



# Police Act 1964

## 1964 CHAPTER 48

### PART II

#### CENTRAL SUPERVISION, DIRECTION AND FACILITIES

##### *Functions of Secretary of State*

#### [<sup>F1</sup>37 **Disciplinary appeals to Secretary of State.**

- (1) A member of a police force who is dealt with for an offence against discipline may appeal to the Secretary of State—
  - (a) against the decision on the disciplinary charge which was preferred against him;
  - (b) against any punishment awarded, except where he has a right of appeal to some other person; and in that case he may appeal to the Secretary of State from any decision of that other person.
- (2) On an appeal the Secretary of State may make an order allowing or dismissing the appeal.
- (3) Subject to subsection (4) below, in any case where it appears to him that it is appropriate to do so, he may substitute some other punishment.
- (4) The Secretary of State may not substitute another punishment unless it appears to him—
  - (a) that the person or tribunal who heard the disciplinary charge could have awarded it; and
  - (b) that it is less severe than the punishment awarded by that person or tribunal.
- (5) The Secretary of State may direct an appellant to pay the whole or any part of his own costs; but, subject to any such direction, all the costs and expenses of an appeal under this section, including the costs of the parties, shall be defrayed out of the police fund.
- (6) Schedule 5 to this Act shall have effect in relation to any appeal under this section.]

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

**Changes to legislation:** *There are currently no known outstanding effects for the Police Act 1964, Section 37. (See end of Document for details)*

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### **Textual Amendments**

**F1** S. 37 substituted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 103(1)

**Status:**

Point in time view as at 01/02/1991. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Police Act 1964, Section 37.