



Police and Magistrates' Courts Act 1994

CHAPTER 29

POLICE AND MAGISTRATES' COURTS ACT 1994

PART I

POLICE

CHAPTER I

PRINCIPAL AMENDMENTS OF POLICE ACT 1964

Police areas

- 1 Police areas.

Forces outside London

- 2 Police forces and police authorities.
- 3 Membership of police authorities etc.
- 4 Functions of police authorities.
- 5 Chief constables.
- 6 Deputy and assistant chief constables.
- 7 Other members of police forces.
- 8 Police fund.
- 9 Supply of goods and services.
- 10 Civilian employees.
- 11 Appointment of officers.
- 12 Questions by local councillors.

General

- 13 Provision of advice and assistance to international organisations etc.
- 14 Alteration of police areas.

Status: Point in time view as at 08/08/1994.

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- 15 Functions of Secretary of State.
- 16 Reports from police authorities.
- 17 Police grant and other grants.
- 18 Regulations for police forces.
- 19 Appeals against dismissal etc.
- 20 Inspectors of constabulary.
- 21 Reports from inspectors of constabulary.
- 22 Assistant inspectors and staff officers.
- 23 Common services.
- 24 Grants by local authorities.
- 25 Acceptance of gifts and loans.
- 26 Police officers engaged on service outside their force.

CHAPTER II

OTHER PROVISIONS ABOUT THE POLICE

Financial provisions

- 27 Precepts.
- 28 Approval of decisions about precepts.
- 29 Directions as to minimum budget.
- 30 Revenue accounts and capital finance.
- 31 Financial administration.
- 32 Initial financing of new police authorities.
- 33 Validation of past grants.

Complaints against and conduct of police officers

- 34 Reference of matters other than complaints to Complaints Authority.
- 35 Steps to be taken after investigation of complaint.
- 36 Powers of Complaints Authority as to disciplinary proceedings.
- 37 Repeal of certain provisions about discipline.
- 38 Saving for certain complaints procedures.

Reorganisation of local government

- 39 Police areas in England: alterations under Local Government Act 1992.
- 40 Police areas in Wales: alterations under Local Government Act 1972.

Miscellaneous

- 41 Metropolitan police: assistant commissioners.
- 42 Application of Firearms Act 1968 to civilian staff.
- 43 Application to police authorities of enactments relating to local authorities etc.
- 44 Minor and consequential amendments.
- 45 Application of certain provisions to new police authorities.
- 46 Interpretation of Part I.

PART II

POLICE (SCOTLAND)

- 47 Constitution of police force.
- 48 Deputy and assistant chief constables.

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- 49 Civilian employees.
- 50 Provision of advice and assistance to international organisations etc.
- 51 Chief constables' annual reports.
- 52 Regulations for police forces.
- 53 Fixed term appointments etc.
- 54 Power of Secretary of State to give directions to police authorities.
- 55 Appeals against dismissal etc.
- 56 Expenditure in safeguarding national security.
- 57 Duty of inspectors of constabulary.
- 58 Assistant inspectors of constabulary and staff officers to inspectors of constabulary.
- 59 Common services.
- 60 Constables engaged on service outside their force.
- 61 Examination of handling of complaints against constables.
- 62 Transmission of criminal statistics.
- 63 Other amendments of 1967 Act.
- 64 Delegation of functions of Scottish police authority.
- 65 Interpretation of Part II.

PART III

POLICE (NORTHERN IRELAND)

- 66 Regulations for administration, etc. of Royal Ulster Constabulary.
- 67 Regulations for administration, etc. of reserve constables.
- 68 Minor and consequential amendments.

PART IV

MAGISTRATES' COURT

Magistrates' courts committees

- 69 Alteration of magistrates' courts committee areas.
- 70 Constitution of magistrates' courts committees.
- 71 Regulations as to constitution etc. of magistrates' courts committees.
- 72 Supplementary provisions as to magistrates' courts committees.
- 73 General powers and duties of magistrates' courts committees.
- 74 Reports and plans.

Justices' chief executives, justices' clerks and staff

- 75 Appointment and functions of justices' chief executive.
- 76 Appointment and removal of justices' clerks.
- 77 Justices' chief executives and justices' clerks to be employed under contracts of service.
- 78 Independence of justices' clerk and staff in relation to legal functions.

Inner London area

- 79 Magistrates' courts committee for inner London area.
- 80 Organisation of justices' clerks in inner London area.
- 81 Division of work in inner London area.
- 82 Pensions etc. of justices' chief executive, justices' clerks and staff in inner London area.

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Administrative and financial arrangements

- 83 Administrative and financial arrangements for magistrates' courts.
- 84 Local authority land appropriated to magistrates' courts purposes.
- 85 Regulations as to accounts and audit.

Inspectors of the magistrates' courts service

- 86 Inspectors of the magistrates' courts service.
- 87 Powers of inspectors.

Default powers

- 88 Default powers.

Studies by Audit Commission

- 89 Studies by Audit Commission.

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- 90 Regulations under Justices of the Peace Act 1979.
- 91 Minor and consequential amendments.
- 92 Interpretation of Part IV.

PART V

SUPPLEMENTARY

- 93 Repeals.
- 94 Commencement and transitional provisions.
- 95 Police: co-operation on implementation.
- 96 Extent.
- 97 Short title.

SCHEDULES

SCHEDULE 1 — SCHEDULE TO BE INSERTED IN POLICE ACT 1964:
POLICE AREAS

SCHEDULE 2 — SCHEDULES TO BE INSERTED IN POLICE ACT 1964:
POLICE AUTHORITIES

SCHEDULE 3 — SCHEDULE TO BE INSERTED IN POLICE ACT 1964:
APPEALS TRIBUNALS

SCHEDULE 4 — APPLICATION TO POLICE AUTHORITIES OF
ENACTMENTS RELATING TO LOCAL AUTHORITIES
Part I — AMENDMENTS OF LOCAL GOVERNMENT ENACTMENTS

Local Government (Records) Act 1962

- 1 In section 2 of the Local Government (Records) Act 1962...
- 2 In section 8 of that Act (interpretation), in subsection (1),...

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Local Government Act 1966

- 3 In section 11 of the Local Government Act 1966 (grants...

Local Government Grants (Social Need) Act 1969

- 4 In section 1 of the Local Government Grants (Social Need)...

Local Authorities (Goods and Services) Act 1970

- 5 In section 1 of the Local Authorities (Goods and Services)...

Local Government Act 1972

- 6 In section 94 of the Local Government Act 1972 (disability...
7 In section 98 of that Act, in subsection (1A) (application...
8 In section 99 of that Act (meetings and proceedings of...
9 (1) Section 100J of that Act (application to joint authorities...
10 (1) Section 107 of that Act (application to police authorities...
11 (1) Section 146A of that Act (application to police authorities...
12 In section 223 of that Act (appearance of local authorities...
13 In section 228 of that Act (inspection of documents), in...
14 The words “and a police authority established under section 3...
15 (1) Schedule 12 to that Act (meetings and proceedings of...

Local Government Act 1974

- 16 In section 25 of the Local Government Act 1974 (authorities...

Local Government (Miscellaneous Provisions) Act 1976

- 17 In section 30 of the Local Government (Miscellaneous Provisions)
Act...
18 In section 44 of that Act (interpretation), in subsection (1),...

Local Government, Planning and Land Act 1980

- 19 In section 2 of the Local Government, Planning and Land...
20 In section 20 of that Act (interpretation of provisions relating...
21 In section 99 of that Act (directions to dispose of...
22 In Schedule 16 to that Act (bodies to whom provisions...

Local Government (Miscellaneous Provisions) Act 1982

- 23 In section 33 of the Local Government (Miscellaneous Provisions)
Act...
24 In section 41 of that Act (lost and uncollected property),...

Local Government Finance Act 1982

- 25 In section 12 of the Local Government Finance Act 1982...
26 In section 19 of that Act (declaration that item of...
27 In section 20 of that Act (recovery of amount not...
28 After section 28A of that Act there shall be inserted—...

Local Government Act 1986

- 29 In section 6 of the Local Government Act 1986 (interpretation...

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30 In section 9 of that Act (interpretation of provisions relating...

Local Government Act 1988

31 In section 1 of the Local Government Act 1988 (defined...

32 In Schedule 2 to that Act, in the list of...

Local Government Finance Act 1988

33 In section 112 of the Local Government Finance Act 1988...

34 In section 114 of that Act (functions of the chief...

Local Government and Housing Act 1989

35 In section 5 of the Local Government and Housing Act...

36 In section 13 of that Act (voting rights of members...

37 In section 18 of that Act (allowances for local authority...

38 In section 21 of that Act, in subsection (1) (definition...

39 In section 67 of that Act (application of provisions relating...

40 In section 101 of that Act (housing grants for improvements...

41 In section 152 of that Act (interpretation etc. of provision...

42 In section 155 of that Act (emergency assistance to local...

43 In section 157 of that Act (commutation of, and interest...

44 In Schedule 1 to that Act (political balance on local...

Local Government Finance Act 1992

45 In section 19 of the Local Government Finance Act 1992...

Part II — AMENDMENTS OF OTHER ENACTMENTS

Trustee Investments Act 1961

46 In section 11 of the Trustee Investments Act 1961 (local...

47 In Part II of Schedule 1 to that Act (list...

Leasehold Reform Act 1967

48 In section 28 of the Leasehold Reform Act 1967 (retention...

Post Office Act 1969

49 In section 7 of the Post Office Act 1969 (powers...

Employment Agencies Act 1973

50 In section 13 of the Employment Agencies Act 1973, in...

Race Relations Act 1976

51 In section 71 of the Race Relations Act 1976 (local...

Rent (Agriculture) Act 1976

52 In section 5 of the Rent (Agriculture) Act 1976 (no...

Rent Act 1977

53 In section 14 of the Rent Act 1977 (landlord's interest...

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Justices of the Peace Act 1979

54 In section 64 of the Justices of the Peace Act...

Acquisition of Land Act 1981

55 In section 17 of the Acquisition of Land Act 1981...

Stock Transfer Act 1982

56 In Schedule 1 to the Stock Transfer Act 1982 (securities...

County Courts Act 1984

57 In section 60 of the County Courts Act 1984 (right...

Housing Act 1985

58 In section 4 of the Housing Act 1985 (interpretation), in...

Housing Associations Act 1985

59 In section 106 of the Housing Associations Act 1985 (minor...

Landlord and Tenant Act 1985

60 In section 38 of the Landlord and Tenant Act 1985...

Landlord And Tenant Act 1987

61 In section 58 of the Landlord and Tenant Act 1987,...

Housing Act 1988

62 In Schedule 1 to the Housing Act 1988 (tenancies which...

Town and Country Planning Act 1990

63 In section 252 of the Town and Country Planning Act...

SCHEDULE 5 — POLICE: MINOR AND CONSEQUENTIAL AMENDMENTS

Part I — AMENDMENTS OF POLICE ACT 1964

- 1 (1) Section 12 of the Police Act 1964 (reports by...
- 2 (1) Section 13 (collaboration agreements) shall be amended as follows....
- 3 In section 17(1) (appointment of police cadets) the words “and...
- 4 In section 19(3) (jurisdiction of special constables) after the words...
- 5 In section 25, subsection (5) (five representatives of Cambridge University...
- 6 In section 28 (general duty of Secretary of State) after...
- 7 (1) Section 29 (removal of chief constables etc.) shall be...
- 8 (1) Section 30 (reports by chief constables to the Secretary...
- 9 In section 42 (research) after the word “efficiency” there shall...
- 10 (1) Section 43 (central service on police duties) shall be...
- 11 (1) Section 44 (Police Federations) shall be amended as follows....
- 12 In section 53 (causing disaffection) in subsection (1) the words...
- 13 In section 56 (metropolitan and City of London police funds)...
- 14 (1) Section 58 (chief officers affected by amalgamations or local...

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- 15 For section 62 (meaning of "police area" etc.) there shall...
Part II — AMENDMENT OF OTHER ENACTMENTS

Offices, Shops and Railway Premises Act 1963

- 16 In section 90 of the Offices, Shops and Railway Premises...

Pensions (Increase) Act 1971

- 17 In Schedule 2 to the Pensions (Increase) Act 1971 (list...

Overseas Pensions Act 1973

- 18 In section 2 of the Overseas Pensions Act 1973 (which...

Police Pensions Act 1976

- 19 In section 7 of the Police Pensions Act 1976 (payment...
20 (1) Section 11 of that Act (interpretation) shall be amended...

Police Negotiating Board Act 1980

- 21 (1) Section 1 of the Police Negotiating Board Act 1980...

Finance Act 1981

- 22 In section 107 of the Finance Act 1981 (sale of...

Aviation Security Act 1982

- 23 In section 31 of the Aviation Security Act 1982 (application...

Police and Criminal Evidence Act 1984

- 24 In section 84 of the Police and Criminal Evidence Act...
25 In section 85 of that Act (investigation of complaints: standard...
26 In section 86 of that Act (investigation of complaints against...
27 In section 89 of that Act (supervision of investigations by...
28 Section 91 of that Act (steps to be taken where...
29 In section 95 of that Act (manner of dealing with...
30 In section 96 of that Act (constabularies maintained by authorities...
31 In section 99 of that Act (regulations), in subsection (2)...
32 In section 100 of that Act, in subsection (6) (regulations...
33 For section 102 of that Act (representation at disciplinary proceedings)...
34 (1) Section 105 of that Act (guidelines) shall be amended...
35 (1) Section 107 of that Act (police officers performing duties...
36 (1) Schedule 4 to that Act (Police Complaints Authority) shall...

Public Order Act 1986

- 37 In section 15 of the Public Order Act 1986 (delegation...

Channel Tunnel Act 1987

- 38 (1) Section 14 of the Channel Tunnel Act 1987 (arrangements...

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Tribunals and Inquiries Act 1992

- 39 In section 7 of the Tribunals and Inquiries Act 1992...
- 40 (1) Schedule 1 to that Act (tribunals under general supervision...

SCHEDULE 6 — SCHEDULE TO BE INSERTED IN POLICE (SCOTLAND) ACT 1967 : APPEALS TRIBUNALS

SCHEDULE 7 — CONTINUING FUNCTIONS OF RECEIVER FOR THE METROPOLITAN POLICE DISTRICT IN RELATION TO PENSIONS ETC. OF COURT STAFF

- 1 In this Schedule— “court staff” has the same meaning as...
- 2 The Receiver shall pay out of the metropolitan police fund...
- 3 Nothing in paragraph 2 above shall require the Receiver to...
- 4 The Lord Chancellor may out of money provided by Parliament...
- 5 The amount of any grant under paragraph 4 above towards...
- 6 In subsections (5), (6) and (7) of section 59 of...

SCHEDULE 8 — MAGISTRATES' COURTS: MINOR AND CONSEQUENTIAL AMENDMENTS

Part I — AMENDMENT OF JUSTICES OF THE PEACE ACT 1979

- 1 (1) Section 12 of the 1979 Act (travelling, subsistence and...
- 2 (1) Section 17 (chairman and deputy chairmen of justices) shall...
- 3 In section 18 (rules as to chairmanship and size of...
- 4 (1) Section 19 (general provisions as to magistrates' courts committees)...
- 5 In section 22 (supplementary provisions as to magistrates' courts committees),...
- 6 (1) Section 23 (powers and duties of committee as to...
- 7 (1) Section 24 (procedure relating to section 23) shall be...
- 8 (1) Section 24A (alteration of names of petty sessions areas...
- 9 In section 24B (procedure relating to section 24A), for the...
- 10 (1) Section 26 (qualifications for appointment as justices' clerk) shall...
- 11 (1) Section 27 (conditions of service and staff of justices' ...
- 12 In section 28 (general powers and duties of justices' clerks),...
- 13 In section 30 (person acting as substitute clerk to justices),...
- 14 In section 32 (allocation and sittings of metropolitan stipendiary magistrates),...
- 15 After section 34A of the 1979 Act there shall be...
- 16 Section 36 (petty sessional divisions in inner London area) and...
- 17 In section 42 (no petty sessional divisions in the City)...
- 18 (1) Section 53 (indemnification of justices and justices' clerks) shall...
- 19 (1) Section 59 (grants by Lord Chancellor to responsible authorities)...
- 20 In section 62 (defaults of justices' clerks and their staffs),...
- 21 In section 63 (courses of instruction), in subsection (5), for...
- 22 In section 70 (interpretation), for the definition of “magistrate” there...
- 23 In Schedule 1, in paragraph 17 (saving for superannuation provisions),...

Part II — AMENDMENTS OF OTHER ENACTMENTS

London Building Acts (Amendment) Act 1939

- 24 In section 151 of the London Building Acts (Amendment) Act...

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Superannuation (Miscellaneous Provisions) Act 1967

- 25 In section 15 of the Superannuation (Miscellaneous Provisions) Act 1967...

Pensions (Increase) Act 1971

- 26 In Schedule 2 to the Pensions (Increase) Act 1971 (list...
27 In Schedule 6 to that Act (employments relevant to section...

Juries Act 1974

- 28 In Schedule 1 to the Juries Act 1974, in Group...

Domestic Proceedings and Magistrates' Courts Act 1978

- 29 In section 30 of the Domestic Proceedings and Magistrates' Courts...

Magistrates' Courts Act 1980

- 30 In section 70 of the Magistrates' Courts Act 1980 (jurisdiction...
31 In section 145 of that Act, subsection (1)(d) (by virtue...

Road Traffic Offenders Act 1988

- 32 In section 82 of the Road Traffic Offenders Act 1988...

Criminal Justice Act 1991

- 33 (1) Section 76 of the Criminal Justice Act 1991 (provision...
34 In section 77 of that Act (powers and duties of...

Local Government Finance Act 1992

- 35 In section 46 of the Local Government Finance Act 1992...

SCHEDULE 9 — REPEALS
Part I — POLICE

Act of the Parliament of Northern Ireland

Part II — MAGISTRATES' COURTS

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