2)(a)**
- Sch. 1B para. 27(1) modified (12.7.1995 with effect 1.10.1996 as mentioned in art. 4(2)(a) of the amending S.I.) by S.I. 1995/1776, **art. 4(2)(a)**
- Sch. 1B para. 27(1) modified (12.7.1995 with effect 1.10.1996 as mentioned in art. 4(2)(a) of the amending S.I.) by 1995/1779, art. 6(2)(a)
- Sch. 1B para. 27(1) applied (with modifications) (11.12.1995) by S.I. 1995/2864, **art. 4(2)(a)**
- Sch. 1B para. 27(1) applied (with modifications) (1.3.1996 with effect as mentioned in art. 4(2) of the amending S.I.) by S.I. 1996/507, **art. 4(2)**

[^{F5}SCHEDULE 1C

POLICE AUTHORITIES: SELECTION OF INDEPENDENT MEMBERS]

Textual Amendments

- F5** Sch. 1C inserted (21.7.1994 so far as makes regulations under para. 11 and 8.8.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, ss. 3(2), 94(3)(a)(ii), **Sch. 2**; S.I. 1994/2025, **art. 4**; S.I. 1994/3262, art. 4, **Sch.**

Selection panels

- 1 (1) There shall be a selection panel for each police area for the time being listed in Schedule 1A to this Act.
- (2) Each selection panel shall consist of three members, one of whom shall be appointed by each of the following—

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- (a) the designated members of the police authority for the area;
 - (b) the Secretary of State;
 - (c) the two members of the panel appointed by virtue of paragraphs (a) and (b) of this sub-paragraph.
 - (3) A designated member may be appointed as a member of a selection panel by virtue of paragraph (a) (but not paragraph (b) or (c)) of sub-paragraph (2) of this paragraph.
 - (4) In this Schedule “designated member” means a member appointed under paragraph 2 or 8 of Schedule 1B to this Act.
- 2 A person shall be disqualified for being appointed as or being a member of a selection panel if, by virtue of paragraph 11, 12, 14 or 15(1)(d) to (f) of Schedule 1B to this Act, he is disqualified—
 - (a) for being appointed under paragraph 5 of that Schedule as a member of the police authority for the panel’s area, or
 - (b) for being a member so appointed.
- 3
 - (1) A person shall be appointed to hold office as a member of a selection panel for a term of two years, or for a term expiring on his attaining seventy years of age, whichever is the shorter.
 - (2) A person may at any time resign his office as a member by notice in writing to the persons who under paragraph 1 of this Schedule would be required to appoint his successor.
 - (3) A person shall not cease to be a member by reason only that any of the persons appointing him cease to hold the positions by virtue of which they appointed him.
- 4 A member of a selection panel may be removed from office by notice in writing by the persons who, under paragraph 1 of this Schedule, would be required to appoint his successor (“the appointer”) if—
 - (a) the member has been absent from two consecutive meetings of the selection panel without the consent of the panel,
 - (b) the member has been convicted of a criminal offence (but is not disqualified for being a member under paragraph 2 of this Schedule),
 - (c) the appointer is satisfied that the member is incapacitated by physical or mental illness, or
 - (d) the appointer is satisfied that the member is otherwise unable or unfit to discharge his functions as a member.
- 5 A person who ceases to be a member of a selection panel, otherwise than by virtue of paragraph 4 of this Schedule may (if otherwise eligible) be re-appointed.
- 6
 - (1) The acts and proceedings of any person appointed to be a member of a selection panel and acting in that office shall, notwithstanding his disqualification or want of qualification, be as valid and effectual as if he had been qualified.

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- (2) Subject to the provisions of any regulations made under paragraph 11 of this Schedule, the proceedings of a selection panel shall not be invalidated by—
- (a) a vacancy in the membership of the panel, or
 - (b) a defect in the appointment of a person as a member.
- 7 (1) A police authority shall make to members of the selection panel for the authority's area such payments by way of reimbursement of expenses and allowances as it may determine.
- (2) A police authority shall—
- (a) provide the selection panel for the authority's area with such accommodation, and such secretarial and other assistance, as they may reasonably require, and
 - (b) meet any expenses incurred by the panel in the exercise of their functions.

Functions of selection panel

- 8 (1) Where appointments to a police authority are to be made under paragraph 5 of Schedule 1B to this Act, the selection panel for the authority's area shall nominate persons willing to be candidates for appointment.
- (2) Unless the selection panel are able to identify only a smaller number, the number of persons to be nominated by a selection panel under this paragraph on any occasion shall be a number four times greater than the number of appointments to be made under paragraph 5 of Schedule 1B to this Act.
- (3) A selection panel shall notify the Secretary of State of—
- (a) the name of each person nominated by it under this paragraph, and
 - (b) such other information regarding those persons as it considers appropriate.
- 9 A person shall not be nominated under paragraph 8 of this Schedule in relation to an authority if, by virtue of paragraph 11, 12, 14 or 15 of Schedule 1B to this Act, he is disqualified for being appointed as a member of the authority under paragraph 5 of that Schedule.
- 10 In exercising their functions a selection panel shall have regard to the desirability of ensuring that, so far as reasonably practicable, the persons nominated by them under paragraph 8 of this Schedule—
- (a) represent the interests of a wide range of people within the community in the police area, and
 - (b) include persons with skills, knowledge or experience in such fields as may be specified for the purposes of this paragraph in regulations made under paragraph 11 of this Schedule.
- 11 (1) The Secretary of State may make regulations as to—

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- (a) the procedures to be followed in relation to the selection of persons for nomination under paragraph 8 of this Schedule, and
 - (b) the conduct of the proceedings of selection panels.
- (2) Without prejudice to the generality of sub-paragraph (1) of this paragraph, regulations under this paragraph may—
- (a) make provision (including provision imposing time limits) as to the procedures to be adopted when inviting applications or suggestions for nomination under paragraph 8 of this Schedule, and for dealing with applications and suggestions received;
 - (b) make provision specifying the fields referred to in paragraph 10 of this Schedule;
 - (c) prescribe matters, in addition to those mentioned in paragraph 10 of this Schedule, to which a selection panel is to have regard in carrying out any of its functions;
 - (d) provide for decisions of a selection panel to be taken by a majority of the members.
- (3) Regulations under this paragraph may make different provision for different cases and circumstances.
- (4) A statutory instrument containing regulations under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Secretary of State's short-list

- 12 (1) Where the Secretary of State receives a notice under paragraph 8(3) of this Schedule, he shall as soon as practicable prepare a short-list of candidates and send it to the police authority concerned.
- (2) Subject to paragraph 13 of this Schedule, the candidates on the short-list prepared by the Secretary of State shall be persons nominated by the selection panel, and their number shall be one half of the number of those persons.
- (3) Where the number of persons nominated by the panel is an odd number, the number to be short-listed by the Secretary of State shall be one half of the number nominated reduced by one.
- 13 (1) This paragraph has effect where the number of persons nominated by the selection panel is less than twice the number of vacancies to be filled by appointments under paragraph 5 of Schedule 1B.
- (2) The Secretary of State may himself nominate such number of candidates as, when added to the number nominated by the selection panel, equals twice the number of vacancies; and if he does so, paragraph 12 of this Schedule shall have effect as if the selection panel had nominated the Secretary of State's nominees as well as their own.
- 14 The Secretary of State shall give to the designated members any information regarding the persons on his short-list which they request and which he has received under paragraph 8 of this Schedule.

Status: Point in time view as at 08/08/1994.

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SCHEDULE 2

Section 18.

FORM OF DECLARATION

I, of do solemnly and sincerely declare and affirm that I will well and truly serve Our Sovereign Lady the Queen in the office of constable, without favour or affection, malice or ill will; and that I will to the best of my power cause the peace to be kept and preserved, and prevent all offences against the persons and properties of Her Majesty's subjects; and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof faithfully according to law.

SCHEDULE 3

Section 21.

.....

SCHEDULE 4

Section 21.

TRANSITORY PROVISIONS FOR AMALGAMATION SCHEMES

Constables and cadets

- 1 (1) All members of a transferred force who are transferred by an amalgamation scheme shall be deemed to have been duly appointed as members of the new force under Part I of this Act, and to have been duly attested as such, and shall hold in that force the same ranks respectively as they held immediately before the date of transfer in the force from which they are transferred.
- (2) All special constables appointed for a transferred area who are transferred by an amalgamation scheme shall be deemed to have been appointed as special constables for the new area under Part I of this Act, and to have been duly attested as such.
- (3) All police cadets who are transferred by an amalgamation scheme shall be deemed to have been appointed under Part I of this Act to undergo training with a view to becoming members of the new force.

- 2 Where, immediately before the date of transfer—
- (a) section 43(1)(a) of this Act, or
 - (b) section 2 of the ^{M4}Police (Overseas Service) Act 1945. [^{F10}or
 - (c) section 2 of the ^{M5}Police Act 1969]

applied to any person as having been a member of a transferred force, that section shall, unless the amalgamation scheme otherwise provides, apply to him in relation to any period after the date of transfer, as if for any reference to the police force to which he was entitled to revert there were substituted a reference to the new force, and references in that section to the appropriate authority shall be construed accordingly.

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Textual Amendments

F10 Words inserted by [Police Act 1969 \(c. 63\), S. 2\(4\)](#)

Modifications etc. (not altering text)

C8 [Sch. 4 para. 2](#) modified by [Overseas Development and Co-operation Act 1980 \(c. 63, SIF 88\)](#), s. 11

Marginal Citations

M4 1945c. 17. (9 & 10 Geo. 6).

M5 [1969 c. 63.](#)

Staff and assets

- 3 (1) Where any officers or servants, property, rights or liabilities have been transferred by virtue of an amalgamation scheme from one authority to another, or will be so transferred on the date of transfer, those authorities may by agreement provide for the making of such adjustments in relation to their respective property, rights and liabilities as appear to them to be desirable having regard to the transfer, and any such agreement may, in particular, provide for the making of payments by either party thereto.
- (2) If any question arises—
- (a) whether any persons, property, rights or liabilities have been or will on the date of transfer be transferred from one authority to another by virtue of an amalgamation scheme; or
 - (b) whether any such adjustment as is mentioned in the foregoing sub-paragraph ought to be made between any authorities,
- that question shall, in default of agreement between the authorities concerned, be referred to a single arbitrator agreed upon between the parties, or in default of agreement appointed by the Secretary of State, and the award of the arbitrator with respect to any such question as is mentioned in paragraph (b) of this sub-paragraph may provide for any matter for which provision might have been made by an agreement under the foregoing sub-paragraph.

Pending proceedings

- 4 (1) Where, immediately before the date of transfer, proceedings were pending by or against any authority with respect to any property, rights or liabilities which are transferred by virtue of an amalgamation scheme, those proceedings may be carried on thereafter with the substitution for that authority of the authority to whom the property, rights or liabilities are so transferred.
- (2) Where, immediately before the date of transfer, a member of a transferred force is entitled to appeal to the Secretary of State under the provisions of section 37 of this Act, or of any corresponding provisions repealed by this Act, or where any such member has appealed to the Secretary of State under any of those provisions before the said date but the appeal has not been determined, then, unless the Secretary of State otherwise directs, the disciplinary authority for the new area shall be the

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respondent for the purposes of the appeal, and in the case of a pending appeal, shall be substituted as respondent for the disciplinary authority for the transferred force.

Superannuation

- 5 (1) F11
 (4) ... F12
 (5) F13
 (6) F14

Textual Amendments

- F11** Sch. 4 para. 5(1)—(3) repealed by S.I. 1977/1341, **Sch. 6 Pt. I** except in relation to persons transferred before 1.4.1974 by virtue of a scheme made under Part I of the Act
- F12** Sch. 4 para. 5(4) repealed by Superannuation Act 1972 (c. 11), s. 29(4), **Sch. 8**
- F13** Sch. 4 para. 5(5) repealed with saving by Superannuation Act 1972 (c. 11), s. 29(4), **Sch. 7 para. 5** Table para. 9, Sch. 8 and S.I. 1974/520, reg. M2(1), **Sch. 19 Pt. I**
- F14** Sch. 4 para. 5(6)(7) repealed by S.I. 1977/1341, **Sch. 6 Pt. I** except in relation to a person transferred before 1.4.1974 by virtue of a scheme made under Part I of the Act

Registers

- 6 Any register, or the appropriate part of any register, kept in pursuance of any enactment by the chief constable of a transferred area shall be transferred by him to the chief constable of the new area as soon as may be after the date of transfer, and as from that date shall be deemed to form part of the corresponding register kept by that chief constable.

Supplementary

F15

7

Textual Amendments

- F15** Sch. 4 para. 7 repealed by S.I. 1974/520, **Sch. 19 Pt. II** except in relation to persons (a) transferred before 1.4.1974 by virtue of a scheme made under Part I of the Act or (b) transferred to the employment of the Common Council of the City of London after 31.3.1974

- 8 In this Schedule—
 “date of transfer” means the date on which an amalgamation scheme comes into operation or, where different provisions of the scheme come into operation on different dates, the last of those dates;

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“pension” includes a lump sum and a gratuity;

“statutory provision” means a provision, whether of a general or a special nature, contained in, or in any document made or issued under, any Act, whether of a general or a special nature;

“transferred area” means a police area which becomes comprised in a combined police area by virtue of an amalgamated scheme, or which is divided into two or more police areas by virtue of a scheme amending or revoking such a scheme;

“transferred force” means the police force of a transferred area;

“new area” means, in relation to any person or property, the police area in which a transferred area becomes comprised by virtue of an amalgamation scheme or, in the case of an area which is divided into two or more police areas by virtue of a scheme amending or revoking an amalgamation scheme, such of those areas as may be prescribed by that scheme;

“new force” means the police force of a new area

[^{F16}SCHEDULE 5

Section 37.]

DISCIPLINARY APPEALS

Textual Amendments

F16 Sch. 5 substituted by [Police and Criminal Evidence Act 1984 \(c. 60, S.I.F.95\)](#), s. 103(2)

Notice of appeal

- 1 Any appeal under section 37 of this Act (in this Schedule referred to as “the principal section”) shall be instituted by giving a notice of appeal within the time prescribed under this Schedule.

Respondent

- 2 (1) On any appeal under the principal section against the decision of a police authority the respondent shall be that authority.
- (2) On any other appeal under that section the respondent shall be the chief officer of police of the police force to which the appellant belongs or such other person as the Secretary of State may direct; and the Secretary of State may direct any respondent under this sub-paragraph to act in relation to the appeal in consultation with such other person or persons as the Secretary of State may specify.

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Inquiries

- 3 (1) The Secretary of State may appoint three persons to hold an inquiry into and report to him on any appeal under the principal section other than an appeal from a decision of a police authority and, subject to sub-paragraph (2) below, shall do so where—
- (a) it appears to him that the appeal cannot be properly determined without taking evidence; or
 - (b) the appellant has been punished by way of dismissal, requirement to resign or reduction in rank and has requested that such persons be appointed.
- (2) The Secretary of State need not make an appointment under sub-paragraph (1) above if he is satisfied that there are sufficient grounds for allowing the appeal without an inquiry.
- (3) The persons appointed under sub-paragraph (1) above shall be—
- (a) a, [^{F17}person who has a 7 year general qualification, within the meaning of section 71 of the Courts and Legal Services Act 1990] who shall be chairman;
 - (b) a serving or retired inspector of constabulary or a retired chief officer; and
 - (c) a retired officer of appropriate rank within the meaning of sub-paragraph (4) below.
- (4) A retired officer of appropriate rank means—
- (a) where the appellant was, immediately before the disciplinary proceedings, of the rank of chief superintendent or superintendent, a retired police officer who at the time of his retirement was of either of those ranks; and
 - (b) in any other case, a retired police officer who at the time of his retirement was of the rank of chief inspector or below.
- (5) The Secretary of State may appoint one or more persons to hold an inquiry into and report to him on an appeal under the principal section from a decision of a police authority.
- (6) The Secretary of State may require persons appointed under this paragraph to deal in their report with any particular matter specified by him.
- (7) Subsections (2) and (3) of section 250 ^{M6} of the Local Government Act 1972 shall apply to any inquiry under this paragraph as they apply to an inquiry under that section.
- (8) The Secretary of State may require persons appointed under this paragraph to hold a hearing.
- (9) Persons so appointed shall hold a hearing in any case where they are not required to do so under sub-paragraph (8) above, unless it appears to them that it is unnecessary to do so.
- (10) A decision whether to hold a hearing shall not be taken under sub-paragraph (9) above unless both the appellant and the respondent have been afforded an opportunity to make written or, if either so requests, oral representations and any such representations have been considered.
- (11) Where a hearing is held in the course of an inquiry, the appellant shall have the right to appear by a serving member of a police force or by counsel or a solicitor; and the

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respondent shall have the right to appear by an officer of the police force or by the clerk or other officer of the police authority or by counsel or a solicitor.

- (12) Before making an order under the principal section the Secretary of State shall consider any report made to him under this paragraph, as well as the notice of appeal and any other documents submitted to him by the appellant and the respondent in accordance with rules under this Schedule.
- (13) The Secretary of State may, before making an order under the principal section, remit the case for further investigation by the person or persons who held the inquiry or, if he thinks fit, for further consideration by the person or persons whose decision is the subject of the appeal.

Textual Amendments

F17 Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), s. 71(2), [Sch. 10](#), para. 22

Marginal Citations

M6 [1972 c. 70 \(81:1\)](#)

Notice and effect of orders

- 4 (1) A copy of any order made by the Secretary of State, together with a written statement of his reasons for making it, shall as soon as made be sent to the appellant and the respondent together with, if an inquiry was held, a copy of the report of the person or persons who held the inquiry; and the order shall be final and binding upon all parties.
- (2) Where an appeal is allowed or the punishment is varied by the Secretary of State, the order shall take effect by way of substitution for the decision appealed from, and as from the date of that decision; and where the effect of the order is to reinstate the appellant in the force or in his rank, he shall, for the purpose of reckoning service for pension, and, to such extent (if any) as may be determined by the order, for the purpose of pay, be deemed to have served in the force or in that rank, as the case may be, continuously from the date of the decision to the date of his reinstatement and, if he were suspended for a period immediately preceding the date of the decision, the order shall deal with the suspension.
- (3) Any costs payable under the principal section shall be subject to taxation in such manner as the Secretary of State may direct.

Rules

- 5 (1) The Secretary of State may make rules as to the procedure on appeals and at inquiries under this Schedule and in particular, but without prejudice to the generality of this provision, may make rules—
 - (a) prescribing the form and content of the notice of appeal and the documents to be submitted by the appellant and the time within which such documents are to be submitted; and

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- (b) prescribing the documents to be submitted and the time within which they are to be submitted by the respondent; and
 - (c) providing for the person or persons holding an inquiry to receive evidence or representations in writing instead of holding a hearing.
- (2) Any rules made under this paragraph shall be laid before Parliament after being made.

^{F18}SCHEDULES 6

.....

Textual Amendments

F18 Sch. 6 repealed by [Police Pensions Act 1976 \(c. 35\)](#), **Sch. 3**

^{F19}SCHEDULES 7

.....

Textual Amendments

F19 Sch. 7 repealed by [Police \(Scotland\) Act 1967 \(c. 77, SIF 95\)](#), **Sch. 5 Pt. I**

SCHEDULE 8

Section 62.

MEANING OF POLICE AREA, &C.

Police area	Police Authority	Chief Officer of Police	Police fund
The City of London.	The Common Council.	The Commissioner of City of London Police.	The fund out of which the expenses of the City police are paid.
The metropolitan police district.	The Secretary of State	The Commissioner of Police of the Metropolis.	The metropolitan police fund.
[^{F20} A non-metropolitan county]	[^{F20} The police committee.]	[^{F20} The chief constable.]	[^{F20} The county fund.]
[^{F20} A metropolitan county]	[^{F20} The metropolitan county police authority]	[^{F20} The chief constable]	[^{F20} The general fund]

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[^{F20} The Northumbria police area]	[^{F20} The Northumbria Police Authority]	[^{F20} The chief constable]	[^{F20} The general fund]
...
F21	F21	F21	F21
A combined area	The combined police authority.	The chief constable.	The combined police fund.
...
F22	F22	F22	F22

Textual Amendments

- F20** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 37, **Sch. 11 para. 1(8)**
- F21** Entry repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**
- F22** Entry repealed by [Statute Law \(Repeals\) Act 1971 \(c. 52\)](#), **Sch. Pt. IX**

In this Schedule “the City of London” means the City as defined for the purposes of the Acts relating to the City of London police; “the metropolitan police district” means that district as defined in section 76 of the London Government Act 1963; references to a county . . . ^{F23} shall be construed in accordance with Part I of this Act; . . . ^{F24}

Textual Amendments

- F23** Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**
- F24** Words repealed by [Statute Law \(Repeals\) Act 1971 \(c. 52\)](#), **Sch. Pt. IX**

^{X1}SCHEDULE 9

Section 63

MINOR AND CONSEQUENTIAL AMENDMENTS

Editorial Information

- X1** The text of Sch. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Enactment	Amendment
...	...
F25	F25
...	...
F26	F26
...	...
F26	F26
...	...

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F27

. . .
F28The
M7

Metropolitan Police Act 1886.

The
M8

Riot (Damages) Act 1886

F27

. . .
F28

In section 2 for the words “Minister of Health” there shall be substituted the words “Secretary of State”.

Throughout the Act for the words “police authority” there shall be substituted the words “compensation authority”.

In section 2(1), for the words “the police rate” there shall be substituted the words “the police fund”.

In section 5, in subsection (1), for the words from “moneys held by them” to “the said moneys” there shall be substituted the words “the police fund, and shall also pay out of the said fund” ; in subsection (3) for the words “riot expenses” there shall be substituted the words “any compensation, costs and expenses payable under subsection (1) of this section”; and subsection (4) shall be omitted.

In section 9, for the words from “means one of the districts” to “assigned to them” there shall be substituted the words and the expression “police fund” have the same meaning as in the Police Act 1964 and the expression “compensation authority” means—

(a) in relation to a district for which the police authority is a committee of the council of a county or borough, that council;

(b) in relation to the metropolitan police district, the Receiver for that district; and

(c) in relation to any other district, the police authority.

The
M9

Metropolitan Police (Receiver) Act 1895.

In section 1 for the words “absent from his duties” there shall be substituted the words “unable to act whether by reason of absence or otherwise”.

The
M10

Children and Young Persons Act 1933.

In section 107(1), in the definition “chief officer of police”, for the words “means as regards” to “The Police Act 1890” there shall be substituted the words “as regards England has the same meaning as in the Police Act 1964”.

. . .

. . .

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F29

...
F30

The
M11
Police (Overseas Service) Act 1945.

...
In section 2, after subsection (1) there shall be inserted the following subsection—

(1A) Notwithstanding anything in the last foregoing subsection, a person who has engaged for a period of overseas service may be promoted in his home police force as if he were serving in that force; and in any such case the reference in that subsection to the rank in which he was serving immediately before he was engaged as aforesaid shall be construed as a reference to the rank to which he is promoted, and for the purposes of any such scale as is mentioned in that subsection he shall be treated as having served in that rank from the time of his promotion.

In section 2(2) for the words “the last foregoing subsection” there shall be substituted the words “subsection (1) of this section”.

In section 3(1) for the words “within the meaning of the Police Prnsions Act 1921” there shall be substituted the words “within the meaning of the Police(Scotland) Act 1956 or the Police Act 1964”.

...
F26

...
F26

...
F31

...
F31

The
M12
Local Government (Miscellaneous Provisions) Act 1953.

In section 18, after subsection (2) there shall be added the following subsection — “(3)– In relation to a council of any county or county borough any reference in paragraph (a) or (b) of subsection (1) of section 1 of this Act to the authority, and any references in paragraph (a) of subsection (1) of section 2 of this Act to the local authority, shall be construed as including a reference to a police authority which is a committee of that council”.

...
F26

...
F26

The
M13

In section 60(2), after the words “the Act of 1933” there shall be inserted the words “or

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Local Government Act 1958. of any order under Part I of the Police Act 1964”; and for the words “that Act” there shall be substituted the words “the Act of 1933”.

... F26

The M14 In Schedule 2, in paragraph 1, sub-paragraph (5) shall be omitted.
 Betting, Gaming and Lotteries Act 1963.

Textual Amendments

- F25** Sch. 9: entry relating to the Metropolitan Police Act 1839 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), s. 1, **Sch. Pt. XI**, and expressed to be repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1 Pt. I**
- F26** Sch. 9: entries relating to the City of London Police Act 1839, the Town Police Clauses Act 1847, the National Insurance (Industrial Injuries) Act 1946, the Homicide Act 1957 and the Road Traffic and Roads Improvement Act 1960, repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1 Pt. I**
- F27** Entry relating to The Juries Act 1870 repealed by [Criminal Justice Act 1972 \(c.71, S I F 39:1\)](#), s. 64(2), **Sch. 6 Pt. I**
- F28** Entry relating to Metropolitan Police Staff (Superannuation) Act 1875 repealed by [Statute Law Repeals Act 1974 \(c. 22\)](#), s. 1, **Sch. Pt. XI**
- F29** Entry relating to the Local Government Act 1933 repealed by [S.I. 1974/595](#), art. 3(22), **Sch. 1 Pt. I**
- F30** Entry relating to Firearms Act 1937 repealed by [Firearms Act 1968 \(c. 27, S I F 51:1\)](#), s. 59(1), **Sch. 7**
- F31** Entry relating to the Police Pensions Act 1948 repealed by [Police Act 1976\(c. 35, S I F 95\)](#), s. 13(2), **Sch. 3**

Marginal Citations

- M7** 49 & 50 Vict. 22
- M8** 49 & 50 Vict. c. 38
- M9** 58 & 59 Vict c. 12
- M10** 23 & 24 Geo. 5. c. 12
- M11** 9 & 10 Geo. 6. c. 17
- M12** 1 &2 Eliz. 2. c. 26.
- M13** 6 & 7 Eliz. 2. c. 55
- M14** c. 55

F32 SCHEDULE 10

.....

Textual Amendments

- F32** Sch. 10 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), **Sch. Pt. XI**

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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 ^{M15}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.

Marginal Citations

M15 1960 c. 63.

- 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.

.....
F333

Textual Amendments

F33 Sch. 11 para.3 repealed by S.I. 1977/1341, Sch. 6 Pt. I except in relation to persons transferred before 1.4.1974 by virtue of a scheme made under Part I of the Act

- 4 (1) Where, for the purposes of any such statutory provision as is mentioned in subparagraph (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,

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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 ^{M16}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.

Marginal Citations
M16 1946 c. 46

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.

.....
F347—13.

Textual Amendments
F34 Sch. 11 paras.7—13 repealed by Local Government Act 1972 (c. 70, S I F 81:1), Sch. 30

Status:

Point in time view as at 08/08/1994.

Changes to legislation:

Police Act 1964 is up to date with all changes known to be in force on or before 07 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.