



# 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.

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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.

*General*

- 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.

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SCHEDULES

SCHEDULE 1 —

SCHEDULE 2 —

SCHEDULE 3 —

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),...

*Local Government Act 1966*

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

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

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*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

- 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 .....

*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 .....

*Finance Act 1981*

22 .....

*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 .....  
26 .....  
27 .....  
28 .....  
29 In section 95 of that Act (manner of dealing with...  
30 In section 96 of that Act (constabularies maintained by authorities...  
31 .....  
32 .....  
33 .....  
34 .....  
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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