



# Race Relations Act 1976 (Repealed)

## 1976 CHAPTER 74

### PART X

#### SUPPLEMENTAL

#### [<sup>F1</sup> Police]

#### Textual Amendments

**F1** Ss. 76A, 76B and cross-heading inserted (2.4.2001) by 2000 c. 34, s. 4 (with s. 10(5)); S.I. 2001/566, art. 2(1)

#### <sup>F2</sup>76A Police forces.

- (1) In this section, “relevant police office” means—
  - (a) the office of constable held—
    - (i) as a member of a police force; or
    - (ii) on appointment as a special constable for a police area; or
  - (b) an appointment as police cadet to undergo training with a view to becoming a member of a police force.
- (2) For the purposes of Part II, the holding of a relevant police office shall be treated as employment—
  - (a) by the chief officer of police as respects any act done by him in relation to that office or a holder of it;
  - (b) by the police authority as respects any act done by it in relation to that office or a holder of it.
- (3) For the purposes of section 32—
  - (a) the holding of a relevant police office shall be treated as employment by the chief officer of police (and as not being employment by any other person); and

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*Changes to legislation: There are currently no known outstanding effects for the Race Relations Act 1976 (Repealed), Cross Heading: Police. (See end of Document for details)*

- (b) anything done by a person holding such an office in the performance, or purported performance, of his functions shall be treated as done in the course of that employment.
- (4) There shall be paid out of the police fund—
- (a) any compensation, costs or expenses awarded against a chief officer of police in any proceedings brought against him under this Act, and any costs or expenses incurred by him in any such proceedings so far as not recovered by him in the proceedings; and
  - (b) any sum required by a chief officer of police for the settlement of any claim made against him under this Act if the settlement is approved by the police authority.
- (5) Any proceedings under this Act which, by virtue of this section, would lie against a chief officer of police shall be brought against—
- (a) the chief officer of police for the time being; or
  - (b) in the case of a vacancy in that office, against the person for the time being performing the functions of that office;
- and references in subsection (4) to the chief officer of police shall be construed accordingly.
- (6) A police authority may, in such cases and to such extent as appear to it to be appropriate, pay out of the police fund—
- (a) any damages or costs awarded in proceedings under this Act against a person under the direction and control of the chief officer of police;
  - (b) any costs incurred and not recovered by such a person in such proceedings; and
  - (c) any sum required in connection with the settlement of a claim that has or might have given rise to such proceedings.

#### Textual Amendments

**F2** Ss. 76A, 76B and cross-heading inserted (2.4.2001) by 2000 c. 34, s. 4 (with s. 10(5)); S.I. 2001/566, art. 2(1)

#### <sup>F3</sup>76B Other police bodies etc.

- (1) Section 76A applies in relation to the National Criminal Intelligence Service (“NCIS”) and the National Crime Squad (“the NCS”) as it applies in relation to a police force but as if any reference—
  - (a) to the chief officer of police were to the Director General of NCIS or of the NCS, as the case may be;
  - (b) to the police authority were to the Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad, as the case may be;
  - (c) to the police fund were to the service fund established under section 16 of the <sup>MI</sup>Police Act 1997 (NCIS service fund) or section 61 of that Act (the NCS service fund), as the case may be.
- (2) Section 76A also applies in relation to any other body of constables or cadets as it applies in relation to a police force, but as if any reference—

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- (a) to the chief officer of police were to the officer or other person who has the direction and control of the body in question;
  - (b) to the police authority were to the authority by whom the members of the body are paid;
  - (c) to the police fund were to money provided by that authority.
- (3) In relation to a member of a police force or a special constable who is not under the direction and control of the chief officer of police for that police force or, as the case may be, for the police area to which he is appointed, references in section 76A to the chief officer of police are references to the chief officer under whose direction and control he is.

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**Textual Amendments**

**F3** Ss. 76A, 76B and cross-heading inserted (2.4.2001) by 2000 c. 34, s. 4 (with s. 10(5)); S.I. 2001/566, art. 2(1)

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**Marginal Citations**

**M1** 1997 c. 50.

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