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Police Act 1996

1996 CHAPTER 16

PART I

ORGANISATION OF POLICE FORCES

[^{F1}Police areas and police forces]

Textual Amendments

- F1** S. 1 cross-heading substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011](#) (c. 13), s. 157(1), [Sch. 16 para. 2](#); S.I. 2012/2892, art. 2(i)

1 Police areas.

- (1) England and Wales shall be divided into police areas.
- (2) The police areas referred to in subsection (1) shall be—
 - (a) those listed in Schedule 1 (subject to any amendment made to that Schedule by an order under section 32 below, section 58 of the ^{M1}Local Government Act 1972, [^{F2}section 17 of the Local Government Act 1992 or Part 1 of the Local Government and Public Involvement in Health Act 2007]),
 - (b) the metropolitan police district, and
 - (c) the City of London police area.
- (3) References in Schedule 1 to any local government area are to that area as it is for the time being, ^{F3} . . .

Textual Amendments

- F2** Words in s. 1(2)(a) substituted (1.11.2007 for E.) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), s. 245(5), [Sch. 1 para. 19\(2\)](#); S.I. 2007/3136, art. 2(b)
- F3** Words in s. 1(3) repealed (1.4.2000) by 1999 c. 29, ss. 325, 423, [Sch. 27 para. 69](#), [Sch. 34 Pt. VII](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 1999/3271, [art. 4\(b\)\(c\)\(d\)](#)

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Marginal Citations

M1 1972 c. 70.

F4 ...

Textual Amendments

F4 S. 2 cross-heading omitted (22.11.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 3](#); S.I. 2012/2892, art. 2(i)

2 Maintenance of police forces.

[^{F5}(1)] A police force shall be maintained for every police area for the time being listed in Schedule 1.

[^{F6}(2) For further provision about the maintenance of those police forces, see Chapter 1 of Part 1 of the [Police Reform and Social Responsibility Act 2011](#).]

Textual Amendments

F5 S. 2(1): s. 2 renumbered as s. 2(1) (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 4\(2\)](#); S.I. 2012/2892, art. 2(i)

F6 S. 2(2) inserted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 4\(3\)](#); S.I. 2012/2892, art. 2(i)

^{F73} Establishment of police authorities.

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Textual Amendments

F7 Ss. 3-5 omitted (22.11.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 5\(a\)](#); S.I. 2012/2892, art. 2(i)

^{F74} Membership of police authorities etc.

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Textual Amendments

F7 Ss. 3-5 omitted (22.11.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 5\(a\)](#); S.I. 2012/2892, art. 2(i)

^{F75} Reductions in size of police authorities.

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Textual Amendments

F7 Ss. 3-5 omitted (22.11.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 5\(a\)](#); S.I. 2012/2892, art. 2(i)

F8
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Textual Amendments

F8 S. 5A cross-heading omitted (22.11.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 5\(b\)](#); S.I. 2012/2892, art. 2(i)

[^{F9}5A Maintenance of the metropolitan police force.

[A police force shall be maintained for the metropolitan police district.
^{F10}(1)]

[For further provision about the maintenance of the metropolitan police force, see
^{F11}(2) Chapter 2 of Part 1 of the [Police Reform and Social Responsibility Act 2011](#).]]

Textual Amendments

F9 Ss. 5A-5C and heading inserted (1.1.2000 for specified purposes and otherwise on the "operative date" (as defined in art. 1(2)(c) of [S.I. 2000/1095](#)) for specified purposes and on 3.7.2000 for all other purposes) by [1999 c. 29](#), [s. 310\(1\)](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 1999/3271, [art. 3\(a\)](#); S.I. 2000/1095, [arts. 4-6](#)

F10 S. 5A(1): s. 5A renumbered as s. 5A(1) (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 6\(2\)](#); S.I. 2011/3019, art. 3, Sch. 1

F11 S. 5A(2) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 6\(3\)](#); S.I. 2011/3019, art. 3, Sch. 1

^{F12}5B Establishment of the Metropolitan Police Authority.

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Textual Amendments

F12 Ss. 5B-6 omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 7](#); S.I. 2011/3019, art. 3, Sch. 1 (with art. 10(1)(4))

^{F12}5C Membership etc of the Metropolitan Police Authority.

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Textual Amendments

F12 Ss. 5B-6 omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 7](#); S.I. 2011/3019, art. 3, Sch. 1 (with art. 10(1)(4))

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[^{F13}The metropolitan police and forces outside London]

Textual Amendments

- F13** Ss. 5A-5C and headings inserted (1.1.2000 for specified purposes and otherwise on the "operative date" (as defined in art. 1(2)(c) of S.I. 2000/1095) for specified purposes and on 3.7.2000 for all other purposes) by 1999 c. 29, s. 310(1) (with Sch. 12 para. 9(1)); S.I. 1999/3271, art. 3(a); S.I. 2000/1095, arts. 4-6

^{F12}6 **General functions of police authorities.**

Textual Amendments

- F12** Ss. 5B-6 omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), Sch. 16 para. 7; S.I. 2011/3019, art. 3, Sch. 1 (with art. 10(1)(4))

[^{F14}The City of London]

Textual Amendments

- F14** S. 6ZA cross-heading inserted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), Sch. 16 para. 8; S.I. 2012/2892, art. 2(i)

[^{F15}6AZA **Common Council to remain police authority for City**

The Common Council of the City of London is to continue to be the police authority for the City of London police area.]

Textual Amendments

- F15** S. 6AZA inserted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), Sch. 16 para. 9; S.I. 2012/2892, art. 2(i)

[^{F16}6ZA **Power to confer particular functions on [^{F17}the Common Council]**

- (1) The Secretary of State may by order confer particular functions on [^{F18}the Common Council].
- (2) Without prejudice to the generality of subsection (1), an order under this section may contain provision requiring [^{F19}the Common Council]—
 - (a) to monitor the performance of [^{F20}the City of London police force] in—
 - (i) complying with any duty imposed on the force by or under this Act, the Human Rights Act 1998 or any other enactment;
 - (ii) carrying out any plan issued by virtue of section 6ZB;
 - (b) to secure that arrangements are made for that force to co-operate with other police forces whenever necessary or expedient;

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- (c) to promote diversity within that force and within [F21the Common Council].
- (3) Before making an order under this section the Secretary of State must consult—
 - [F22(a) the Common Council,]
 - [F22(b) the Commissioner of Police for the City of London, and]
 - (c) such other persons as he thinks fit.
- F23(4)
- (5) A statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F16** S. 6ZA inserted (15.1.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 2 para. 8**; S.I. 2006/3364, art. 2(b) (with art. 3)
- F17** Words in s. 6ZA title substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 10(2)**; S.I. 2012/2892, art. 2(i)
- F18** Words in s. 6ZA(1) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 10(3)**; S.I. 2012/2892, art. 2(i)
- F19** Words in s. 6ZA(2) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 10(4)(a)**; S.I. 2012/2892, art. 2(i)
- F20** Words in s. 6ZA(2) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 10(4)(b)**; S.I. 2012/2892, art. 2(i)
- F21** Words in s. 6ZA(2) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 10(4)(c)**; S.I. 2012/2892, art. 2(i)
- F22** S. 6ZA(3)(a)(b) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 10(5)**; S.I. 2012/2892, art. 2(i)
- F23** S. 6ZA(4) omitted (22.11.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 10(6)**; S.I. 2012/2892, art. 2(i)

[F24**6ZB Plans by [F25the Common Council]**

- (1) Before the beginning of each financial year [F26the Common Council] shall issue a plan (a “policing plan”) setting out—
 - (a) [F27the Common Council's] objectives (“policing objectives”) for the policing of [F28the City of London police area, and for the discharge by the City of London Police of its national or international functions] during that year; and
 - (b) the proposed arrangements for the policing of that area for the period of three years beginning with that year.
- [F29(2) In issuing a policing plan, the Common Council must have regard to the strategic policing requirement issued under section 37A.]
- (3) Before determining policing objectives, [F30 the Common Council] shall—
 - (a) consult the [F31Commissioner of Police for the City of London], and
 - (b) consider any views obtained by [F32the Common Council] in accordance with arrangements made under section 96.
- (4) A draft of a policing plan required to be issued by [F33the Common Council] under this section shall be prepared by the [F34Commissioner of Police for the City of London] and submitted by him to the [F35Common Council for] it to consider.

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The [^{F36}Common Council shall] consult the [^{F37}Commissioner of Police for the City of London] before issuing a policing plan which differs from the draft submitted by him under this subsection.

- (5) The Secretary of State may by regulations make provision supplementing that made by this section.
- (6) The regulations may make provision (further to that made by subsection (3)) as to persons who are to be consulted, and matters that are to be considered, before determining policing objectives.
- (7) The regulations may contain provision as to—
- (a) matters to be dealt with in policing plans (in addition to those mentioned in subsection (1));
 - (b) persons who are to be consulted, and matters that are to be considered, in preparing policing plans;
 - (c) modification of policing plans;
 - (d) persons to whom copies of policing plans are to be sent.
- (8) Before making regulations under this section the Secretary of State must consult—
- ^{F38}(a) the Common Council,]
 - ^{F38}(b) the Commissioner of Police for the City of London, and]
 - (c) such other persons as he thinks fit.

^{F39}(9)

- (10) A statutory instrument containing regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

^{F40}(11)

Textual Amendments

- F24** Ss. 6ZB, 6ZC inserted (14.3.2008) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 2 para. 9](#); S.I. 2008/311, art. 2(b)
- F25** Words in s. 6ZB title substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 11\(2\)](#); S.I. 2012/2892, art. 2(i)
- F26** Words in s. 6ZB(1) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 11\(3\)\(a\)](#); S.I. 2012/2892, art. 2(i)
- F27** Words in s. 6ZB(1) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 11\(3\)\(b\)](#); S.I. 2012/2892, art. 2(i)
- F28** Words in s. 6ZB(1) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 11\(3\)\(c\)](#); S.I. 2012/2892, art. 2(i)
- F29** S. 6ZB(2) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 11\(4\)](#); S.I. 2012/2892, art. 2(i)
- F30** Words in s. 6ZB(3) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 11\(5\)\(a\)](#); S.I. 2012/2892, art. 2(i)
- F31** Words in s. 6ZB(3) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 11\(5\)\(b\)](#); S.I. 2012/2892, art. 2(i)
- F32** Words in s. 6ZB(3) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 11\(5\)\(c\)](#); S.I. 2012/2892, art. 2(i)
- F33** Words in s. 6ZB(4) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 11\(6\)\(a\)](#); S.I. 2012/2892, art. 2(i)

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- F34** Words in s. 6ZB(4) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 11(6)(b)**; S.I. 2012/2892, art. 2(i)
- F35** Words in s. 6ZB(4) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 11(6)(c)**; S.I. 2012/2892, art. 2(i)
- F36** Words in s. 6ZB(4) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 11(6)(d)**; S.I. 2012/2892, art. 2(i)
- F37** Words in s. 6ZB(4) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 11(6)(e)**; S.I. 2012/2892, art. 2(i)
- F38** S. 6ZB(8)(a)(b) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 11(7)**; S.I. 2012/2892, art. 2(i)
- F39** S. 6ZB(9) omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 11(8)**; S.I. 2012/2892, art. 2(i)
- F40** S. 6ZB(11) omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 11(9)**; S.I. 2012/2892, art. 2(i)

6ZC Reports by [^{F41}the Common Council]

- (1) The Secretary of State may by order require [^{F42}the Common Council] to issue reports concerning the [^{F43}discharge of the Common Council's functions].
- (2) An order under this section may contain provision as to—
 - (a) the periods to be covered by reports, and, as regards each period, the date by which reports are to be issued;
 - (b) the matters to be dealt with in reports;
 - (c) persons to whom copies of reports are to be sent.
- (3) Before making an order under this section the Secretary of State must consult—
 - [^{F44}(a) the Common Council,]
 - [^{F44}(b) the Commissioner of Police for the City of London, and]
 - (c) such other persons as he thinks fit.
- ^{F45}(4)
- (5) A statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F24** Ss. 6ZB, 6ZC inserted (14.3.2008) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 2 para. 9**; S.I. 2008/311, art. 2(b)
- F41** Words in s. 6ZC title substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 12(2)**; S.I. 2012/2892, art. 2(i)
- F42** Words in s. 6ZC(1) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 12(3)(a)**; S.I. 2012/2892, art. 2(i)
- F43** Words in s. 6ZC(1) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 12(3)(b)**; S.I. 2012/2892, art. 2(i)
- F44** S. 6ZC(3)(a)(b) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 12(4)**; S.I. 2012/2892, art. 2(i)
- F45** S. 6ZC(4) omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 12(5)**; S.I. 2012/2892, art. 2(i)

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F46 6A Three-year strategy plans

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Textual Amendments
F46 S. 6A repealed (14.3.2008) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), Sch. 2 para. 10, **Sch. 15 Pt. 1(B)**; S.I. 2008/311, art. 2(b)

F47 7 Local policing objectives.

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Textual Amendments
F47 S. 7 repealed (14.3.2008) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), Sch. 2 para. 10, **Sch. 15 Pt. 1(B)**; S.I. 2008/311, art. 2(b)

F48 8 Local policing plans.

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Textual Amendments
F48 S. 8 repealed (14.3.2008) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), Sch. 2 para. 10, **Sch. 15 Pt. 1(B)**; S.I. 2008/311, art. 2(b)

F49 8A Local policing summaries

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Textual Amendments
F49 Ss. 8A-9G omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 13**; S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 7)

F50 9 Annual reports by police authorities.

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Textual Amendments
F50 S. 9 repealed (14.3.2008) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), Sch. 2 para. 10, **Sch. 15 Pt. 1(B)**; S.I. 2008/311, art. 2(b) (with art. 3)

F49 9A General functions of the Commissioner of Police of the Metropolis.

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Textual Amendments

F49 Ss. 8A-9G omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 13](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 7)

F499B Appointment of Commissioner of Police of the Metropolis.

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Textual Amendments

F49 Ss. 8A-9G omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 13](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 7)

F499C Functions of Deputy Commissioner of Police of the Metropolis.

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Textual Amendments

F49 Ss. 8A-9G omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 13](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 7)

F499D Appointment of Deputy Commissioner of Police of the Metropolis.

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Textual Amendments

F49 Ss. 8A-9G omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 13](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 7)

F499E Removal of Commissioner or Deputy Commissioner.

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Textual Amendments

F49 Ss. 8A-9G omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 13](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 7)

F499F Assistant Commissioners of Police of the Metropolis.

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Textual Amendments

F49 Ss. 8A-9G omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 13](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 7)

^{F49}**9FA Appointment and removal of Deputy Assistant Commissioners**

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Textual Amendments

F49 Ss. 8A-9G omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 13](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 7)

^{F49}**9G Commanders.**

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Textual Amendments

F49 Ss. 8A-9G omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 13](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 7)

[^{F51} Police ranks]

Textual Amendments

F51 S. 9H cross-heading inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 14](#); S.I. 2011/3019, art. 3, Sch. 1

^{F52}**9H Other members of the metropolitan police force.**

- (1) The ranks that may be held in the metropolitan police force shall be such as may be prescribed by regulations under section 50.
- (2) The ranks so prescribed in the case of the metropolitan police force shall include, in addition to the ranks of—
 - (a) Commissioner of Police of the Metropolis,
 - (b) Deputy Commissioner of Police of the Metropolis,
 - (c) Assistant Commissioner of Police of the Metropolis, and
 - ^{F53}(ca) Deputy Assistant Commissioner of Police of the Metropolis, and
 - (d) Commander,
 those of ^{F54}[chief superintendent,]superintendent, chief inspector, inspector, sergeant and constable.

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(3) In the metropolitan police force, appointments and promotions to any rank below that of Commander shall be made in accordance with regulations under section 50 by the Commissioner of Police of the Metropolis.]

Textual Amendments

- F52** S. 9H inserted (3.7.2000) by 1999 c. 29, s. 322 (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, Sch.
- F53** S. 9H(2)(ca) substituted (1.1.2002) for word "and" by 2001 c. 16, s. 122(2); S.I. 2001/3736, art. 3(a)
- F54** Words in s. 9H(2) inserted (1.1.2002) by 2001 c. 16, s. 125(1); S.I. 2001/3736, art. 3(a)

^{F55}10 General functions of chief constables.

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Textual Amendments

- F55** Ss. 10-12A omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), Sch. 16 para. 15; S.I. 2012/2892, art. 2(i)

^{F55}11 Appointment and removal of chief constables.

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Textual Amendments

- F55** Ss. 10-12A omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), Sch. 16 para. 15; S.I. 2012/2892, art. 2(i)

^{F55}11A Appointment and removal of deputy chief constables

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Textual Amendments

- F55** Ss. 10-12A omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), Sch. 16 para. 15; S.I. 2012/2892, art. 2(i)

^{F55}12 Assistant chief constables.

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Textual Amendments

- F55** Ss. 10-12A omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), Sch. 16 para. 15; S.I. 2012/2892, art. 2(i)

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F55 12A Power of deputy to exercise functions of chief constable

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Textual Amendments

F55 Ss. 10-12A omitted (22.11.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 15](#); S.I. 2012/2892, art. 2(i)

13 Other members of police forces.

- (1) The ranks that may be held in a police force maintained under section 2 shall be such as may be prescribed by regulations under section 50 and the ranks so prescribed shall include, in addition to chief constable [^{F56}, deputy chief constable] and assistant chief constable, the ranks of [^{F57}chief superintendent]superintendent, chief inspector, inspector, sergeant and constable.
- (2)
- (3) Appointments and promotions to any rank below that of assistant chief constable in any police force maintained under section 2 shall be made, in accordance with regulations under section 50, by the chief constable.

Textual Amendments

F56 Words in s. 13(1) inserted (1.1.2002) by [2001 c. 16, s. 123\(2\)\(a\)](#); S.I. 2001/3736, [art. 3\(a\)](#)
F57 Words in s. 13(1) inserted (1.1.2002) by [2001 c. 16, s. 125\(2\)](#); S.I. 2001/3736, [art. 3\(a\)](#)

F58 14 Police fund.

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Textual Amendments

F58 Ss. 14-17 omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 16](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 8)

F58 15 Civilian employees.

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Textual Amendments

F58 Ss. 14-17 omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 16](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 8)

F58 16 Appointment of [^{F59} chief executive].

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Textual Amendments

- F58** Ss. 14-17 omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 16](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 8)
- F59** Words in s. 16 heading substituted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 2 para. 18\(3\)](#); S.I. 2007/709, art. 3(c) (with art. 6)

^{F58}17 Appointment of persons not employed by police authorities.

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Textual Amendments

- F58** Ss. 14-17 omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 16](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 8)

[^{F60}City of London]

Textual Amendments

- F60** S. 18 cross-heading inserted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 17](#); S.I. 2012/2892, art. 2(i)

^{F61}18 Supply of goods and services.

(1) Subsections (1) to (3) of section 1 of the Local Authorities (Goods and Services) Act 1970 (c. 39)(supply of goods and services by local authorities)—

^{F62}(a)

(b) [^{F63}shall,] in their application to the Common Council of the City of London in its capacity as the police authority for the City of London police force [^{F64}, apply with the modification set out in subsection (2)].

(2) The modification is that references in those subsections to a public body shall be read as references to any person.

[^{F65}(3) [^{F66}The Common Council in its capacity as police authority] may not enter into an agreement with [^{F67}another local policing body] under section 1 of the 1970 Act in respect of a matter which could be the subject of [^{F68}force collaboration provision in a collaboration agreement].]]

Textual Amendments

- F61** S. 18 substituted (1.10.2002) by [Police Reform Act 2002 \(c. 30\)](#), [ss. 101](#), 108(2)-(5); S.I. 2002/2306, [art. 2\(f\)\(x\)](#)
- F62** S. 18(1)(a) omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 18\(2\)](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 9)
- F63** Words in s. 18(1)(b) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 18\(3\)\(a\)](#); S.I. 2012/2892, art. 2(i)

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- F64** Words in s. 18(1)(b) inserted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 18(3)(b)**; S.I. 2012/2892, art. 2(i)
- F65** S. 18(3) inserted (12.3.2010) by Policing and Crime Act 2009 (c. 26), s. 116(1), **Sch. 7 para. 5**; S.I. 2010/507, art. 4(c)
- F66** Words in s. 18(3) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 18(4)(a)**; S.I. 2012/2892, art. 2(i)
- F67** Words in s. 18(3) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 18(4)(b)**; S.I. 2012/2892, art. 2(i)
- F68** Words in s. 18(3) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 18(4)(c)**; S.I. 2012/2892, art. 2(i)

F69¹⁹ Approval of decisions about precepts.

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Textual Amendments

F69 Ss. 19-21 omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 19**; S.I. 2012/2892, art. 2(i)

F69²⁰ Questions on police matters at council meetings.

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Textual Amendments

F69 Ss. 19-21 omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 19**; S.I. 2012/2892, art. 2(i)

F69^{20A} Questions on metropolitan police matters at London Assembly meetings.

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Textual Amendments

F69 Ss. 19-21 omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 19**; S.I. 2012/2892, art. 2(i)

F69²¹ Application of certain provisions to police authorities.

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Textual Amendments

F69 Ss. 19-21 omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 19**; S.I. 2012/2892, art. 2(i)

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F70 ...

Textual Amendments

F70 S. 22 cross-heading omitted (22.11.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 20](#); S.I. 2012/2892, art. 2(i)

22 Reports by chief constables to police authorities.

- (1) [F71The Commissioner of Police for the City of London] shall, as soon as possible after the end of each financial year, submit to the [F72Common Council] a general report on the policing during that year of [F73the City of London police area].
- (2) [F74The chief constable] shall arrange for a report submitted by him under subsection (1) to be published in such manner as appears to him to be appropriate.
- (3) [F75The Commissioner of Police for the City of London] shall, whenever so required by the [F76Common Council], submit to [F77the Common Council] a report on such matters as may be specified in the requirement, being matters connected with the policing of the [F78City of London police area].
- (4) A report submitted under subsection (3) shall be in such form as the [F79Common Council] may specify.
- (5) If it appears to the [F80Commissioner of Police for the City of London] that a report in compliance with subsection (3) would contain information which in the public interest ought not to be disclosed, or is not needed for the discharge of the functions of the [F81Common Council], he may request [F82the Common Council] to refer the requirement to submit the report to the Secretary of State; and in any such case the requirement shall be of no effect unless it is confirmed by the Secretary of State.
- (6) The [F83Common Council] may arrange, or require the [F84chief officer] to arrange, for a report submitted under subsection (3) to be published in such manner as appears to [F85the Common Council] to be appropriate.

F86(7)

Textual Amendments

- F71** Words in s. 22(1) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 21\(2\)\(a\)](#); S.I. 2012/2892, art. 2(i)
- F72** Words in s. 22(1) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 21\(2\)\(b\)](#); S.I. 2012/2892, art. 2(i)
- F73** Words in s. 22(1) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 21\(2\)\(c\)](#); S.I. 2012/2892, art. 2(i)
- F74** Words in s. 22(2) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 21\(3\)](#); S.I. 2012/2892, art. 2(i)
- F75** Words in s. 22(3) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 21\(4\)\(a\)](#); S.I. 2012/2892, art. 2(i)
- F76** Words in s. 22(3) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 21\(4\)\(b\)](#); S.I. 2012/2892, art. 2(i)
- F77** Words in s. 22(3) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 21\(4\)\(c\)](#); S.I. 2012/2892, art. 2(i)

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- F78** Words in s. 22(3) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 21(4)(d)**; S.I. 2012/2892, art. 2(i)
- F79** Words in s. 22(4) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 21(5)**; S.I. 2012/2892, art. 2(i)
- F80** Words in s. 22(5) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 21(6)(a)**; S.I. 2012/2892, art. 2(i)
- F81** Words in s. 22(5) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 21(6)(b)**; S.I. 2012/2892, art. 2(i)
- F82** Words in s. 22(5) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 21(6)(c)**; S.I. 2012/2892, art. 2(i)
- F83** Words in s. 22(6) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 21(7)(a)**; S.I. 2012/2892, art. 2(i)
- F84** Words in s. 22(1)(2)(3)(5)(6) substituted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27**, para. 79(2)-(5) (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**
- F85** Words in s. 22(6) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 21(7)(b)**; S.I. 2012/2892, art. 2(i)
- F86** S. 22(7) repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 79(6), **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

[^{F87}General provisions]

Textual Amendments

- F87** S. 22A cross-heading inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 22**; S.I. 2011/3019, art. 3, Sch. 1

[^{F88}22A Collaboration agreements

- (1) A collaboration agreement may be made by—
- (a) two or more policing bodies; or
 - (b) the chief officers of police of one or more police forces and two or more policing bodies.
- (2) A collaboration agreement is an agreement containing one or more of the following—
- (a) provision about the discharge of functions of members of a police force (“force collaboration provision”);
 - (b) provision about support by a policing body for another policing body (“policing body collaboration provision”);
 - (c) provision about support by a policing body for the police force which another policing body is responsible for maintaining (“policing body & force collaboration provision”).
- (3) A collaboration agreement may not contain force collaboration provision unless the parties to the agreement consist of, or include,—
- (a) the chief officer of police of each police force to which the provision relates, and
 - (b) the policing body that is responsible for maintaining each such police force.
- (4) A collaboration agreement may not contain policing body collaboration provision unless the parties to the agreement consist of, or include, each policing body to which the provision relates.

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- (5) A collaboration agreement may not contain policing body & force collaboration provision unless the parties to the agreement consist of, or include—
 - (a) the policing body, or each policing body, to which the provision relates;
 - (b) the chief officer of police of the police force, or each police force, to which the provision relates; and
 - (c) the policing body that is responsible for maintaining each such police force.
- (6) Subsection (1) does not prevent other persons from being parties to collaboration agreements.
- (7) Subsection (2) does not prevent a collaboration agreement from including other kinds of provision.
- (8) For the purposes of subsections (3) and (5), the circumstances in which force collaboration provision, or policing body & force collaboration provision, is to be taken to relate to a police force include the cases where provision relates—
 - (a) to functions of a kind which are or may be exercisable by members of that police force, or
 - (b) to the police area for which that police force is established.
- (9) For the purposes of subsections (4) and (5), the circumstances in which policing body collaboration provision, or policing body & force collaboration provision, is to be taken to relate to a policing body include the cases where provision relates—
 - (a) to functions of a kind which are or may be exercisable by that policing body or members of the staff of that body, or
 - (b) to the police area for which that policing body is established.

Textual Amendments

F88 Ss. 22A-22C inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 89(2), 157(1)**; [S.I. 2011/3019](#), art. 3, Sch. 1

22B Duty of chief officers to keep collaboration agreements under review

- (1) The chief officer of police of a police force must keep under consideration the ways in which the collaboration functions could be exercised by the chief officer and by one or more other persons to improve the efficiency or effectiveness of—
 - (a) that police force, and
 - (b) one or more other police forces.
- (2) If the chief officer considers that there is a particular way in which the collaboration functions could be so exercised by the chief officer and by one or more other particular persons (“the proposed collaboration”), the chief officer must notify those other persons (the “proposed partners”) of the proposed collaboration.
- (3) The chief officer, and the proposed partners notified under subsection (2) (the “notified proposed partners”), must consider whether to exercise the collaboration functions to give effect to the proposed collaboration.
- (4) In considering whether to so exercise the collaboration functions, the chief officer and the notified proposed partners must consider whether the proposed collaboration would be in the interests of the efficiency or effectiveness of one or more police forces.

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- (5) Subsection (6) applies if all, or two or more, of—
- (a) the chief officer, and
 - (b) the notified proposed partners,
- (the “agreeing parties”) are of the view that the proposed collaboration would be in the interests of the efficiency or effectiveness of one or more police forces (if the agreeing parties were to exercise the collaboration functions to give effect to the proposed collaboration, or to give effect to it so far as it relates to them).
- (6) The agreeing parties must exercise the collaboration functions so as to give effect to the proposed collaboration or to give effect to it so far as it relates to them.
- (7) In this section “collaboration functions” means functions of chief officers of police or policing bodies under any of sections 22A to 23I (apart from this section).

Textual Amendments

F88 Ss. 22A-22C inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 89(2), 157(1)**; [S.I. 2011/3019](#), art. 3, Sch. 1

22C Duty of policing bodies to keep collaboration agreements under review

- (1) A policing body must keep under consideration the ways in which the collaboration functions could be exercised by the policing body and by one or more other persons to improve—
- (a) the efficiency or effectiveness of—
 - (i) that policing body,
 - (ii) the police force which that policing body is responsible for maintaining, or
 - (iii) that body and that force, and
 - (b) the efficiency or effectiveness of one or more other policing bodies and police forces.
- (2) If the policing body considers that there is a particular way in which the collaboration functions could be so exercised by the policing body and by one or more other particular persons (“the proposed collaboration”), the policing body must notify those other persons (the “proposed partners”) of the proposed collaboration.
- (3) The policing body, and the proposed partners notified under subsection (2) (the “notified proposed partners”), must consider whether to exercise the collaboration functions to give effect to the proposed collaboration.
- (4) In considering whether to so exercise the collaboration functions, the policing body and the notified proposed partners must consider whether the proposed collaboration would be in the interests of the efficiency or effectiveness of one or more policing bodies or police forces.
- (5) Subsection (6) applies if all, or two or more, of—
- (a) the policing body, and
 - (b) the notified proposed partners,
- (the “agreeing parties”) are of the view that the proposed collaboration would be in the interests of the efficiency or effectiveness of one or more policing bodies or police

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forces (if the agreeing parties were to exercise the collaboration functions to give effect to the proposed collaboration, or to give effect to it so far as it relates to them).

- (6) The agreeing parties must exercise the collaboration functions so as to give effect to the proposed collaboration, or to give effect to it so far as it relates to them.
- (7) In this section “collaboration functions” means functions of policing bodies or chief officers of police under any of sections 22A to 23I (apart from this section).]

Textual Amendments

F88 Ss. 22A-22C inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 89(2)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1

[^{F89}23 [^{F90}Collaboration agreements involving police forces]

- ^{F91}(1)
- (2) [^{F92}Force collaboration provision may, in particular, consist of provision—]
 - (a) for the joint discharge of functions by members of police forces;
 - (b) for members of a police force to discharge functions in another force's area;
 - (c) for members of a police force to be provided to another force.
- ^{F93}(3)
- (4) [^{F94}A collaboration agreement] may provide for a member of a police force, or a civilian employee, to be under the direction and control of a chief officer specified in or determined in accordance with the agreement.
- (5) A chief officer may make [^{F95}a collaboration agreement] only if the chief officer thinks that the agreement is in the interests of the efficiency or effectiveness of one or more police forces.
- ^{F96}(6)
- ^{F96}(7)
- ^{F96}(8)]

Textual Amendments

- F89** Ss. 23-23I substituted for s. 23 (12.3.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 5**, 116(1); S.I. 2010/507, art. 4(a)
- F90** S. 23 title substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 2(2)**; S.I. 2011/3019, art. 3, Sch. 1
- F91** S. 23(1) omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 2(3)**; S.I. 2011/3019, art. 3, Sch. 1
- F92** Words in s. 23(2) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 2(4)**; S.I. 2011/3019, art. 3, Sch. 1
- F93** S. 23(3) omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 2(5)**; S.I. 2011/3019, art. 3, Sch. 1
- F94** Words in s. 23(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 2(6)**; S.I. 2011/3019, art. 3, Sch. 1

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- F95** Words in s. 23(5) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 12 para. 2\(7\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F96** S. 23(6)(7)(8) omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 12 para. 2\(8\)](#); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2011/3019, art. 3, Sch. 1

[^{F89}23A [^{F97}Collaboration agreements involving policing bodie]

- ^{F98}(1)
- (2) [^{F99}Policing body collaboration provision, or policing body & force collaboration provision, may, in particular, consist of provision—]
- (a) for support to be provided jointly by two or more [^{F100}policing bodies];
 - (b) for support to be provided for two or more [^{F100}policing bodies] or forces jointly;
 - (c) for [^{F101}a policing body] to provide support to [^{F102}another policing body] or to a force maintained by [^{F102}another policing body].
- (3) [^{F103}In relation to policing body collaboration provision, or policing body & force collaboration provision,] references to the provision of support include, in particular, the provision of—
- (a) premises;
 - (b) equipment;
 - (c) staff;
 - (d) services;
 - (e) facilities.
- ^{F104}(4)
- (5) [^{F105}A policing body may make a collaboration agreement] only if it thinks that the agreement is in the interests of the efficiency or effectiveness of one or more [^{F106}policing bodies] or police forces.
- [^{F107}(6) A policing body must consult the chief officer of police of the police force which the body is responsible for maintaining before making a collaboration agreement (unless that chief officer is a party to the agreement).]
- ^{F108}(7)

Textual Amendments

- F89** Ss. 23-23I substituted for s. 23 (12.3.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 5](#), 116(1); S.I. 2010/507, art. 4(a)
- F97** S. 23A title substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 12 para. 3\(2\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F98** S. 23A(1) omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 12 para. 3\(3\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F99** Words in s. 23A(2) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 12 para. 3\(4\)\(a\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F100** Words in s. 23A(2)(a)(b) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 12 para. 3\(4\)\(b\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F101** Words in s. 23A(2)(c) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 12 para. 3\(4\)\(c\)\(i\)](#); S.I. 2011/3019, art. 3, Sch. 1

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- F102** Words in s. 23A(2)(c) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 12 para. 3(4)(c)(ii)**; S.I. 2011/3019, art. 3, Sch. 1
- F103** Words in s. 23A(3) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 12 para. 3(5)**; S.I. 2011/3019, art. 3, Sch. 1
- F104** S. 23A(4) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 12 para. 3(6)**; S.I. 2011/3019, art. 3, Sch. 1
- F105** Words in s. 23A(5) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 12 para. 3(7)(a)**; S.I. 2011/3019, art. 3, Sch. 1
- F106** Words in s. 23A(5) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 12 para. 3(7)(b)**; S.I. 2011/3019, art. 3, Sch. 1
- F107** S. 23A(6) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 12 para. 3(8)**; S.I. 2011/3019, art. 3, Sch. 1
- F108** S. 23A(7) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 12 para. 3(9)**; S.I. 2011/3019, art. 3, Sch. 1

Force collaboration provision about civilian employees

F109
23AA

- (1) This section applies to force collaboration provision, contained in a collaboration agreement, which is about the discharge of functions by designated civilian employees of one police force (the “assisting force”) for the purposes of another police force (the “assisted force”).
- (2) The force collaboration provision must specify—
- (a) the functions which the designated civilian employees are permitted by the collaboration agreement to discharge for the purposes of the assisted force, and
 - (b) any restrictions or conditions on that permission for the designated civilian employees to discharge those functions.
- (3) The force collaboration provision must not permit the designated civilian employees to discharge functions for the purposes of the assisted force unless those employees are, by virtue of the relevant section 38 designation, authorised to discharge those functions for the purposes of the assisting force.
- (4) The force collaboration provision does not authorise the designated civilian employees to discharge functions for the purposes of the assisted force (but see section 38B of the Police Reform Act 2002).
- (5) References in this section to the discharge of functions by civilian employees of the assisting force for the purposes of the assisted force include references to—
- (a) the joint discharge of functions by the civilian employees and members of the assisted police force,
 - (b) the discharge of functions by the civilian employees in the assisted force's area, and
 - (c) the provision of the civilian employees to the assisted force.
- (6) In this section—
- “designated”, in relation to a civilian employee of a police force, means designated by the chief officer of police of that force by a section 38 designation;
 - “relevant section 38 designation”, in relation to a designated civilian employee, means the section 38 designation relating to the employee;

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“section 38 designation” means a designation under section 38 of the Police Reform Act 2002.]

Textual Amendments

- F89** Ss. 23-23I substituted for s. 23 (12.3.2010) by Policing and Crime Act 2009 (c. 26), **ss. 5**, 116(1); S.I. 2010/507, art. 4(a)
- F109** S. 23AA inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 13 para. 1**; S.I. 2011/3019, art. 3, Sch. 1

23B Collaboration agreements: payments

- (1) A collaboration agreement may provide for payments between [^{F110}parties to the agreement].
- (2) Provision under subsection (1) may [^{F111}in the case of policing bodies or chief officers of police who are parties to the agreement], in particular—
 - (a) specify the [^{F112}policing bodies or chief officers of police] by which and to which a payment is to be made or the manner in which those [^{F112}policing bodies or chief officers of police] are to be determined;
 - (b) specify the amount of any payment or the manner in which it is to be determined.
- (3) [^{F113}A policing body or chief officer of police] must make any payments required by provision made under subsection (1).

^{F114}(4)

^{F114}(5)

Textual Amendments

- F89** Ss. 23-23I substituted for s. 23 (12.3.2010) by Policing and Crime Act 2009 (c. 26), **ss. 5**, 116(1); S.I. 2010/507, art. 4(a)
- F110** Words in s. 23B(1) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 12 para. 4(2)**; S.I. 2011/3019, art. 3, Sch. 1
- F111** Words in s. 23B(2) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 12 para. 4(3)(a)**; S.I. 2011/3019, art. 3, Sch. 1
- F112** Words in s. 23B(2)(a) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 12 para. 4(3)(b)**; S.I. 2011/3019, art. 3, Sch. 1
- F113** Words in s. 23B(3) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 12 para. 4(4)**; S.I. 2011/3019, art. 3, Sch. 1
- F114** S. 23B(4)(5) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 12 para. 4(5)**; S.I. 2011/3019, art. 3, Sch. 1

23C Collaboration agreements: consultation and supplemental

^{F115}(1)

- (2) A collaboration agreement must be in writing.

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- (3) A collaboration agreement may make different provision for different cases or circumstances.
- (4) A collaboration agreement may be varied by a subsequent collaboration agreement.
- (5) A collaboration agreement may be brought to an end by agreement between the parties to it; and section 23(6) or, as the case may be, section 23A(6) applies to an agreement under this subsection.

[If circumstances are such that one or more of the parties to a collaboration agreement ^{F116}(6) would not, at a particular time, have power to enter into a collaboration agreement of that description (whether because of a failure to meet the requirements of section 22A(1) or (5) or otherwise) each person who does not have that power must cease to be a party to the agreement.]

Textual Amendments

- F89** Ss. 23-23I substituted for s. 23 (12.3.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 5**, 116(1); S.I. 2010/507, art. 4(a)
- F115** S. 23C(1) omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 5(2)**; S.I. 2011/3019, art. 3, Sch. 1
- F116** S. 23C(6) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 5(3)**; S.I. 2011/3019, art. 3, Sch. 1

23D Collaboration agreements: accountability

- (1) Where a chief officer makes a [^{F117}collaboration agreement], the [^{F118}policing body] responsible for maintaining the force shall hold the chief officer to account for the discharge of functions by anyone who—
 - (a) is acting under the terms of the agreement, and
 - (b) while so acting, is under the direction and control of the chief officer.
- (2) Before [^{F119}making a collaboration agreement to which a chief officer of police is to be a party, a policing body] must notify the chief officer of the arrangements that it proposes to make for the discharge of its functions under this section in connection with the agreement.
- (3) When deciding what arrangements to make, the [^{F120}policing body] shall, in particular, [^{F121}make] arrangements for those functions to be discharged jointly with another [^{F120}policing body] responsible for maintaining a force whose chief officer is a party to the agreement.
- (4) The functions conferred on a [^{F122} policing body] under this section do not affect any other function of holding a chief officer to account.

Textual Amendments

- F89** Ss. 23-23I substituted for s. 23 (12.3.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 5**, 116(1); S.I. 2010/507, art. 4(a)
- F117** Words in s. 23D(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 6(2)(a)**; S.I. 2011/3019, art. 3, Sch. 1
- F118** Words in s. 23D(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 6(2)(b)**; S.I. 2011/3019, art. 3, Sch. 1

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- F119** Words in s. 23D(2) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 12 para. 6\(3\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F120** Words in s. 23D(3) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 12 para. 6\(4\)\(a\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F121** Word in s. 23D(3) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 12 para. 6\(4\)\(b\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F122** Words in s. 23D(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 12 para. 6\(5\)](#); S.I. 2011/3019, art. 3, Sch. 1

23E Collaboration agreements: publication

- (1) A person who makes a collaboration agreement must—
- (a) publish the agreement, or
 - (b) publish the fact that the agreement has been made and such other details about it as the person thinks appropriate.
- (2) ^{F123} In a case where information is notified to a chief officer of police under section 23D(2), that information] must be published by the chief officer with the information under subsection (1).

Textual Amendments

- F89** Ss. 23-23I substituted for s. 23 (12.3.2010) by [Policing and Crime Act 2009 \(c. 26\), ss. 5, 116\(1\)](#); S.I. 2010/507, art. 4(a)
- F123** Words in s. 23E(2) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 12 para. 7](#); S.I. 2011/3019, art. 3, Sch. 1

23F Collaboration agreements: guidance

- (1) The Secretary of State may give chief officers or ^{F124}policing bodies] guidance about collaboration agreements or related matters.
- (2) In discharging their functions, chief officers and ^{F124}policing bodies] must have regard to the guidance.

Textual Amendments

- F89** Ss. 23-23I substituted for s. 23 (12.3.2010) by [Policing and Crime Act 2009 \(c. 26\), ss. 5, 116\(1\)](#); S.I. 2010/507, art. 4(a)
- F124** Words in s. 23F substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 12 para. 8](#); S.I. 2011/3019, art. 3, Sch. 1

^{F125}23FA Police functions that must be the subject of force collaboration provision

- (1) The Secretary of State may, by order, require a specified police function to be exercised in relation to—
- (a) all police areas, or
 - (b) all police areas apart from any specified in the order, in accordance with police collaboration provision.

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- (2) An order under this section may specify whether the specified police function is required to be exercised in relation to the specified police areas in accordance with police collaboration provision contained in—
 - (a) a single collaboration agreement which relates to all of those police areas, or
 - (b) a number of collaboration agreements which, between them, relate to all of those police areas.
- (3) Provision under subsection (2)(b) need not specify a particular number of collaboration agreements.
- (4) A statutory instrument containing an order under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (5) If, but for this subsection, an instrument containing an order under this section would be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not a hybrid instrument.
- (6) In this section “specified” means specified in an order under this section.]

Textual Amendments

- F89** Ss. 23-23I substituted for s. 23 (12.3.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 5**, 116(1); S.I. 2010/507, art. 4(a)
- F125** S. 23FA inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 89(3)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1

23G Collaboration agreements: directions

- (1) The Secretary of State may give chief officers or [^{F126}policing bodies] directions about collaboration agreements or related matters.
- (2) A direction may be given to—
 - (a) one or more chief officers;
 - (b) one or more [^{F126}policing bodies]
- (3) A person to whom a direction is given must comply with it.
- (4) A direction may, in particular—
 - (a) require two or more persons to make, or prohibit them from making, a collaboration agreement;
 - (b) require two or more persons to vary, or prohibit them from varying, a collaboration agreement;
 - (c) require two or more persons to consider making a collaboration agreement of a specified description;
 - (d) specify terms to be included, or not to be included, in collaboration agreements.
- (5) A direction may relate to—
 - (a) a particular agreement,
 - (b) agreements of a particular description, or
 - (c) agreements in general.

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- (6) Before giving a direction under this section the Secretary of State must consult the person or persons to whom it is to be given.

Textual Amendments

- F89** Ss. 23-23I substituted for s. 23 (12.3.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 5**, 116(1); S.I. 2010/507, art. 4(a)
- F126** Words in s. 23G(1)(2) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 9**; S.I. 2011/3019, art. 3, Sch. 1

23H Collaboration agreements: termination by Secretary of State

- (1) The Secretary of State may terminate a collaboration agreement by notice to the parties to the agreement.
- (2) A notice under this section may provide for the termination of the agreement with immediate effect or at the end of a specified period.
- (3) Before giving a notice under this section the Secretary of State must consult the parties to the agreement.

Textual Amendments

- F89** Ss. 23-23I substituted for s. 23 (12.3.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 5**, 116(1); S.I. 2010/507, art. 4(a)

[^{F127}23HA] Decisions about efficiency or effectiveness

In reaching a conclusion about whether or not a collaboration agreement is, or would be, in the interests of efficiency or effectiveness of one or more police forces (the “police forces under consideration”), a person must, in particular, consider—

- (a) the existing collaboration agreements, and other arrangements for co-operation, to which the police forces under consideration are parties;
- (b) the desirability of police forces taking a consistent approach in making such agreements and other arrangements; and
- (c) the opportunities available to the police forces under consideration to make such agreements and other arrangements.]

Textual Amendments

- F89** Ss. 23-23I substituted for s. 23 (12.3.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 5**, 116(1); S.I. 2010/507, art. 4(a)
- F127** S. 23HA inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 10**; S.I. 2011/3019, art. 3, Sch. 1

23I Collaboration agreements: definitions

- (1) This section has effect for the purposes of sections [^{F128}22A] to 23H.
- (2) “Police force” includes—

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- (a) the British Transport Police Force, and
 - (b) the Civil Nuclear Constabulary.
- (3) “Chief officer” means—
- (a) in relation to the British Transport Police Force, the Chief Constable of the force,
 - (b) in relation to the Civil Nuclear Constabulary, the chief constable of the Constabulary, and
 - (c) in relation to any other police force, the chief officer of police of that force.
- (4) [^{F129}“Policing body” means—
- [a local policing body,
- ^{F129}(aa)
- (a) the British Transport Police Authority, and
 - (b) the Civil Nuclear Police Authority.
- [The following expressions have the meanings given in section 22A—
- ^{F130}(5) “collaboration agreement”;
- “force collaboration provision”;
- “policing body collaboration provision”;
- “policing body & force collaboration provision”.
- (6) References to the police force which a policing body is responsible for maintaining include—
- (a) in the case of the British Transport Police Authority, the British Transport Police, and
 - (b) in the case of the Civil Nuclear Police Authority, the Civil Nuclear Constabulary.
- (7) References to a police force include—
- (a) references to the special constables appointed by a chief officer of police, and
 - (b) references to the civilian employees of the police force;
- and references to the members of a police force are to be read accordingly.
- (8) For that purpose “civilian employee” means—
- (a) in the case of a police force maintained under section 2 or 5A, the members of the civilian staff of that force;
 - (b) in the case of any other police force, the employees of the policing body responsible for maintaining that force who are under the direction and control of the chief officer of police of that force.]]

Textual Amendments

F89 Ss. 23-23I substituted for s. 23 (12.3.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 5**, 116(1); S.I. 2010/507, art. 4(a)

F128 Word in s. 23I(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 11(2)**; S.I. 2011/3019, art. 3, Sch. 1

F129 Words in s. 23I(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 11(3)**; S.I. 2011/3019, art. 3, Sch. 1

F130 Ss. 23I(5)-(8) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 12 para. 11(4)**; S.I. 2011/3019, art. 3, Sch. 1

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24 Aid of one police force by another.

- (1) The chief officer of police of any police force may, on the application of the chief officer of police of any other police force, provide constables or other assistance for the purpose of enabling the other force to meet any special demand on its resources.
- (2) If it appears to the Secretary of State to be expedient in the interests of public safety or order that any police force should be reinforced or should receive other assistance for the purpose of enabling it to meet any special demand on its resources, and that satisfactory arrangements under subsection (1) cannot be made, or cannot be made in time, he may direct the chief officer of police of any police force to provide such constables or other assistance for that purpose as may be specified in the direction.
- (3) While a constable is provided under this section for the assistance of another police force he shall, notwithstanding sections ^{F131}sections 2 and 4 of the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”), be under the direction and control of the chief officer of police of that other force.
- ^{F132}(3A) While a member of the civilian staff of a police force maintained under section 2, or a member of the civilian staff of the metropolitan police force, is provided under this section for the assistance of another police force, that member of staff is, notwithstanding section 2 or 4 of the 2011 Act, under the direction and control of the chief officer of police of that other force.]
- (4) The ^{F133}local policing body] maintaining a police force for which assistance is provided under this section shall pay to the ^{F133}local policing body] maintaining the force from which that assistance is provided such contribution as may be agreed upon between ^{F134}those bodies] or, in the absence of any such agreement, as may be provided by any agreement subsisting at the time between all ^{F135}local policing bodies] generally, or, in the absence of such general agreement, as may be determined by the Secretary of State.
- ^{F136}(4A) This section shall apply in relation to the British Transport Police Authority, the British Transport Police Force and the Chief Constable of that Force as it applies to a ^{F137}local policing body] , a police force and a chief officer of police respectively; and for that purpose the reference in subsection (3) to ^{F138}sections 2 and 4 of the 2011 Act shall be construed as including a reference to section 24(2) of the Railways and Transport Safety Act 2003.]
- ^{F139}(5)]

Textual Amendments

- F131** Words in s. 24(3) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 23\(2\)](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 10)
- F132** S. 24(3A) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 23\(3\)](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 10)
- F133** Words in s. 24(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 23\(4\)\(a\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F134** Words in s. 24(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 23\(4\)\(b\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F135** Words in s. 24(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 23\(4\)\(c\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F136** S. 24(4A) substituted (1.7.2004) by [The British Transport Police \(Transitional and Consequential Provisions\) Order 2004 \(S.I. 2004/1573\)](#), arts. 1, [12\(4\)\(b\)](#)

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- F137** Words in s. 24(4A) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 23\(5\)\(a\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F138** Words in s. 24(4A) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 23\(5\)\(b\)](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 10)
- F139** S. 24(5) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\), s. 178\(8\), Sch. 4 para. 70, Sch. 17 Pt. 2](#); S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)

Modifications etc. (not altering text)

- C1** S. 24 amended (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\), Sch. 5 para. 4](#); S.I. 2004/1572, art. 3(jjj)

25 Provision of special services.

- (1) The chief officer of police of a police force may provide, at the request of any person, special police services at any premises or in any locality in the police area for which the force is maintained, subject to the payment to the ^{F140}local policing body] of charges on such scales as may be determined by ^{F141}that body].
- ^{F142}(1A) The Chief Constable of the British Transport Police Force may provide special police services at the request of any person, subject to the payment to the ^{F143}British Transport Police Authority] of charges on such scales as may be determined by that Authority.]
- (2)

Textual Amendments

- F140** Words in s. 25(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 24\(a\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F141** Words in s. 25(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 24\(b\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F142** S. 25(1A) inserted (14.12.2001) by [2001 c. 24, ss. 101, 127\(2\)\(f\), Sch. 7 para. 23](#)
- F143** Words in s. 25(1A) substituted (1.7.2004) by [The British Transport Police \(Transitional and Consequential Provisions\) Order 2004 \(S.I. 2004/1573\), arts. 1, 12\(1\)\(e\)](#)

Modifications etc. (not altering text)

- C2** S. 25 amended (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\), Sch. 5 para. 4](#); S.I. 2004/1572, art. 3(jjj)

26 Provision of advice and assistance to international organisations etc.

- (1) Subject to the provisions of this section, a ^{F144}local policing body] may provide advice and assistance—
- (a) to an international organisation or institution, or
 - (b) to any other person or body which is engaged outside the United Kingdom in the carrying on of activities similar to any carried on by ^{F145}the body] or the chief officer of police for its area.
- (2) The power conferred on a ^{F146}local policing body] by subsection (1) includes a power to make arrangements under which a member of the police force maintained by ^{F147}the body] is engaged for a period of temporary service with a person or body within paragraph (a) or (b) of that subsection.

Status: Point in time view as at 01/04/2013.

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- (3) The power conferred by subsection (1) shall not be exercised except with the consent of the Secretary of State or in accordance with a general authorisation given by him.
- (4) A consent or authorisation under subsection (3) may be given subject to such conditions as appear to the Secretary of State to be appropriate.
- (5) Nothing in this section authorises a [^{F148}local policing body] to provide any financial assistance by—
- (a) making a grant or loan,
 - (b) giving a guarantee or indemnity, or
 - (c) investing by acquiring share or loan capital.
- (6) A [^{F148}local policing body] may make charges for advice or assistance provided by it under this section.
- ^{F149}(7)
- (8) The provisions of this section are without prejudice to the ^{M2}Police (Overseas Service) Act 1945 ^{F150}

Textual Amendments

- F144** Words in s. 26(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 25\(2\)\(a\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F145** Words in s. 26(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 25\(2\)\(b\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F146** Words in s. 26(2) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 25\(3\)\(a\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F147** Words in s. 26(2) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 25\(3\)\(b\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F148** Words in s. 26(5)(6) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 25\(4\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F149** S. 26(7) repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 81, [Sch. 34 Pt. VII](#) (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, [Sch.](#)
- F150** Words in s. 26(8) repealed (17.6.2002) by [International Development Act 2002 \(c. 1\), ss. 19, 20\(2\), Sch. 4](#) (with Sch. 5 para. 5); S.I. 2002/1408, [art. 2](#)

Marginal Citations

- M2** 9 & 10 Geo. 6 c. 17.

27 Special constables.

- (1) The chief officer of police of the police force maintained for a police area may, in accordance with regulations under section 51, appoint special constables for that area.
- (2) Subject to [^{F151}provision included in a [^{F152}collaboration agreement] by virtue of section 23(4),][^{F153}section 24(3) and] regulations under section 51, all special constables appointed for a police area shall be under the direction and control of, and subject to dismissal by, the chief officer of police.

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Textual Amendments

- F151** Words in s. 27(2) inserted (12.3.2010) by Policing and Crime Act 2009 (c. 26), s. 116(1), **Sch. 7 para. 6**; S.I. 2010/507, art. 4(c)
- F152** Words in s. 27(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 26**; S.I. 2011/3019, art. 3, Sch. 1
- F153** Words in s. 27(2) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 2 para. 23**; S.I. 2007/709, art. 3(c) (with art. 6)

28 Police cadets.

- (1) The chief officer of police of a police force may, in accordance with regulations under section 52, appoint persons as police cadets to undergo training with a view to becoming members of that police force.
- (2) Subject to regulations under section 52, all police cadets shall be under the control of, and subject to dismissal by, the chief officer of police.
- (3) [^{F154}Accordingly], for the purposes of any enactment relating to the functions of employers and of any rule of law with respect to the vicarious liability of employers, [^{F155}the chief officer of a police force] shall be treated as the employer of any police cadets undergoing training with the force.

^{F156}(4)

Textual Amendments

- F154** Word in s. 28(3) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 27(a)**; S.I. 2011/3019, art. 3, Sch. 1
- F155** Words in s. 28(3) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 27(b)**; S.I. 2011/3019, art. 3, Sch. 1
- F156** S. 28(4) repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 82, **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

29 Attestation of constables.

Every member of a police force maintained for a police area and every special constable appointed for a police area shall, on appointment, be attested as a constable by making a declaration in the form set out in Schedule 4—

- ^{F157}(a)
- (b) ^{F158} . . . before a justice of the peace having jurisdiction within the police area.

Textual Amendments

- F157** S. 29(a) repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 83, **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**
- F158** Words in s. 29(b) repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 83, **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

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Modifications etc. (not altering text)

- C3** S. 29 applied (with modifications) (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\), s. 24\(3\)](#); S.I. 2004/1572, art. 3(g)
- C4** S. 29 applied (with modifications) (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\), s. 25\(3\)](#); S.I. 2004/1572, art. 3(h)
- C5** S. 29 applied (16.5.2008) by [The London Gateway Port Harbour Empowerment Order 2008 \(S.I. 2008/1261\)](#), arts. 1, **51(1)** (with arts. 41(1), 45, 54(2), 55, 56, 57, 58(6))

30 Jurisdiction of constables.

- (1) A member of a police force shall have all the powers and privileges of a constable throughout England and Wales and the adjacent United Kingdom waters.
- [^{F159}(2) A special constable shall have all the powers and privileges of a constable throughout England and Wales and the adjacent United Kingdom waters.]
- ^{F160}(3)
- [^{F161}(3A) A member of the British Transport Police Force who is for the time being required by virtue of [^{F162}section 22A] to serve with a police force maintained by a [^{F163}local policing body] shall have all the powers and privileges of a member of that police force.]
- [^{F164}(3B) Where a member of the British Transport Police Force is for the time being under the direction and control of the chief officer of another police force by virtue of a [^{F165}collaboration agreement under section 22A], the member shall have all the powers and privileges of a member of that other force.
- (3C) In subsection (3B), “police force” and “chief officer” have the meanings given by section 23I.]
- ^{F166}(4)
- (5) In this section—
powers includes powers under any enactment, whenever passed or made;
“United Kingdom waters” means the sea and other waters within the seaward limits of the territorial sea;
and this section, so far as it relates to powers under any enactment, makes them exercisable throughout the United Kingdom waters whether or not the enactment applies to those waters apart from this provision.
- (6) This section is without prejudice to—
(a) sections 98 and 99 below, and
(b) any other enactment conferring powers on constables for particular purposes.

Textual Amendments

- F159** S. 30(2) substituted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 2 para. 21\(2\)](#); S.I. 2007/709, art. 3(c) (with art. 6)
- F160** S. 30(3) repealed (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 2 para. 21\(3\)](#), [Sch. 15 Pt. 1\(B\)](#); S.I. 2007/709, art. 3(c)(r)(i) (with art. 6)
- F161** S. 30(3A) inserted (14.12.2001) by [2001 c. 24](#), ss. 101, 127(2)(f), [Sch. 7 para. 24](#)

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- F162** Words in s. 30(3A) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 28\(2\)\(a\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F163** Words in s. 30(3A) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 28\(2\)\(b\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F164** S. 30(3B)(3C) inserted (12.3.2010) by [Policing and Crime Act 2009 \(c. 26\), s. 116\(1\), Sch. 7 para. 7\(b\)](#); S.I. 2010/507, art. 4(c)
- F165** Words in s. 30(3B) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 28\(3\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F166** S. 30(4) repealed (1.4.2007) by [Police and Justice Act 2006 \(c. 48\), s. 53\(1\), Sch. 2 para. 21\(3\), Sch. 15 Pt. 1\(B\)](#); S.I. 2007/709, art. 3(c)(r)(i) (with art. 6)

Modifications etc. (not altering text)

- C6** S. 30 amended (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\), Sch. 5 para. 4](#); S.I. 2004/1572, art. 3(jjj)

[^{F167}31 Rewards for diligence

- (1) The chief constable of a police force maintained under section 2 may grant to members of that police force rewards for exceptional diligence or other specially meritorious conduct.
- (2) The Commissioner of Police of the Metropolis may grant to members of the metropolitan police force rewards for exceptional diligence or other specially meritorious conduct.
- (3) The Common Council may, on the recommendation of the Commissioner of Police for the City of London, grant out of the City of London police fund to members of the City of London police force rewards for exceptional diligence or other specially meritorious conduct.]

Textual Amendments

- F167** S. 31 substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 29](#); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 11)

Alteration of police areas

32 Power to alter police areas by order.

- (1) The Secretary of State may by order make alterations in police areas in England and Wales other than the City of London police area.
- (2) The alterations that may be made by an order under this section include alterations that result in a reduction or an increase in the number of police areas, but not alterations that result in the abolition of the metropolitan police district.
- (3) The Secretary of State shall not exercise his power under this section to make alterations unless either—
 - (a) he has received a request to make the alterations from the [^{F168}local policing body] for each of the areas ^{F169}... affected by them, or
 - (b) it appears to him to be expedient to make the alterations in the interests of efficiency or effectiveness.

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- (4) The Secretary of State shall exercise his power to make orders under this section in such a way as to ensure that ^{F170}no police area falls partly in England and partly in Wales and that] none of the following areas—
- (a) a county in which there are no district councils,
 - (b) a district in any other county,
 - (c) a county borough in Wales, and
 - (d) a London borough,
- is divided between two or more police areas.

^{F171}(5)

Textual Amendments

- F168** Words in s. 32(3)(a) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 10 para. 5(2)**; S.I. 2012/1129, art. 2(g)
- F169** Words in s. 32(3)(a) repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 84(2), **Sch. 34 Pt. VII** (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/1648, art. 2, **Sch.**
- F170** Words in s. 32(4) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 10 para. 5(3)**; S.I. 2012/1129, art. 2(g)
- F171** S. 32(5) repealed (1.4.2000) by 1999 c. 29, ss. 325, 423, **Sch. 27 para. 84(3) Sch. 34 Pt. VII** (with [Sch. 12 para. 9\(1\)](#)); S.I. 1999/3271, **art. 4(b)(c)(d)**

33 Objections to alterations proposed by Secretary of State.

- (1) Before making an order under section 32 by virtue of subsection (3)(b) of that section, the Secretary of State shall give notice of his proposal to—
- (a) the ^{F172}[local policing body] for every area ^{F173}... that he proposes to alter,
 - (b) the council of every county, district, county borough or London borough wholly or partly within any area (other than the metropolitan police district) that he proposes to alter,
 - ^{F174}(bb) the Greater London Authority, if he proposes to alter the metropolitan police district,]
 - (c) the council of every London borough, county or district all or part of which would under the proposal be brought into or left out of the metropolitan police district, and
 - (d) such other persons as he considers appropriate.
- (2) A notice under subsection (1) shall—
- (a) specify the proposed alterations and describe the general nature of any related provisions proposed to be included in the order,
 - (b) set out the Secretary of State's reasons for proposing the alterations, and
 - (c) specify a date before which any objections to the proposals are to be delivered to the Secretary of State.
- (3) The date specified under subsection (2)(c) shall fall after the end of the period of four months beginning with the date of the notice.
- (4) Where objections have been duly delivered to the Secretary of State by a person notified under subsection (1), the Secretary of State shall before making the order under section 32—

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- (a) consider the objections, and
 - (b) give to that person a further notice stating whether he accepts the objections and, if he does not, giving his reasons.
- (5) Where the Secretary of State has given a notice under subsection (1) specifying proposed alterations, the provisions of an order making the alterations may be inconsistent with the notice so far as it describes the general nature of the provisions, and may contain provisions not referred to in the notice.

Textual Amendments

- F172** Words in s. 33(1)(a) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011](#) (c. 13), s. 157(1), [Sch. 10 para. 6](#); S.I. 2012/1129, art. 2(g)
- F173** Words in s. 33(1)(a) repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, [Sch. 27 para. 85\(2\)](#), [Sch. 34 Pt. VII](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/1648, art. 2, [Sch.](#)
- F174** S. 33(1)(bb) inserted (3.7.2000) by 1999 c. 29, s. 325, [Sch. 27 para. 85\(3\)](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/1648, art. 2, [Sch.](#)

34 Orders altering police areas: supplementary provisions.

- (1) The power to make orders under section 32 includes power to make such supplementary and transitional provision as the Secretary of State thinks necessary or expedient, including—
- [^{F175}(a) provision as to who is to be a police and crime commissioner;]
 - (b) provision for the transfer of property, rights and liabilities;
 - (c) provision for the transfer of members of police forces and other persons;
 - (d) provision as to pending legal proceedings.
- [^{F176}(1A) Provision falling within subsection (1)(a) includes, in particular—
- (a) provision for the police and crime commissioner for a police area affected by the order to become the police and crime commissioner for a police area resulting from the order;
 - (b) provision for the holding of an election for the police and crime commissioner for any police area resulting from the order.]
- (2) Without prejudice to subsection (1), the power to make orders under section 32 includes power—
- (a) to amend Schedule 1 to this Act and section 76 of the ^{M3}London Government Act 1963 (extent of metropolitan police district), ^{F177}...
 - (b) to amend any other enactment, and any instrument made under any enactment, where the amendment is consequential on any provision of the order [^{F178}and
 - (c) to apply (with or without modification) any provision of, or made under, Chapter 6 of Part 1 of the Police Reform and Social Responsibility Act 2011.]
- [^{F179}(2A) An order under section 32 which includes provision within subsection (1A)(b) may, in particular require the election in question to be held before the alteration of police areas takes effect.]
- (3) No order shall be made under section 32 by virtue of subsection (3)(b) of that section unless a draft of the order has been laid before and approved by resolution of each House of Parliament.

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- (4) An order to which subsection (3) applies, and which would apart from this subsection be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, shall proceed in that House as if it were not such an instrument.
- (5) A statutory instrument containing an order made under section 32 by virtue of subsection (3)(a) of that section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F175** S. 34(1)(a) substituted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 10 para. 7(2)**; S.I. 2012/1129, art. 2(g)
- F176** S. 34(1A) inserted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 10 para. 7(3)**; S.I. 2012/1129, art. 2(g)
- F177** Words in s. 34(2)(a) omitted (25.4.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 10 para. 7(4)(a)**; S.I. 2012/1129, art. 2(g)
- F178** S. 34(2)(c) and word inserted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 10 para. 7(4)(b)**; S.I. 2012/1129, art. 2(g)
- F179** S. 34(2A) inserted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 10 para. 7(5)**; S.I. 2012/1129, art. 2(g)

Marginal Citations

- M3** 1963 c. 33.

Supplemental

35 The Scilly Isles.

For the purposes of the application of this Part to the Isles of Scilly—

- (a) the Isles shall be treated as if they were a county, and
- (b) references to the council of a county shall be construed as references to the Council of the Isles.

PART II

CENTRAL SUPERVISION, DIRECTION AND FACILITIES

Functions of Secretary of State

36 General duty of Secretary of State.

- (1) The Secretary of State shall exercise his powers under the provisions of this Act referred to in subsection (2) in such manner and to such extent as appears to him to be best calculated to promote the efficiency and effectiveness of the police.
- (2) The provisions of this Act mentioned in subsection (1) are—
 - (a) Part I;
 - (b) this Part;
 - (c) Part III (other than sections 61 and 62);

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- (d) in Chapter II of Part IV, [^{F180}sections 84 and 85] and Schedule 6; and
- (e) in Part V, section 95.

Textual Amendments

F180 Words in s. 36(2)(d) substituted (3.11.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 22 para. 2](#); S.I. 2008/2712, art. 2, Sch. para. 16(a)

^{F181}**36A National Policing Plan**

Textual Amendments

F181 S. 36A repealed (8.11.2006) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(2), Sch. 2 para. 24, [Sch. 15 Pt. 1\(B\)](#)

^{F182}**37 Setting of objectives for police authorities.**

Textual Amendments

F182 S. 37 repealed (8.11.2006) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(2), Sch. 2 para. 24, [Sch. 15 Pt. 1\(B\)](#)

[^{F183}**37A The strategic policing requirement**

- (1) The Secretary of State must, from time to time, issue a document (the “strategic policing requirement”) which sets out what, in the Secretary of State’s view, are—
 - (a) national threats at the time the document is issued, and
 - (b) appropriate national policing capabilities to counter those national threats.
- (2) A chief officer of police must, in exercising the functions of chief officer, have regard to the strategic policing requirement.
- (3) Before issuing the strategic policing requirement, the Secretary of State—
 - (a) must obtain the advice of—
 - (i) such persons as appear to the Secretary of State to represent the views of chief officers of police, and
 - (ii) such persons as appear to the Secretary of State to represent the views of local policing bodies, and
 - (b) must consult such other persons as the Secretary of State thinks fit.
- (4) The strategic policing requirement need not set out a national threat (in particular) if, in the Secretary of State’s view, countering the threat would involve police forces other than England and Wales police forces (and only those other police forces).
- (5) References in this section to national policing capabilities to counter a threat are references to the ability of all England and Wales police forces—

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- (a) to exercise one or more functions to counter that threat,
 - (b) to exercise one or more functions in one or more particular ways to counter that threat, or
 - (c) to exercise one or more functions in accordance with common operational standards to counter that threat.
- (6) In this section—
- “England and Wales police force” means—
- (a) a police force maintained under section 2,
 - (b) the metropolitan police force, and
 - (c) the City of London police force;
- “national threat” means a threat (whether actual or prospective) which is—
- (a) a threat to national security, public safety, public order or public confidence that is of such gravity as to be of national importance, or
 - (b) a threat which can be countered effectively or efficiently only by national policing capabilities to counter the threat.]

Textual Amendments

F183 S. 37A substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), ss. 77, 157(1); S.I. 2012/1129, art. 2(c)

^{F184}38 Setting of performance targets.

.....

Textual Amendments

F184 S. 38 omitted (22.11.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), ss. 81(a), 157(1); S.I. 2012/2892, art. 2(a)

^{F185}39 Codes of practice.

.....

Textual Amendments

F185 S. 39 omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), ss. 81(b), 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 9(1)(2))

[^{F186}39A Codes of practice for chief officers

- (1) If the Secretary of State considers it necessary to do so for the purpose of promoting the efficiency and effectiveness generally of the police forces maintained for police areas in England and Wales, he may issue codes of practice relating to the discharge of their functions by the chief officers of police of those forces.
- (2) The Secretary of State may from time to time revise the whole or any part of a code of practice issued under this section.

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- ^{F187}(3)
- (4) Before [^{F188}issuing or revising such a code, the Secretary of State] shall consult with—
- [^{F189}(a) such persons as appear to the Secretary of State to represent the views of police and crime commissioners;
 - (aa) the Mayor's Office for Policing and Crime;
 - (ab) the Common Council;]
 - [^{F190}(b) the Association of Chief Police Officers; and]
 - (c) such other persons as [^{F191}the Secretary of State] thinks fit.
- (5) The Secretary of State shall lay any code of practice issued by him under this section, and any revision of any such code, before Parliament.
- (6) The Secretary of State shall not be required by subsection (5) to lay before Parliament, or may exclude from what he does so lay, anything the publication of which, in his opinion—
- (a) would be against the interests of national security;
 - (b) could prejudice the prevention or detection of crime or the apprehension or prosecution of offenders; or
 - (c) could jeopardise the safety of any person.
- (7) In discharging any function to which a code of practice under this section relates, a chief officer of police shall have regard to the code.]

Textual Amendments

- F186** S. 39A inserted (1.10.2002) by [Police Reform Act 2002 \(c. 30\)](#), **ss. 2**, 108(2)-(5); S.I. 2002/2306, **art. 2(a)**
- F187** S. 39A(3) omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 30(2)**; S.I. 2011/3019, art. 3, Sch. 1
- F188** Words in s. 39A(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 30(3)(a)**; S.I. 2011/3019, art. 3, Sch. 1
- F189** Ss. 39A(4)(a)-(ab) substituted for s. 39A(4)(a) (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 30(3)(b)**; S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 12)
- F190** S. 39A(4)(a)(b) substituted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 4 para. 3**; S.I. 2007/709, art. 3(d) (with art. 6)
- F191** Words in s. 39A(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 30(3)(c)**; S.I. 2011/3019, art. 3, Sch. 1

[^{F192}40 Power to give directions in relation to police force

- (1) Where the Secretary of State is satisfied that the whole or any part of a police force is failing to discharge any of its functions in an effective manner, whether generally or in particular respects, he may direct the [^{F193}local policing body] responsible for maintaining the force to take specified measures for the purpose of remedying the failure.
- (2) Where the Secretary of State is satisfied that the whole or a part of a police force will fail to discharge any of its functions in an effective manner, whether generally or in particular respects, unless remedial measures are taken, he may direct the [^{F193}local

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policing body] responsible for maintaining the force to take specified measures in order to prevent such a failure occurring.

- (3) The measures that may be specified in a direction under subsection (1) or (2) include the submission to the Secretary of State of an action plan setting out the measures which the person or persons submitting the plan propose to take for the purpose of remedying the failure in question or (as the case may be) preventing such a failure occurring.
- (4) The Secretary of State shall not give a direction under this section in relation to any police force unless—
- (a) the [^{F193}local policing body] responsible for maintaining the force and the chief officer of police of that force have each been given such information about the Secretary of State's grounds for proposing to give that direction as he considers appropriate for enabling them to make representations or proposals under the following paragraphs of this subsection;
 - (b) that [^{F193}local policing body] and chief officer have each been given an opportunity of making representations about those grounds;
 - (c) that [^{F193}local policing body] and chief officer have each had an opportunity of making proposals for the taking of remedial measures that would make the giving of the direction unnecessary; and
 - (d) the Secretary of State has considered any such representations and any such proposals.
- (5) Subsection (4) does not apply if the Secretary of State is satisfied that—
- (a) the [^{F193}local policing body] responsible for maintaining the force and the chief officer of police of that force have already been made aware of the matters constituting the Secretary of State's grounds for proposing to give a direction under this section;
 - (b) the information they had about those matters was sufficient to enable them to identify remedial measures that would have made the giving of the direction unnecessary; and
 - (c) they have each had a reasonable opportunity to take such measures.
- (6) The Secretary of State shall not give a direction under this section unless Her Majesty's Chief Inspector of Constabulary has been given—
- (a) the same information about the grounds for proposing to give that direction as is required to be given under subsection (4)(a) (or would be so required but for subsection (5)); and
 - (b) an opportunity of making written observations about those grounds.

The Secretary of State shall publish any such observations in such manner as appears to him to be appropriate.

- (7) A [^{F193}local policing body] that is given a direction under this section shall comply with it.

Textual Amendments

F192 Ss. 40-40B substituted for s. 40 (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 2 para. 27](#); [S.I. 2007/709](#), [art. 3\(c\)](#) (with [art. 6](#))

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F193 Words in s. 40 substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 91\(2\), 157\(1\); S.I. 2011/3019, art. 3, Sch. 1](#)

40A Power to give directions in relation to ^{F194}local policing body

- (1) Where the Secretary of State is satisfied that a ^{F194}local policing body] is failing to discharge any of its functions in an effective manner, whether generally or in particular respects, he may direct the ^{F194}local policing body] to take specified measures for the purpose of remedying the failure.
- (2) Where the Secretary of State is satisfied that a ^{F194}local policing body] will fail to discharge any of its functions in an effective manner, whether generally or in particular respects, unless remedial measures are taken, he may direct the ^{F194}local policing body] to take specified measures in order to prevent such a failure occurring.
- (3) The measures that may be specified in a direction under subsection (1) or (2) include the submission to the Secretary of State of an action plan setting out the measures which ^{F195}the local policing body] submitting the plan proposes to take for the purpose of remedying the failure in question or (as the case may be) preventing such a failure occurring.
- (4) The Secretary of State shall not give a direction under this section in relation to a ^{F194}local policing body] unless—
 - (a) the ^{F194}local policing body] has been given such information about the Secretary of State's grounds for proposing to give that direction as he considers appropriate for enabling it to make representations or proposals under the following paragraphs of this subsection;
 - (b) the ^{F194}local policing body] has been given an opportunity of making representations about those grounds;
 - (c) the ^{F194}local policing body] has had an opportunity of making proposals for the taking of remedial measures that would make the giving of the direction unnecessary; and
 - (d) the Secretary of State has considered any such representations and any such proposals.
- (5) Subsection (4) does not apply if the Secretary of State is satisfied that—
 - (a) the ^{F194}local policing body] has already been made aware of the matters constituting the Secretary of State's grounds for proposing to give a direction under this section;
 - (b) the information ^{F195}the local policing body] had about those matters was sufficient to enable it to identify remedial measures that would have made the giving of the direction unnecessary; and
 - (c) ^{F195}the local policing body] has had a reasonable opportunity to take such measures.
- (6) The Secretary of State shall not give a direction under this section unless Her Majesty's Chief Inspector of Constabulary has been given—
 - (a) the same information about the grounds for proposing to give that direction as is required to be given under subsection (4)(a) (or would be so required but for subsection (5)); and
 - (b) an opportunity of making written observations about those grounds.

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The Secretary of State shall publish any such observations in such manner as appears to him to be appropriate.

- (7) A [^{F194}local policing body] that is given a direction under this section shall comply with it.
- (8) Nothing in this section or in section 40 prevents the Secretary of State from exercising (whether in relation to the same matter or different matters or at the same time or at different times) both his powers under this section and his powers under section 40.

Textual Amendments

F192 Ss. 40-40B substituted for s. 40 (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 2 para. 27](#); [S.I. 2007/709](#), art. 3(c) (with art. 6)

F194 Words in s. 40A substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 91\(3\)\(a\)](#), 157(1); [S.I. 2011/3019](#), art. 3, Sch. 1

F195 Words in s. 40A substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 91\(3\)\(b\)](#), 157(1); [S.I. 2011/3019](#), art. 3, Sch. 1

40B Procedure for directions under section 40 or 40A

- (1) The Secretary of State may by regulations make further provision as to the procedure to be followed in cases where—
- (a) a proposal is made for the giving of a direction under section 40;
 - (b) a proposal is made for the giving of a direction under section 40A.
- (2) Before making any regulations under this section, the Secretary of State shall consult with—
- ^{F196}(a) such persons as appear to the Secretary of State to represent the views of police and crime commissioners;
 - (aa) the Mayor's Office for Policing and Crime;
 - (ab) the Common Council;
 - (b) the Association of Chief Police Officers; and
 - (c) such other persons as he thinks fit.
- (3) Regulations under this section may make different provision for different cases and circumstances.
- (4) A statutory instrument containing regulations under this section shall not be made unless a draft of the regulations has been laid before Parliament and approved by a resolution of each House.
- (5) On giving a direction under section 40 or section 40A to a [^{F197}local policing body], the Secretary of State shall notify the chief officer of police of the force in question that he has given that direction.
- (6) Where the Secretary of State gives a direction under section 40 or section 40A he shall lay before Parliament—
- (a) a copy of the direction; and
 - (b) a report about it.
- (7) A report under [^{F198}subsection (6)]—

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- (a) shall be prepared at such time as the Secretary of State considers appropriate; and
- (b) may relate to more than one direction.]

Textual Amendments

- F192** Ss. 40-40B substituted for s. 40 (1.4.2007) by [Police and Justice Act 2006 \(c. 48\), s. 53\(1\), Sch. 2 para. 27](#); [S.I. 2007/709, art. 3\(c\)](#) (with art. 6)
- F196** Ss. 40B(2)(a)-(ab) substituted for s. 40B(2)(a) (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 91\(4\), 157\(1\)](#); [S.I. 2011/3019, art. 3, Sch. 1](#) (with Sch. 2 para. 3)
- F197** Words in s. 40B(5) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 91\(5\), 157\(1\)](#); [S.I. 2011/3019, art. 3, Sch. 1](#)
- F198** Words in s. 40B(7) substituted (12.1.2010) by [Policing and Crime Act 2009 \(c. 26\), s. 116\(6\)\(a\), Sch. 7 para. 133](#)

41 Directions as to minimum budget.

- (1) The power of the Secretary of State to give directions under section 40 [^{F199}or 40A] to a [^{F200}a police and crime commissioner] shall include power to direct [^{F201}the commissioner] that the amount of [^{F202}the commissioner's][^{F203}council tax requirement (under section 42A of the Local Government Finance Act 1992) or budget requirement (under section 43 of that Act) for any financial year] shall not be less than an amount specified in the direction.
- [^{F204}(1A) But the Secretary of State may not give a direction to the police and crime commissioner for a police area by virtue of subsection (1) unless the Secretary of State is satisfied that it is necessary to give the direction in order to prevent the safety of people in that police area from being put at risk.]
- (2) The power exercisable by virtue of subsection (1), and any direction given under that power, are subject to any limitation imposed under Chapter [^{F205}4ZA or][^{F206}IVA] of Part I of the Local Government Finance Act 1992.
- (3) A direction shall not be given by virtue of subsection (1) in relation to a financial year at any time after the end of the preceding December.
- (4) Where the Secretary of State gives a direction to [^{F207}a police and crime commissioner] by virtue of subsection (1), any precept issued or calculation made by [^{F208}the commissioner] under Part I of the Local Government Finance Act 1992 which is inconsistent with the direction shall be void.

Textual Amendments

- F199** Words in s. 41(1) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\), s. 53\(1\), Sch. 2 para. 28](#); [S.I. 2007/709, art. 3\(c\)](#) (with art. 6)
- F200** Words in s. 41(1) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 22\(2\)\(a\), 157\(1\)](#); [S.I. 2012/2892, art. 2\(a\)](#)
- F201** Words in s. 41(1) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 22\(2\)\(b\), 157\(1\)](#); [S.I. 2012/2892, art. 2\(a\)](#)
- F202** Words in s. 41(1) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 22\(2\)\(c\), 157\(1\)](#); [S.I. 2012/2892, art. 2\(a\)](#)
- F203** Words in s. 41(1) substituted (3.12.2011) by [Localism Act 2011 \(c. 20\), s. 240\(2\), Sch. 7 para. 33](#); [S.I. 2011/2896, art. 2\(i\)](#)

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- F204** S. 41(1A) inserted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 22(3)**, 157(1); S.I. 2012/2892, art. 2(a)
- F205** Words in s. 41(2) inserted (3.12.2011) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), **Sch. 6 para. 33**; S.I. 2011/2896, art. 2(i)
- F206** Words in s. 41(2) substituted (27.7.1999 so as to apply as mentioned in S. 30(2)) by 1999 c. 27, s. 30(1), **Sch. 1 Pt. II para. 10**
- F207** Words in s. 41(4) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 22(4)(a)**, 157(1); S.I. 2012/2892, art. 2(a)
- F208** Words in s. 41(4) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 22(4)(b)**, 157(1); S.I. 2012/2892, art. 2(a)

^{F209}**41A Power to give directions as to action plans**

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Textual Amendments

F209 S. 41A repealed (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), Sch. 2 para. 29, **Sch. 15 Pt. 1(B)**; S.I. 2007/709, art. 3(c)(r)(i) (with art. 6)

^{F210}**41B Procedure for directions under section 41A**

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Textual Amendments

F210 S. 41B repealed (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), Sch. 2 para. 29, **Sch. 15 Pt. 1(B)**; S.I. 2007/709, art. 3(c)(r)(i) (with art. 6)

42 [^{F211}**Metropolitan police: suspension or removal of Commissioner or Deputy Commissioner**]

[^{F212}[^{F213}(1) The Secretary of State may require the Mayor's Office for Policing and Crime to exercise the power under section 48 of the Police Reform and Social Responsibility Act 2011 (the "2011 Act") to call upon the Commissioner of Police of the Metropolis, or the Deputy Commissioner of Police of the Metropolis, to retire or resign.

(1A) The Secretary of State may also require the Mayor's Office for Policing and Crime to exercise the power under section 48 of the 2011 Act to suspend the Commissioner of Police of the Metropolis, or the Deputy Commissioner of Police of the Metropolis, if the Secretary of State considers that it is necessary for the maintenance of public confidence in the metropolitan police force for that police officer to be suspended.]

(2) [^{F214}Before requiring the Mayor's Office for Policing and Crime to exercise its power to call upon the Commissioner of Police of the Metropolis, or the Deputy Commissioner of Police of the Metropolis, to retire or resign, the Secretary of State shall—]

- (a) give the officer concerned a notice in writing—
 - (i) informing him of the Secretary of State's intention to require the exercise of that power; and

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- (ii) explaining the Secretary of State’s grounds for requiring the exercise of that power; and
 - (b) give that officer an opportunity to make representations to the Secretary of State.
- (2A) Where the Secretary of State gives a notice under subsection (2)(a), he shall send a copy of the [F215 notice to the Mayor's Office for Policing and Crime.]
- (2B) The Secretary of State shall consider any representations made to him under subsection (2).]
- (3) [F216 Where the Secretary of State proposes to require the exercise of a power mentioned in subsection (1), he] shall, appoint one or more persons (one at least of whom shall be a person who is not an officer of police or of a Government department) to hold an inquiry and report to him and shall consider any report made under this subsection.
- [F217(3A) At an inquiry held under subsection (3)—
- (a) the Commissioner [F218 or Deputy Commissioner] shall be entitled, in accordance with any regulations under section 42A, to make representations to the inquiry;
 - (b) the [F219 Mayor's Office for Policing and Crime] shall be entitled, in accordance with any regulations made under section 42A, to make representations to the inquiry.
- (3B) The entitlement of the Commissioner [F220 or Deputy Commissioner] to make representations shall include the entitlement to make them in person.]
- (4) The costs incurred by a [F221 the Commissioner [F222 or Deputy Commissioner]] in respect of an inquiry under this section, taxed in such manner as the Secretary of State may direct, shall be defrayed out of the police fund.
- [F223(4A) If the Secretary of State exercises the power conferred by subsection (1) to require the Mayor's Office for Policing and Crime to call upon the Commissioner to retire or resign—
- (a) the requirement of section 48(1) of the 2011 Act to obtain the Secretary of State's consent does not apply, and
 - (b) section 48(5) of the 2011 Act does not apply.]
- (4B) In this section “the Commissioner” means the Commissioner of Police of the Metropolis and “the Deputy Commissioner” means the Deputy Commissioner of Police of the Metropolis.
- F224(4C)
- F225(5)

Textual Amendments

- F211** S. 42 title substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 82(3)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 9(1)(3))
- F212** S. 42(1)-(2B) substituted for s. 42(1)(2) (1.6.2004) by [Police Reform Act 2002 \(c. 30\)](#), **ss. 33(2)**, 108(2); S.I. 2004/1319, **art. 2(d)**
- F213** S. 42(1)(1A) substituted for s. 42(1)-(1B) (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 82(4)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 9(1)(3))

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- F214** Words in s. 42(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 82(5)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 9(1)(3))
- F215** Words in s. 42(2A) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 82(6)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 9(1)(3))
- F216** Words in s. 42(3) substituted (1.6.2004) by Police Reform Act 2002 (c. 30), **ss. 33(3)**, 108(2); S.I. 2004/1319, art. 2(d)
- F217** S. 42(3A)(3B) inserted (1.6.2004) by Police Reform Act 2002 (c. 30), **ss. 33(4)**, 108(2); S.I. 2004/1319, art. 2(d)
- F218** Words in s. 42(3A)(a) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 82(7)(a)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 9(1)(3))
- F219** Words in s. 42(3A)(b) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 82(7)(b)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 9(1)(3))
- F220** Words in s. 42(3B) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 82(8)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 9(1)(3))
- F221** Words in s. 42(4) substituted (1.6.2004) by Police Reform Act 2002 (c. 30), **ss. 33(5)**, 108(2); S.I. 2004/1319, art. 2(d)
- F222** Words in s. 42(4) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 82(9)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 9(1)(3))
- F223** S. 42(4A) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 82(10)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 9(1)(3))
- F224** S. 42(4C) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 82(11)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 9(1)(3))
- F225** S. 42(5) repealed (1.6.2004) by Police Reform Act 2002 (c. 30), **ss. 33(7)**, 108(2), **Sch. 8**; S.I. 2004/1319, art. 2(d)(f)

[^{F226}**42A Procedure in relation to [^{F227} exercise of powers under section 42]**

- (1) The Secretary of State may by regulations make provision as to the procedure to be followed in the exercise of any power conferred or duty imposed by section ^{F228}... 42.
- (2) Before making any regulations under this section, the Secretary of State shall consult with—
 - [^{F229}(a) the Mayor's Office for Policing and Crime;]
 - (b) the Association of Chief Police Officers; and
 - (c) such other persons as he thinks fit.
- (3) Regulations under this section may make different provision for different cases and circumstances.
- (4) A statutory instrument containing regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F226** S. 42A inserted (1.10.2002) by Police Reform Act 2002 (c. 30), **ss. 34**, 108(2)-(5); S.I. 2002/2306, **art. 2(c)(i)**
- F227** Words in s. 42A title substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 31(2)**; S.I. 2012/2892, art. 2(i)
- F228** Words in s. 42A(1) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 31(3)**; S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 13)
- F229** S. 42A(2)(a) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 31(4)**; S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 13)

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F230 43 Reports from police authorities.
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Textual Amendments

F230 S. 43 omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 81\(c\), 157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#) (with [art. 9\(1\)\(2\)](#))

[F231 44 Provision of information by chief officers of police

- (1) The Secretary of State may require a chief officer of police of any police force to provide the Secretary of State with information on such matters as may be specified in the requirement, being matters connected with—
 - (a) the policing of the police area for which that police force is maintained, or
 - (b) the discharge of the national or international functions of that police force.
- (2) A requirement under subsection (1) may, in particular, specify information in the form of statistical data, being data connected with—
 - (a) the policing of that police area, or
 - (b) the discharge of the national or international functions of the police force for that area.
- (3) A requirement under subsection (1) may specify the form in which information is to be provided.
- (4) The Secretary of State may require a chief officer to publish, in such manner as appears to the Secretary of State to be appropriate, information provided in accordance with a requirement under subsection (1).
- (5) The Secretary of State may cause a consolidated and classified abstract of any information in the form of statistical data that is provided in accordance with subsection (1) to be prepared and laid before Parliament.]

Textual Amendments

F231 S. 44 substituted for ss. 44. 45 (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 92, 157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#)

F231 45 Criminal statistics.
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Textual Amendments

F231 S. 44 substituted for ss. 44. 45 (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 92, 157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#)

Status: Point in time view as at 01/04/2013.

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46 Police grant.

- (1) Subject to the following provisions of this section, the Secretary of State shall for each financial year make grants for police purposes to—
 - [^{F232}(a) police and crime commissioners,]
 - [^{F232}(aa) the Common Council, and]
 - (b) the [^{F233}Greater London Authority];

[^{F234}and in those provisions a reference to a grant recipient is a reference to a police and crime commissioner, the Common Council or the Greater London Authority.]
- (2) For each financial year the Secretary of State shall with the approval of the Treasury determine—
 - (a) the aggregate amount of grants to be made under this section, and
 - (b) the amount of the grant to be made to each [^{F235}grant recipient];

and any determination may be varied by further determinations under this subsection.
- (3) The Secretary of State shall prepare a report setting out any determination under subsection (2), and stating the considerations which he took into account in making the determination.
- (4) In determining the allocation among [^{F236}grant recipients] of the whole or any part of the aggregate amount of grants, the Secretary of State may exercise his discretion by applying such formulae or other rules as he considers appropriate.
- (5) The considerations which the Secretary of State takes into account in making a determination under subsection (2), and the formulae and other rules referred to in subsection (4), may be different for [^{F237}different grant recipients or different classes of grant recipient].
- (6) A copy of every report prepared under subsection (3) shall be laid before the House of Commons, and no payment of grant shall be made unless the report setting out the determination of its amount has been approved by resolution of that House.
- (7) A grant to a [^{F238}grant recipient] under this section shall be paid at such time, or in instalments of such amounts and at such times, as the Secretary of State may with the approval of the Treasury determine; and any such time may fall within or after the financial year concerned.
- [^{F239}(7A) Where the Greater London Authority receives a grant under this section, it shall forthwith account for the grant to the [^{F240}Mayor's Office for Policing and Crime] and pay it over to [^{F241}that Office].]
- (8) Where in consequence of a further determination under subsection (2) the amount of [^{F242}a grant recipient's] grant is less than the amount already paid to it for the year concerned, a sum equal to the difference shall be paid by [^{F243}the grant recipient] to the Secretary of State on such day as he may specify; but no sum shall be payable by [^{F244}a grant recipient] under this subsection unless the report setting out the further determination has been approved by resolution of the House of Commons.
- [^{F245}(9) Where the Greater London Authority is required to pay a sum under subsection (8) above, the Mayor of London may direct the [^{F246}Mayor's Office for Policing and Crime] to pay an amount not exceeding that sum to the Greater London Authority on such day as he may specify in the direction.]

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Textual Amendments

- F232** S. 46(1)(a)(aa) substituted for s. 46(1)(a) (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 24\(2\)\(a\)](#), 157(1); S.I. 2012/2892, art. 2(a)
- F233** Words in s. 46(1)(b) substituted (3.7.2000) by 1999 c. 29, s. 325, [Sch. 27 para. 92\(2\)](#) (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, [Sch.](#)
- F234** Words in s. 46(1) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 24\(2\)\(b\)](#), 157(1); S.I. 2012/2892, art. 2(a)
- F235** Words in s. 46(2)(b) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 24\(3\)](#), 157(1); S.I. 2012/2892, art. 2(a)
- F236** Words in s. 46(4) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 24\(4\)](#), 157(1); S.I. 2012/2892, art. 2(a)
- F237** Words in s. 46(5) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 24\(5\)](#), 157(1); S.I. 2012/2892, art. 2(a)
- F238** Words in s. 46(7) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 24\(6\)](#), 157(1); S.I. 2012/2892, art. 2(a)
- F239** S. 46(7A) inserted (3.7.2000) by 1999 c. 29, s. 325, [Sch. 27 para. 92\(4\)](#) (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, [Sch.](#)
- F240** Words in s. 46(7A) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 24\(7\)\(a\)](#), 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F241** Words in s. 46(7A) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 24\(7\)\(b\)](#), 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F242** Words in s. 46(8) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 24\(8\)\(a\)](#), 157(1); S.I. 2012/2892, art. 2(a)
- F243** Words in s. 46(8) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 24\(8\)\(b\)](#), 157(1); S.I. 2012/2892, art. 2(a)
- F244** Words in s. 46(8) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 24\(8\)\(c\)](#), 157(1); S.I. 2012/2892, art. 2(a)
- F245** S. 46(9) inserted (3.7.2000) by 1999 c. 29, s. 325, [Sch. 27 para. 92\(5\)](#) (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, [Sch.](#)
- F246** Words in s. 46(9) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 24\(9\)](#), 157(1); S.I. 2011/3019, art. 3, Sch. 1

47 Grants for capital expenditure.

- (1) The Secretary of State may make grants in respect of capital expenditure incurred (or to be incurred) for police purposes [^{F247}by local policing bodies].
- (2) Grants under this section may be made either unconditionally or subject to conditions.
- (3) The Secretary of State shall exercise his powers under this section only with the approval of the Treasury.
- [^{F248}(4) Any grant [^{F249}under subsection (1) in respect of expenditure incurred (or to be incurred) by the Mayor's Office for Policing and Crime] shall be paid to the Greater London Authority.
- (5) Where the Greater London Authority receives a grant under this section, it shall forthwith account for the grant to the [^{F250}Mayor's Office for Policing and Crime] and pay it over to [^{F251}that Office].]

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Textual Amendments

- F247** Words in s. 47(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(2\)\(a\), 157\(1\); S.I. 2011/3019, art. 3, Sch. 1](#)
- F248** S. 47(4)(5) inserted (3.7.2000) by 1999 c. 29, s. 325, [Sch. 27 para. 93\(3\)](#) (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, [Sch.](#)
- F249** Words in s. 47(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(2\)\(b\), 157\(1\); S.I. 2011/3019, art. 3, Sch. 1](#)
- F250** Words in s. 47(5) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(2\)\(c\)\(i\), 157\(1\); S.I. 2011/3019, art. 3, Sch. 1](#)
- F251** Words in s. 47(5) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(2\)\(c\)\(ii\), 157\(1\); S.I. 2011/3019, art. 3, Sch. 1](#)

48 Grants for expenditure on safeguarding national security.

- (1) The Secretary of State may make grants in respect of expenditure incurred (or to be incurred) for police purposes [^{F252}by local policing bodies in connection with safeguarding national security].
- (2) Grants under this section may be made either unconditionally or subject to conditions.
- (3) The Secretary of State shall exercise his powers under this section only with the approval of the Treasury.
- [^{F253}(4) Any grant [^{F254}under subsection (1) in respect of expenditure incurred (or to be incurred) by the Mayor's Office for Policing and Crime] shall be paid to the Greater London Authority.
- (5) Where the Greater London Authority receives a grant under this section, it shall forthwith account for the grant to the [^{F255}Mayor's Office for Policing and Crime] and pay it over to [^{F256}that Office].]

Textual Amendments

- F252** Words in s. 48(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(3\)\(a\), 157\(1\); S.I. 2011/3019, art. 3, Sch. 1](#)
- F253** S. 48(4)(5) inserted (3.7.2000) by 1999 c. 29, s. 325, [Sch. 27 para. 94\(3\)](#) (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, [Sch.](#)
- F254** Words in s. 48(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(3\)\(b\), 157\(1\); S.I. 2011/3019, art. 3, Sch. 1](#)
- F255** Words in s. 48(5) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(3\)\(c\)\(i\), 157\(1\); S.I. 2011/3019, art. 3, Sch. 1](#)
- F256** Words in s. 48(5) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(3\)\(c\)\(ii\), 157\(1\); S.I. 2011/3019, art. 3, Sch. 1](#)

^{F257}**49 Local inquiries.**

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Textual Amendments

F257 S. 49 repealed (7.6.2005) by [Inquiries Act 2005 \(c. 12\)](#), s. 51(1), Sch. 2 para. 14, [Sch. 3](#) (with ss. 44, 50); [S.I. 2005/1432](#), art. 2

50 Regulations for police forces.

- (1) Subject to the provisions of this section, the Secretary of State may make regulations as to the government, administration and conditions of service of police forces.
 - (2) Without prejudice to the generality of subsection (1), regulations under this section may make provision with respect to—
 - (a) the ranks to be held by members of police forces;
 - (b) the qualifications for appointment and promotion of members of police forces;
 - (c) periods of service on probation;
 - (d) voluntary retirement of members of police forces;
 - (e) the conduct, efficiency and effectiveness of members of police forces and the maintenance of discipline;
 - (f) the suspension of members of a police force from membership of that force and from their office as constable;
 - (g) the maintenance of personal records of members of police forces;
 - (h) the duties which are or are not to be performed by members of police forces;
 - (i) the treatment as occasions of police duty of attendance at meetings of the Police Federations and of any body recognised by the Secretary of State for the purposes of section 64;
 - (j) the hours of duty, leave, pay and allowances of members of police forces; and
 - (k) the issue, use and return of police clothing, personal equipment and accoutrements.
- ^{F258}(2A) Without prejudice to the generality of subsection (1) or (2), regulations under this section may make provision with respect to the procedures to be followed by police and crime commissioners, or the Mayor's Office for Policing and Crime, in exercising—
- (a) powers of suspension, or
 - (b) powers of removal,
- (whether, in the case of the Mayor's Office for Policing and Crime, on their own initiative or in compliance with a requirement imposed by the Secretary of State).
- (2B) In subsection (2A)—
- “power of removal” means—
- (a) the power conferred on police and crime commissioners by section 38(3) of the 2011 Act to require chief constables to retire or resign;
 - (b) the power conferred on the Mayor's Office for Policing and Crime by section 48(3) of the 2011 Act to require the Commissioner or Deputy Commissioner of Police of the Metropolis to retire or resign;
- “power of suspension” means—
- (a) the power conferred on police and crime commissioners by section 38(2) of the 2011 Act to suspend chief constables;

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- (b) the power conferred on the Mayor's Office for Policing and Crime by section 48(1) of the 2011 Act to suspend the Commissioner or Deputy Commissioner of Police of the Metropolis;
- and for this purpose “2011 Act” means the Police Reform and Social Responsibility Act 2011.]
- [^{F259}(3) Without prejudice to the powers conferred by this section, regulations under this section shall—
- (a) establish, or
 - (b) make provision for the establishment of,
- procedures for the taking of disciplinary proceedings in respect of the conduct, efficiency and effectiveness of members of police forces, including procedures for cases in which such persons may be dealt with by dismissal.]
- (4) In relation to any matter as to which provision may be made by regulations under this section, the regulations may^{F260} ... —
- (a) authorise or require provision to be made by, or confer discretionary powers on, the Secretary of State, [^{F261}local policing bodies], chief officers of police or other persons, or
 - (b) authorise or require the delegation by any person of functions conferred on that person by or under the regulations.
- (5) Regulations under this section for regulating pay and allowances may be made with retrospective effect to any date specified in the regulations, but nothing in this subsection shall be construed as authorising pay or allowances payable to any person to be reduced retrospectively.
- (6) Regulations under this section as to conditions of service shall secure that appointments for fixed terms are not made except where the person appointed holds the rank of superintendent or a higher rank.
- [^{F262}(6A) Without prejudice to the powers conferred by this section, regulations under this section may make provision with respect to—
- (a) steps to be taken in connection with the appointment of senior officers;
 - (b) payments to senior officers who cease to hold office before the end of a fixed term appointment.
- (6B) In subsection (6A) “senior officer” means—
- (a) a member of a police force holding a rank above that of chief superintendent;
 - (b) the Commissioner of Police for the City of London.]

(7) Regulations under this section may make different provision for different cases and circumstances.

(8) Any statutory instrument containing regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F258 S. 50(2A)(2B) inserted (15.12.2011) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), ss. [82\(12\)](#), [157\(1\)](#); S.I. 2011/3019, art. 2(c)

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- F259** S. 50(3) substituted (3.11.2008 for specified purposes, 1.12.2008 in so far as not already in force) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 22 para. 3(2)**; S.I. 2008/2712, art. 2, **Sch. para. 16(b)** (with art. 4); S.I. 2008/2993, **art. 2(1)(h)(i)** (with **art. 3**)
- F260** Words in s. 50(4) repealed (3.11.2008 for specified purposes, 1.12.2008 in so far as not already in force) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), Sch. 22 para. 3(3), **Sch. 28 Pt. 8**; S.I. 2008/2712, art. 2, **Sch. para. 16(b)** (with art. 4); S.I. 2008/2993, **art. 2(1)(h)(i)** (with **art. 3**)
- F261** Words in s. 50(4)(a) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 32**; S.I. 2011/3019, art. 3, Sch. 1
- F262** S. 50(6A)(6B) inserted (19.4.2010) by Policing and Crime Act 2009 (c. 26), **ss. 3, 116(1)**; S.I. 2010/999, art. 2(a)

Commencement Information

- II** S. 50 wholly in force at 1.4.1999; s. 50(1)(2)(4)-(8) in force at 23.8.1996, see s. 104(1)(2); s. 50(3) in force at 1.4.1999 by **S.I. 1999/533, art. 2**

51 Regulations for special constables.

- (1) The Secretary of State may make regulations as to the government, administration and conditions of service of special constables.
- (2) Without prejudice to the generality of subsection (1), regulations under this section may make provision with respect to—
- (a) the qualifications for appointment of special constables;
 - (b) the retirement of special constables;
 - ^[F263](ba) the conduct ^[F264], efficiency and effectiveness] of special constables and the maintenance of discipline;]
 - (c) the suspension of special constables from their office as constable;
 - (d) the allowances payable to special constables; and
 - (e) the application to special constables, subject to such modifications as may be prescribed by the regulations, of any provisions made by or under any enactment relating to the pensions payable to or in respect of members of police forces.
- ^[F265](2A) Without prejudice to the powers conferred by this section, regulations under this section shall—
- (a) establish, or
 - (b) make provision for the establishment of,
- procedures for the taking of disciplinary proceedings in respect of the conduct, efficiency and effectiveness of special constables, including procedures for cases in which such persons may be dealt with by dismissal.]
- (3) If regulations under this section provide for the calculation of any pension payable to or in respect of special constables by reference to a scale of notional remuneration specified in the regulations, regulations under this section increasing any such notional remuneration may be made with retrospective effect to any date specified in the regulations.
- ^[F266](3A) In relation to any matter as to which provision may be made by regulations under this section, the regulations may—
- (a) authorise or require provision to be made by, or confer discretionary powers on, the Secretary of State, ^[F267]local policing bodies], chief officers of police or other persons, or

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(b) authorise or require the delegation by any person of functions conferred on that person by or under the regulations.]

(4) Subsections (7) and (8) of section 50 shall apply to regulations under this section.

Textual Amendments

- F263** S. 51(2)(ba) inserted (1.10.2002) by [Police Reform Act 2002 \(c. 30\)](#), [ss. 35](#), [108\(2\)-\(5\)](#); S.I. [2002/2306](#), [art. 2\(c\)\(ii\)](#)
- F264** Words in s. 51(2)(ba) inserted (3.11.2008 for specified purposes, 1.12.2008 in so far as not already in force) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. [153\(7\)](#), [Sch. 22 para. 4\(2\)](#); S.I. [2008/2712](#), [art. 2](#), [Sch. para. 16\(b\)](#) (with [art. 4](#)); S.I. [2008/2993](#), [art. 2\(1\)\(h\)\(i\)](#) (with [art. 3](#))
- F265** S. 51(2A) inserted (3.11.2008 for specified purposes, 1.12.2008 in so far as not already in force) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. [153\(7\)](#), [Sch. 22 para. 4\(3\)](#); S.I. [2008/2712](#), [art. 2](#), [Sch. para. 16\(b\)](#) (with [art. 4](#)); S.I. [2008/2993](#), [art. 2\(1\)\(h\)\(i\)](#) (with [art. 3](#))
- F266** S. 51(3A) inserted (25.6.1997) by [1997 c. 50](#), s. [128\(1\)](#); S.I. [1997/1377](#), [art. 2\(2\)\(h\)](#)
- F267** Words in s. 51(3A)(a) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. [157\(1\)](#), [Sch. 16 para. 33](#); S.I. [2011/3019](#), [art. 3](#), [Sch. 1](#)

52 Regulations for police cadets.

(1) The Secretary of State may make regulations as to the government, administration and conditions of service of police cadets.

[^{F268}(1A) In relation to any matter as to which provision may be made by regulations under this section, the regulations may—

- (a) authorise or require provision to be made by, or confer discretionary powers on, the Secretary of State, [^{F269}local policing bodies], chief officers of police or other persons, or
- (b) authorise or require the delegation by any person of functions conferred on that person by or under the regulations.]

(2) Subsections (5), (7) and (8) of section 50 shall apply to regulations under this section.

Textual Amendments

- F268** S. 52(1A) inserted (25.6.1997) by [1997 c. 50](#), s. [128\(2\)](#); S.I. [1997/1377](#), [art. 2\(2\)\(h\)](#)
- F269** Words in s. 52(1A)(a) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. [157\(1\)](#), [Sch. 16 para. 34](#); S.I. [2011/3019](#), [art. 3](#), [Sch. 1](#)

53 Regulations as to standard [^{F270}and provision] of equipment.

[^{F271}(1)] The Secretary of State may make regulations requiring equipment provided or used for police purposes to satisfy such requirements as to design and performance as may be prescribed in the regulations.

[^{F272}(1A) The Secretary of State may by regulations make any or all of the following provisions—

- (a) provision requiring [^{F273}one or more police forces], when using equipment for the purposes specified in the regulations to use only—
- (i) the equipment which is specified in the regulations;

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- (ii) equipment which is of a description so specified; or
 - (iii) equipment which is of a type approved by the Secretary of State in accordance with the regulations;
 - (b) provision requiring [^{F274}one or more police forces] to keep available for use the equipment falling within paragraph (a)(i) to (iii) which is specified or described in, or approved in accordance with, the regulations;
 - (c) provision prohibiting [^{F275}one or more police forces] from using equipment of a type approved as mentioned in paragraph (a)(iii) except—
 - (i) where the conditions subject to which the approval was given are satisfied; and
 - (ii) in accordance with the other terms of that approval;
 - (d) provision requiring equipment used by [^{F276}one or more police forces] to comply, in the case of all police forces, with such conditions as may be specified in the regulations, or as may be approved by the Secretary of State in accordance with the regulations;
 - (e) provision prohibiting [^{F277}one or more police forces] from using equipment specified in the regulations, or any equipment of a description so specified.
- [^{F278}(1AA) The Secretary of State may, by regulations, make provision about the arrangements which must be, may be, or must not be, used for the provision of equipment for use for police purposes.
- (1AB) The regulations may, in particular—
- (a) make provision about the nature or terms of such arrangements, or
 - (b) prescribe arrangements which may be, or must be, used.]
- (1B) The Secretary of State shall not make any regulations under subsection (1A) [^{F279}or (1AA)] unless he considers it necessary to do so for the purpose of promoting the efficiency and effectiveness [^{F280}of one or more police forces].
- (2) Before making any regulations under this section, the Secretary of State shall consult with—
- [^{F281}(a) such persons as appear to the Secretary of State to represent the views of police and crime commissioners;
 - (aa) the Mayor's Office for Policing and Crime;
 - (ab) the Common Council;]
 - (b) the Association of Chief Police Officers; and
 - (c) such other persons as he thinks fit.
- (2A) Regulations under this section may make different provision for different cases and circumstances.
- (2B) A statutory instrument containing any regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (2C) In this section “equipment” includes—
- [^{F282}(za) software;]
 - (a) vehicles; and
 - (b) headgear and protective and other clothing.]

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Textual Amendments

- F270** Words in s. 53 title inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 93\(2\)](#), 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F271** S. 53 renumbered as s. 53(1) (1.4.1998) by [1997 c. 50](#), s. 134(1), [Sch. 9 para. 75](#); S.I. 1997/354, [art. 2\(2\)\(ay\)](#)
- F272** S. 53(1A)-(2C) substituted for s. 53(2)(3) (1.10.2002) by [Police Reform Act 2002 \(c. 30\)](#), [ss. 6](#), 108(2)-(5); S.I. 2002/2306, [art. 2\(a\)](#)
- F273** Words in s. 53(1A)(a) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 11\(2\)\(a\)](#), 116(1); S.I. 2010/125, [art. 2\(b\)](#)
- F274** Words in s. 53(1A)(b) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 11\(2\)\(a\)](#), 116(1); S.I. 2010/125, [art. 2\(b\)](#)
- F275** Words in s. 53(1A)(c) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 11\(2\)\(a\)](#), 116(1); S.I. 2010/125, [art. 2\(b\)](#)
- F276** Words in s. 53(1A)(d) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 11\(2\)\(b\)](#), 116(1); S.I. 2010/125, [art. 2\(b\)](#)
- F277** Words in s. 53(1A)(e) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 11\(2\)\(a\)](#), 116(1); S.I. 2010/125, [art. 2\(b\)](#)
- F278** S. 53(1AA)(1AB) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 93\(3\)](#), 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F279** Words in s. 53(1B) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 93\(4\)](#), 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F280** Words in s. 53(1B) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 11\(3\)](#), 116(1); S.I. 2010/125, [art. 2\(b\)](#)
- F281** S. 53(2)(a)-(ab) substituted for s. 53(2)(a) (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 93\(5\)](#), 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 4)
- F282** S. 53(2C)(za) inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 11\(4\)](#), 116(1); S.I. 2010/125, [art. 2\(b\)](#)

Modifications etc. (not altering text)

- C7** S. 53 extended (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), [ss. 44](#), 45; S.I. 2004/1572, [art. 3\(aa\)\(bb\)](#)

[^{F283}53A Regulation of procedures and practices

- (1) The Secretary of State may by regulations make provision requiring [^{F284}one or more police forces]—
 - (a) to adopt particular procedures or practices; or
 - (b) to adopt procedures or practices of a particular description.
- (2) Before making any regulations under this section, the Secretary of State shall seek advice from—
 - (a) the chief inspector of constabulary; and
 - ^{F285}(b)
- (3) Before seeking advice under subsection (2) the Secretary of State shall consult about his proposal to do so with—
 - [^{F286}(a) such persons as appear to the Secretary of State to represent the views of police and crime commissioners;
 - (aa) the Mayor's Office for Policing and Crime;
 - (ab) the Common Council;]

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- (b) the Association of Chief Police Officers.
- (4) A request for the purposes of subsection (2) may specify a period within which the requested advice is to be provided; and, if a period is so specified, the requested advice must be provided within it.
- ^{F287}(5)
- (6) The Secretary of State shall not make any regulations under this section requiring the adoption of any procedure or practice unless—
 - ^{F288}(a)
 - (b) the advice of the chief inspector of constabulary states that that inspector is satisfied as to the matters mentioned in subsection (7); and
 - (c) the Secretary of State himself is satisfied as to those matters.
- (7) Those matters are—
 - (a) that the adoption of that procedure or practice is necessary in order to [^{F289}—
 - (i) promote the efficiency and effectiveness of a police force, or
 - (ii)] facilitate the carrying out by members of any two or more police forces of joint or co-ordinated operations;
 - (b) that the making of regulations is necessary for securing the adoption of that procedure or practice; and
 - (c) that securing the adoption of that procedure or practice is in the national interest.
- (8) Regulations under this section may make different provision for different cases and circumstances.
- (9) A statutory instrument containing the first regulations to be made under this section shall not be made unless a draft of the regulations has been laid before Parliament and approved by a resolution of each House.
- (10) A statutory instrument containing any other regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F283** S. 53A inserted (1.10.2002) by [Police Reform Act 2002 \(c. 30\)](#) {ss. 7}, 108(2)-(5); S.I. 2002/2306, [art. 2\(a\)](#)
- F284** Words in s. 53A(1) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 12\(2\)](#), 116(1); S.I. 2010/125, [art. 2\(c\)](#)
- F285** S. 53A(2)(b) omitted (22.11.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [s. 157\(1\)](#), [Sch. 16 para. 35\(2\)](#); S.I. 2012/2892, [art. 2\(i\)](#)
- F286** Ss. 53A(3)(a)-(ab) substituted for s. 53A(3)(a) (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [s. 157\(1\)](#), [Sch. 16 para. 35\(3\)](#); S.I. 2011/3019, [art. 3](#), [Sch. 1](#) (with [Sch. 2 para. 14](#))
- F287** S. 53A(5) omitted (22.11.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [s. 157\(1\)](#), [Sch. 16 para. 35\(4\)](#); S.I. 2012/2892, [art. 2\(i\)](#)
- F288** S. 53A(6)(a) omitted (22.11.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [s. 157\(1\)](#), [Sch. 16 para. 35\(5\)](#); S.I. 2012/2892, [art. 2\(i\)](#)
- F289** Words in s. 53A(7)(a) inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 12\(3\)](#), 116(1); S.I. 2010/125, [art. 2\(c\)](#)

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Inspectors of constabulary

54 Appointment and functions of inspectors of constabulary.

- (1) Her Majesty may appoint such number of inspectors (to be known as Her Majesty's Inspectors of Constabulary as the Secretary of State may with the consent of the Treasury determine, and of the persons so appointed one may be appointed as chief inspector of constabulary.
- (2) The inspectors of constabulary shall inspect, and report ^{F290} ... on the efficiency and effectiveness of, every police force maintained for a police area ^{F291} ... ^{F292} ... ^{F293} ...
- ^{F294}(2A)
- [^{F295}(2B) The Secretary of State may at any time require the inspectors of constabulary to carry out an inspection under this section of a police force maintained for any police area; and a requirement under this subsection may include a requirement for the inspection to be confined to a particular part of the force in question, to particular matters or to particular activities of that force.]
- [^{F296}(2BA) The local policing body for a police area may at any time request the inspectors of constabulary to carry out an inspection under this section of a police force maintained for that police area; and a request under this subsection may include a request for the inspection to be confined to a particular part of the force in question, to particular matters or to particular activities of that force.
- (2BB) Where a local policing body requests the inspectors to carry out an inspection under subsection (2BA), the body must pay to the inspectors such reasonable costs incurred or to be incurred in connection with the inspection as the inspectors may require.]
- ^{F297}(2C)
- [^{F298}(2D) It shall be the duty of the chief inspector of constabulary—
- (a) to enter into arrangements with the Independent Police Complaints Commission for the purpose of securing cooperation, in the carrying out of their respective functions, between the inspectors of constabulary and that Commission; and
- (b) to ensure that inspectors of constabulary provide that Commission with all such assistance and co-operation as may be required by those arrangements or as otherwise appears to the chief inspector to be appropriate for facilitating the carrying out by that Commission of its functions.]
- (3) The inspectors of constabulary shall carry out such other duties for the purpose of furthering police efficiency and effectiveness as the Secretary of State may from time to time direct.
- ^{F299}(3A)
- (4) The chief inspector of constabulary shall in each year submit to the Secretary of State a report [^{F300}on the carrying out of inspections under this section], and the [^{F301}chief inspector] shall lay a copy of that report before Parliament.
- [^{F302}(4A) A report under subsection (4) must include the chief inspector's assessment of the efficiency and effectiveness of policing in England and Wales for the year in respect of which the report is prepared.]

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(5) The inspectors of constabulary shall be paid such salary and allowances as the Secretary of State may with the consent of the Treasury determine.

[^{F303}(6) Schedule 4A (which makes further provision about the inspectors of constabulary) has effect.]

Textual Amendments

- F290** Words in s. 54(2) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 83(2)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F291** Word in s. 54(2) repealed (1.4.2002) by 2001 c. 16, ss. 137, 138(2), Sch. 7 Pt. 3; S.I. 2002/533, **art. 2(e)**
- F292** Words in s. 54(2) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 71(2), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F293** Words in s. 54(2) repealed (14.7.2008) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 28 Pt. 8**; S.I. 2008/1586, art. 2(1), Sch. 1 para. 50(7)(a)
- F294** S. 54(2A) omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 83(3)**, 157(1); S.I. 2012/2892, art. 2(a)
- F295** S. 54(2B) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 71(3)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F296** S. 54(2BA)(2BB) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 83(4)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F297** S. 54(2C) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 83(5)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F298** S. 54(2D) inserted (1.4.2004) by Police Reform Act 2002 (c. 30), s. 108(2), **Sch. 7 para. 15**; S.I. 2004/913, art. 2(e)
- F299** S. 54(3A) repealed (19.4.2010) by Policing and Crime Act 2009 (c. 26), ss. 2(2), 116(1), **Sch. 8 Pt. 1**; S.I. 2010/999, arts. 2(d), 4 (as amended by S.I. 2010/1986, art. 3)
- F300** Words in s. 54(4) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 83(6)(a)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F301** Words in s. 54(4) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 83(6)(b)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F302** S. 54(4A) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 83(7)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F303** S. 54(6) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), **ss. 29(1)**, 53(1); S.I. 2007/709, art. 3(m) (with art. 6)

Modifications etc. (not altering text)

- C8** S. 54 applied (1.4.2002) by 2001 c. 16, ss. 93(1), 138(2); S.I. 2002/533, **art. 2(a)**
- C9** Ss. 54-56: power to apply conferred (7.4.2005) by Commissioners for Revenue and Customs Act 2005 (c. 11), **ss. 27(2)(a)(i)**, 53(1); S.I. 2005/1126, art. 2(1)
- C10** Ss. 54-56: power to apply conferred (21.7.2009) by Borders, Citizenship and Immigration Act 2009 (c. 11), **ss. 29(2)(a)**, 58(1) (with s. 36(4))
- C11** S. 54(2D) applied (10.12.2012) by The Customs (Inspections by Her Majesty's Inspectors of Constabulary and the Scottish Inspectors) Regulations 2012 (S.I. 2012/2840), regs. 1, **11(I)**

55 Publication of reports.

[^{F304}(1) The inspectors of constabulary must arrange for any report prepared under section 54 to be published in such manner as appears to the inspectors to be appropriate.]

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- [^{F305}(2) But the inspectors of constabulary must exclude from publication under subsection (1) anything that the inspectors consider—
- (a) would be against the interests of national security, or
 - (b) might jeopardise the safety of any person.]
- [^{F305}(2A) The inspectors must disclose to the Secretary of State anything excluded from publication by virtue of subsection (2).]
- [^{F306}(3) The inspectors of constabulary must send a copy of the published report to—
- (a) the Secretary of State,
 - (b) the local policing body maintaining the police force to which the report relates,
 - (c) the chief officer of police of that police force, and
 - (d) any police and crime panel established under section 28 of the Police Reform and Social Responsibility Act 2011 for the police area of that police force.]
- (4) The [^{F307}local policing body] shall invite the chief officer of police to submit comments on the published report to the [^{F308}body] before such date as it may specify.
- (5) The [^{F309}local policing body] shall prepare comments on the published report and shall arrange for—
- (a) its comments,
 - (b) any comments submitted by the chief officer of police in accordance with subsection (4), and
 - (c) any response which the [^{F310}body] has to the comments submitted by the chief officer of police,
- to be published in such manner as appears to the [^{F310}body] to be appropriate.
- (6) The [^{F311}local policing body]^{F312} ... shall send a copy of any document published under subsection (5) to the Secretary of State.
- ^{F313}(7)
- ^{F314}(8)

Textual Amendments

- F304** S. 55(1) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 84\(2\)](#), [157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#)
- F305** S. 55(2)(2A) substituted for s. 55(2) (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 84\(3\)](#), [157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#)
- F306** S. 55(3) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 84\(4\)](#), [157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#)
- F307** Words in s. 55(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 84\(5\)\(a\)](#), [157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#)
- F308** Word in s. 55(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 84\(5\)\(b\)](#), [157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#)
- F309** Words in s. 55(5) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 84\(6\)\(a\)](#), [157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#)
- F310** Words in s. 55(5)(c) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 84\(6\)\(b\)](#), [157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#)
- F311** Words in s. 55(6) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 84\(7\)](#), [157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#)

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- F312** Words in s. 55(6) repealed (3.7.2000) by virtue of 1999 c. 29, ss. 325, 423, Sch. 27 para. 96, **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)) which provides that the words "(except where he is himself the police authority)" shall be repealed; S.I. 2000/1648, art. 2, **Sch.**
- F313** S. 55(7) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 72, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F314** S. 55(8) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 84(8)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1

Modifications etc. (not altering text)

- C9** Ss. 54-56: power to apply conferred (7.4.2005) by Commissioners for Revenue and Customs Act 2005 (c. 11), **ss. 27(2)(a)(i)**, 53(1); S.I. 2005/1126, art. 2(1)
- C10** Ss. 54-56: power to apply conferred (21.7.2009) by Borders, Citizenship and Immigration Act 2009 (c. 11), **ss. 29(2)(a)**, 58(1) (with s. 36(4))
- C12** S. 55 applied (with modifications) (1.7.2004) by Railways and Transport Safety Act 2003 (c. 20), **s. 63(6)**; S.I. 2004/1572, art. 3(tt)

56 Assistant inspectors and staff officers.

- (1) The Secretary of State may appoint assistant inspectors of constabulary.
- (2) Members of a police force may be appointed by the Secretary of State to be assistant inspectors of constabulary or to be staff officers to the inspectors of constabulary.
- (3) Persons appointed under this section shall be paid such salary and allowances as the Secretary of State may with the consent of the Treasury determine.

Modifications etc. (not altering text)

- C9** Ss. 54-56: power to apply conferred (7.4.2005) by Commissioners for Revenue and Customs Act 2005 (c. 11), **ss. 27(2)(a)(i)**, 53(1); S.I. 2005/1126, art. 2(1)
- C10** Ss. 54-56: power to apply conferred (21.7.2009) by Borders, Citizenship and Immigration Act 2009 (c. 11), **ss. 29(2)(a)**, 58(1) (with s. 36(4))
- C13** S. 56 modified (29.4.2005) by The Revenue and Customs (Inspections) Regulations 2005 (S.I. 2005/1133), regs. 1, **10(1)**

Central services

57 Common services.

- (1) The Secretary of State may provide and maintain, or may contribute to the provision or maintenance of, such organisations, facilities and services as he considers necessary or expedient for promoting the efficiency or effectiveness of the police.
- [^{F315}(1A) The power conferred by subsection (1) includes power to give financial assistance to any person in connection with the provision or maintenance of such organisations, facilities and services as are mentioned in that subsection.
- (1B) Financial assistance under subsection (1)—
- (a) may, in particular, be given in the form of a grant, loan or guarantee or investment in a body corporate; and
 - (b) may be given subject to terms and conditions determined by the Secretary of State;

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but any financial assistance under that subsection other than a grant requires the consent of the Treasury.

- (1C) Terms and conditions imposed under subsection (1B)(b) may include terms and conditions as to repayment with or without interest.
- (1D) Any sums received by the Secretary of State by virtue of terms and conditions imposed under that subsection are to be paid into the Consolidated Fund.]
- (2) Charges may be made for the use of facilities and services provided by the Secretary of State (or by organisations provided or maintained by him) under subsection (1).
- (3) The Secretary of State may by regulations make provision for requiring [^{F316}one or more police forces] to use specified facilities or services, or facilities or services of a specified description, (whether or not provided under subsection (1)) if he considers that it would be in the interests of the efficiency or effectiveness of the police for them to do so.
- [^{F317}(3A) Regulations under this section relating to all police forces may also require the [^{F318}Serious Organised Crime Agency] to use the specified facilities or services, or the facilities or services of a specified description, if the Secretary of State considers that it would be in the interests of the efficiency or effectiveness of the [^{F319}Agency for the Agency] to do so.]
- (4) Before making regulations under this section, the Secretary of State shall consult—
- [^{F320}(a) such persons as appear to the Secretary of State to represent the views of police and crime commissioners,
- (aa) the Mayor's Office for Policing and Crime,
- (ab) the Common Council,]
- (b) the Association of Chief Police Officers; and
- [^{F321}(c) if the regulations relate to the Serious Organised Crime Agency, that Agency.]
- ^{F322}(5)
- ^{F322}(6)

Textual Amendments

- F315** S. 57(1A)-(1D) inserted (8.5.2008) by Criminal Justice and Immigration Act 2008 (c. 4), **ss. 128(1), 153(1)(c)** (with s. 128(2))
- F316** Words in s. 57(3) substituted (29.1.2010) by Policing and Crime Act 2009 (c. 26), **ss. 13, 116(1)**; S.I. 2010/125, art. 2(d)
- F317** S. 57(3A) inserted (1.4.1998) by 1997 c. 50, s. 134(1), **Sch. 9 para. 78(2)**; S.I. 1998/354, **art. 2(2)(ay)**
- F318** Words in s. 57(3A) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 73(2)(a)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F319** Words in s. 57(3A) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 73(2)(b)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F320** S. 57(4)(a)-(ab) substituted for s. 57(4)(a) (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 36(2)**; S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 15)
- F321** S. 57(4)(c) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 73(3)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F322** S. 57(5)(6) omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 36(3)**; S.I. 2012/2892, art. 2(i)

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58 Research.

The Secretary of State may set up such bodies and take such other steps as appear to him to be necessary or expedient for the purpose of undertaking research into matters affecting the efficiency or effectiveness of the police.

PART III

POLICE REPRESENTATIVE INSTITUTIONS

59 Police Federations.

- (1) There shall continue to be a Police Federation for England and Wales and a Police Federation for Scotland for the purpose of representing members of the police forces in those countries respectively in all matters affecting their welfare and efficiency, except for—
 - (a) questions of promotion affecting individuals, and
 - (b) (subject to subsection (2)) questions of discipline affecting individuals.
 - (2) A Police Federation may represent a member of a police force at any proceedings brought under regulations made in accordance with section 50(3) above or [^{F323}under section 48 of the Police and Fire Reform (Scotland) Act 2012 in so far as relating to the matters described in section 52 of that Act,] or on an appeal from any such proceedings.
 - (3) Except on an appeal to a police appeals tribunal or as [^{F324}provided in regulations made in accordance with] section 84, a member of a police force may only be represented under subsection (2) by another member of a police force.
 - (4) The Police Federations shall act through local and central representative bodies.
 - (5) The Police Federations and every branch of a Federation shall be entirely independent of, and subject to subsection (6) unassociated with, any body or person outside the police service, but may employ persons outside the police service in an administrative or advisory capacity.
 - (6) The Secretary of State—
 - (a) may authorise a Police Federation or a branch of a Federation to be associated with a person or body outside the police service in such cases and manner, and subject to such conditions and restrictions, as he may specify, and
 - (b) may vary or withdraw an authorisation previously given;and anything for the time being so authorised shall not be precluded by subsection (5).
 - (7) This section applies to police cadets as it applies to members of police forces, and references to the police service shall be construed accordingly.
- [^{F325}(7A) For the purposes of subsection (1), a member of the staff of the National Policing Improvement Agency who is—
 - (a) a constable, and
 - (b) an employee of the Agency,shall be treated as a member of a police force in England and Wales, and references in this section to police service shall be construed accordingly.]

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F³²⁶(8)

Textual Amendments

- F323** Words in s. 59(2) substituted (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 7 para. 13\(2\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121) and (E.W.N.I.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), [Sch. 1 para. 5\(2\)](#)
- F324** Words in s. 59(3) substituted (1.12.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 22 para. 5](#); S.I. 2008/2993, art. 2(1)(h)(ii) (with art. 3)
- F325** S. 59(7A) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 1 para. 65](#); S.I. 2007/709, art. 3(a) (with art. 6)
- F326** S. 59(8) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), [Sch. 4 para. 74](#), [Sch. 17 Pt. 2](#); S.I. 2006/378, art. 4(1), [Sch. paras. 10, 13\(y\)](#)

Modifications etc. (not altering text)

- C14** S. 59 modified (S.) (temp. from 22.8.1996 to 22.8.1996) and (E.W.) (temp. from 22.8.1996) by virtue of [1996 c. 16](#), s. 103, [Sch. 8 Pt. III para. 11](#); S.I. 1996/2146, [art. 2](#)

60 Regulations for Police Federations.

- (1) The Secretary of State may by regulations—
- (a) prescribe the constitution and proceedings of the Police Federations, or
 - (b) authorise the Federations to make rules concerning such matters relating to their constitution and proceedings as may be specified in the regulations.
- (2) Without prejudice to the generality of subsection (1), regulations under this section may make provision—
- (a) with respect to the membership of the Federations;
 - (b) with respect to the raising of funds by the Federations by voluntary subscription and the use and management of funds derived from such subscriptions;
 - (c) with respect to the manner in which representations may be made by committees or bodies of the Federations to [^{F327}local policing bodies,]^{F328}the Scottish Police Authority], chief officers of police and the Secretary of State;
 - (d) for the payment by the Secretary of State of expenses incurred in connection with the Federations and for the use by the Federations of premises provided by [^{F329}local policing bodies or]^{F330}the Scottish Police Authority] for police purposes; and
 - (e) for modifying any regulations under the ^{M4}Police Pensions Act 1976, section 50 above or section [^{F331}48 of the [Police and Fire Reform \(Scotland\) Act 2012](#)] in relation to any member of a police force who is the secretary or an officer of a Police Federation and for requiring the appropriate Federation to make contributions in respect of the pay, pension or allowances payable to or in respect of any such person.

F³³²(2A)

- (3) Regulations under this section may contain such supplementary and transitional provisions as appear to the Secretary of State to be appropriate, including provisions

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adapting references in any enactment (including this Act) to committees or other bodies of the Federations.

- (4) Before making any regulations under this section the Secretary of State shall consult the three Central Committees of the Police Federation to which the regulations will relate, sitting together as a Joint Committee.
- (5) A statutory instrument containing regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) This section applies to police cadets as it applies to members of police forces.

Textual Amendments

- F327** Words in s. 60(2)(c) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 37\(a\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F328** Words in s. 60(2)(c) substituted (S.) (1.1.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 7 para. 13\(3\)\(a\)](#); S.S.I. 2012/333, art. 2, sch. 1 (with sch. 2 para. 3) and (E.W.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), [Sch. 1 para. 5\(3\)\(a\)](#)
- F329** Words in s. 60(2)(d) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 37\(b\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F330** Words in s. 60(2)(d) substituted (S.) (1.1.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 7 para. 13\(3\)\(b\)](#); S.S.I. 2012/333, art. 2, sch. 1 (with sch. 2 para. 3) and (E.W.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), [Sch. 1 para. 5\(3\)\(b\)](#)
- F331** Words in s. 60(2)(e) substituted (S.) (1.1.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 7 para. 13\(3\)\(c\)](#); S.S.I. 2012/333, art. 2, sch. 1 (with sch. 2 para. 3) and (E.W.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), [Sch. 1 para. 5\(3\)\(c\)](#)
- F332** S. 60(2A) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), Sch. 4 para. 75, [Sch. 17 Pt. 2](#); S.I. 2006/378, art. 4(1), Sch. paras. 10,, 13(y)

Modifications etc. (not altering text)

- C15** S. 60: transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1, 2, [Sch. 1](#); S.I. 1998/3178, [art. 3](#)

Marginal Citations

- M4** 1976 c. 35.

^{F333} 60A Sections 59 and 60: special provision for the Scottish Police Services Authority and the Scottish Crime and Drug Enforcement Agency

Textual Amendments

- F333** S. 60A repealed (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 8 Pt. 1](#); S.S.I. 2013/51, [art. 2](#) (with transitional provisions and savings in S.S.I. 2013/121)

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61 The Police Negotiating Board for the United Kingdom.

- (1) There shall continue to be a Police Negotiating Board for the United Kingdom for the consideration by persons representing the interests of—
- (a) the [^{F334}persons and bodies] who between them maintain the police forces in Great Britain and the [^{F335}Police Service of Northern Ireland],
 - ^{F336}(aa)
 - (b) the persons who are members of those police forces or of [^{F337}the Police Service] or are police cadets,
 - ^{F338}(ba)
 - ^{F339}(bb) the members of the staff of the National Policing Improvement Agency who are constables,]
 - (c) the Commissioner of Police of the Metropolis, ^{F340} . . .
 - ^{F341}(ca)
 - ^{F342}(cb)
 - ^{F343}(cc)
 - ^{F344}(cd)
 - (d) the Secretary of State, ^{F345}[^{F346}...
 - (e) the Scottish Ministers,][^{F347}and
 - (f) the Department of Justice in Northern Ireland,]
- of questions relating to hours of duty, leave, pay and allowances, pensions or the issue, use and return of police clothing, personal equipment and accoutrements.
- (2) The Chairman and any deputy chairman or chairmen of the Board shall be appointed by the Prime Minister [^{F348}after consultation with the Scottish Ministers][^{F349}and the Department of Justice in Northern Ireland]
- (3) Subject to subsection (2), the Board shall continue to be constituted in accordance with such arrangements, made after consultations between the Secretary of State and organisations representing the interests of the persons referred to in paragraphs [^{F350}(a), (b), (c) [^{F351}, (e) and (f)]] of subsection (1), as appear to the Secretary of State to be satisfactory.
- (4) The Secretary of State may—
- (a) pay to the Chairman and to any deputy chairman or chairmen of the Board such fees as the Secretary of State may, with the approval of the Treasury, determine, and
 - (b) defray any expenses incurred by the Board.
- ^{F352}(5) The Scottish Ministers may make payments towards the expenses incurred by the Board in relation to the exercise by it of its function in or as regards Scotland.
- ^{F353}(6)
- ^{F354}(7) The Department of Justice in Northern Ireland may make payments towards the expenses incurred by the Board in relation to the exercise by it of its function in or as regards Northern Ireland.]

Textual Amendments

F334 Words in s. 61(1)(a) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011](#) (c. 13), s. 157(1), [Sch. 16 para. 38](#); S.I. 2011/3019, art. 3, Sch. 1

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- F335** Words in s. 61(1)(a) substituted (4.11.2001) by 2000 c. 32, s. 78, **Sch. 6 para. 12(2)**; S.R. 2001/396, art. 2, **Sch.**
- F336** S. 61(1)(aa) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 76, Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), **Sch. paras. 10, 13(y)**
- F337** Words in s. 61(1)(b) substituted (4.11.2001) by 2000 c. 32, s. 78, **Sch. 6 para. 12(2)**; S.R. 2001/396, art. 2, **Sch.**
- F338** S. 61(1)(ba) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 76, Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), **Sch. paras. 10, 13(y)**
- F339** S. 61(1)(bb) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 1 para. 66**; S.I. 2007/709, art. 3(a) (with art. 6)
- F340** Word in 61(1)(c) omitted (1.7.1999) by virtue of S.I. 1999/1747, arts. 1, 3, **Sch. 21 Pt. II para. 2(a)(i)**; S.I. 1998/3178, **art. 3**
- F341** S. 61(1)(ca) repealed (S.) (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 8 Pt. 1**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F342** S. 61(1)(cb) repealed (S.) (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 8 Pt. 1**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F343** S. 61(1)(cc) repealed (S.) (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 8 Pt. 1**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F344** S. 61(1)(cd) repealed (S.) (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 8 Pt. 1**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F345** Word in s. 61(1)(d) omitted (12.4.2010) by virtue of The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 6(2)(a)** (with arts. 28-31)
- F346** It is provided that s. 61(1)(e) and word “and” immediately preceding it shall be inserted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 21 Pt. II para. 2(a)(ii)**; S.I. 1998/3178, **art. 3**
- F347** S. 61(1)(f) and word inserted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 6(2)(b)** (with arts. 28-31)
- F348** Words in s. 61(2) inserted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 21 Pt. II para. 2(b)**; S.I. 1998/3178, **art. 3**
- F349** Words in s. 61(2) inserted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 6(3)** (with arts. 28-31)
- F350** Words in s. 61(3) substituted (1.7.1999) by 1999/1747, arts. 1, 3, **Sch. 21 Pt. II para. 2(c)**; S.I. 1998/3178, **art. 3**
- F351** Words in s. 61(3) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 6(4)** (with arts. 28-31)
- F352** S. 61(5)(6) inserted (1.7.1999) by 1999/1747, arts. 1, 3, **Sch. 21 Pt. II para. 2(d)**; S.I. 1998/3178, **art. 3**
- F353** S. 61(6) repealed (S.) (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 8 Pt. 1**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121) and omitted (E.W.N.I.) (1.4.2013) by virtue of The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 1 para. 5(4)**
- F354** S. 61(7) inserted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 6(5)** (with arts. 28-31)

62 Functions of the Board with respect to regulations.

- (1) Before making—
 - (a) regulations under section 50 or 52;
 - ^{F355}(aa)
 - ^{F356}(ab)
 - ^{F357}(b)
 - ^{F358}(c)

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[^{F359}(d) regulations under paragraph 19 of Schedule 1 to the Police and Justice Act 2006 (regulations as to constables who are members of the staff of the National Policing Improvement Agency),]

with respect to any of the matters mentioned in section 61(1) (other than pensions), the Secretary of State shall take into consideration any recommendation made by the Police Negotiating Board for the United Kingdom and shall supply the Board with a draft of the regulations.

[^{F360}(1ZA) Before making regulations under section 25 of the Police (Northern Ireland) Act 1998 with respect to any of the matters mentioned in section 61(1) (other than pensions), the Department of Justice in Northern Ireland shall take into consideration any recommendation made by the Police Negotiating Board for the United Kingdom and shall supply the Board with a draft of the regulations.]

[^{F361}(1A) Before making

[regulations under section [^{F363}48 of the Police and Fire Reform (Scotland) Act
^{F362}(a)] 2012]^{F364} ...
^{F365}(b)

with respect to any of the matters mentioned in section 61(1) (other than pensions), the Scottish Ministers shall take into consideration any recommendation made by the Police Negotiating Board for the United Kingdom and shall supply the Board with a draft of the regulations [^{F366}or order].]

- ^{F367}(1A)
- ^{F368}(1AA)
- ^{F369}(1AB)
- ^{F370}(1AC)
- ^{F371}(1B)
- ^{F372}(1C)

[^{F373}(1D) Before issuing a document under paragraph 18 of Schedule 1 to the Police and Justice Act 2006 (rules and principles for contents of contracts of employment of constables employed as members of the staff of the National Policing Improvement Agency), the Secretary of State shall—

- (a) consult the Police Negotiating Board for the United Kingdom about any provision in the document which relates to any of the matters mentioned in section 61(1) (other than pensions), and
- (b) take into consideration any recommendation made by the Board.

(1E) Before determining the terms and conditions on which a constable is to be appointed to the staff of the National Policing Improvement Agency as an employee of the Agency, the Secretary of State (where the constable is to be appointed as the chief executive of the Agency) or the Agency (in any other case) shall—

- (a) consult the Police Negotiating Board for the United Kingdom about any term or condition which relates to any of the matters mentioned in section 61(1) (other than pensions), and
- (b) take into consideration any recommendation made by the Board.]

(2) The arrangements referred to in section 61(3) shall regulate the procedure for reaching agreement on a recommendation to be made by the Board for the purposes of

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[^{F374}subsection (1), (1A), (1D) or (1E)] above ^{F375}... and shall include provision for arriving at such a recommendation by arbitration in such circumstances as may be determined by or under the arrangements.

[^{F376}(2A) The arrangements referred to in section 61(3) shall regulate the procedure for reaching agreement on a recommendation to be made by the Board for the purposes of subsection (1ZA) above and shall include provision for arriving at such a recommendation by arbitration in such circumstances as may be determined by or under the arrangements.]

(3) No regulations relating to pensions shall be made under section 52 above ^{F377}... or [^{F378}section 25 of the Police (Northern Ireland) Act 1998] except after consultation with the Board.

Textual Amendments

- F355** S. 62(1)(aa) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\), s. 178\(8\), Sch. 4 para. 77\(2\), Sch. 17 Pt. 2; S.I. 2006/378, art. 4\(1\), Sch. paras. 10, 13\(y\)](#)
- F356** S. 62(1)(ab) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\), s. 178\(8\), Sch. 4 para. 77\(2\), Sch. 17 Pt. 2; S.I. 2006/378, art. 4\(1\), Sch. paras. 10, 13\(y\)](#)
- F357** S. 62(1)(b) repealed (1.7.1999) by [S.I. 1999/1820, arts. 1\(2\), 4, Sch. 2 para. 124\(a\); S.I. 1998/3178, art. 3](#)
- F358** S. 62(1)(c) omitted (12.4.2010) by virtue of [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\), art. 1\(2\), Sch. 3 para. 7\(2\) \(with arts. 28-31\)](#)
- F359** S. 62(1)(d) and word inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\), s. 53\(1\), Sch. 1 para. 67\(2\); S.I. 2007/709, art. 3\(a\) \(with art. 6\)](#)
- F360** S. 62(1ZA) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\), art. 1\(2\), Sch. 3 para. 7\(3\) \(with arts. 28-31\)](#)
- F361** S. 62(1A) inserted (1.7.1999) by [S.I. 1999/1820, arts. 1\(2\), 4, Sch. 2 para. 124\(b\); S.I. 1998/3178, art. 3](#)
- F362** Words in s. 62(1A) renumbered as s. 62(1A)(a) (1.1.2007) by [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(asp 10\), s. 104\(1\), sch. 6 para. 5\(4\)\(a\)\(i\); S.S.I. 2006/607, art. 3, Sch.](#)
- F363** Words in s. 62(1A)(a) substituted (S.) (1.4.2013) by virtue of [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\), s. 129\(2\), sch. 7 para. 13\(4\); S.S.I. 2013/51, art. 2 \(with transitional provisions and savings in S.S.I. 2013/121\) and \(E.W.N.I.\) \(1.4.2013\) by The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\), art. 1\(2\), Sch. 1 para. 5\(5\)](#)
- F364** Words in s. 62(1A)(a) omitted (S.) (1.4.2013) by virtue of [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Modifications and Savings\) Order 2013 \(S.S.I. 2013/119\), art. 1, sch. 1 para. 17](#)
- F365** S. 62(1A)(b) repealed (S.) (1.4.2013) by virtue of [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\), s. 129\(2\), sch. 8 Pt. 1; S.S.I. 2013/51, art. 2 \(with transitional provisions and savings in S.S.I. 2013/121\)](#)
- F366** Words in s. 62(1A) inserted (1.1.2007) by [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(asp 10\), s. 104\(1\), sch. 6 para. 5\(4\)\(a\)\(iii\); S.S.I. 2006/607, art. 3, Sch.](#)
- F367** S. 62(1A) (as inserted by [Police Act 1997 \(c. 50\), Sch. 9 para. 82\(2\)](#)) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\), s. 178\(8\), Sch. 4 para. 77\(3\), Sch. 17 Pt. 2; S.I. 2006/378, art. 4\(1\), Sch. paras. 10, 13\(y\)](#)
- F368** S. 62(1AA) repealed (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\), s. 129\(2\), sch. 8 Pt. 1; S.S.I. 2013/51, art. 2 \(with transitional provisions and savings in S.S.I. 2013/121\)](#)
- F369** S. 62(1AB) repealed (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\), s. 129\(2\), sch. 8 Pt. 1; S.S.I. 2013/51, art. 2 \(with transitional provisions and savings in S.S.I. 2013/121\)](#)
- F370** S. 62(1AC) repealed (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\), s. 129\(2\), sch. 8 Pt. 1; S.S.I. 2013/51, art. 2 \(with transitional provisions and savings in S.S.I. 2013/121\)](#)

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- F371** S. 62(1B) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 77(4), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F372** S. 62(1C) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 77(4), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F373** S. 62(1D)(1E) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 1 para. 67(3)**; S.I. 2007/709, art. 3(a) (with art. 6)
- F374** Words in s. 62(2) substituted (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 1 para. 67(4)**; S.I. 2007/709, art. 3(a) (with art. 6)
- F375** Words in s. 62(2) repealed (S.) (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 8 Pt. 1**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F376** S. 62(2A) inserted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 7(4)** (with arts. 28-31)
- F377** Words in s. 62(3) repealed (S.) (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 8 Pt. 1**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121) and omitted (E.W.N.I.) (1.4.2013) by virtue of The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 1 para. 5(6)**
- F378** Words in s. 62(3) substituted (9.2.1999) by 1998 c. 32, s. 34(2); S.R. 1999/48, **art. 3** (with art. 4)

Modifications etc. (not altering text)

- C16** S. 62(2) applied (1.9.2000 with effect from 1.9.1996) by S.I. 1995/215, **reg. 39(1A)** as substituted for s. 39(1) (1.9.2000 with effect from 1.9.1996) by S.I. 2000/2013, **regs. 1(2)(b), 3(1)**
- C17** S. 62(2) applied (S.) (25.6.2004) by The Police (Scotland) Regulations 2004 (S.S.I. 2004/257), **regs. 1(2), 46(1)** (with **reg. 4(2)**)
- C18** S. 62(3) excluded (N.I.) (23.11.2000) by 2000 c. 32, **ss. 49(4), 79(2)** (with Sch. 7 para. 2)

63 [F379 Police Advisory Board for England and Wales]

- (1) There shall continue to be a Police Advisory Board for England and Wales ^{F380} ... for the purpose of advising the Secretary of State on general questions affecting the police ^{F381}
- ^{F382}(1ZA)
- ^{F383}(1A)
- ^{F384}(1B)
- [^{F385}(1C) The Police Advisory Board for England and Wales shall also advise the Secretary of State on general questions affecting members of the staff of the National Policing Improvement Agency who are constables.]
- (2) The constitution and proceedings of [^{F386}the Police Advisory Board for England and Wales] shall be such as the Secretary of State may determine after consulting organisations representing the interests [^{F387}of local policing bodies,] of police authorities and of members of police forces and police cadets.
- [^{F388}(3) Before making—
- (a) [^{F389}regulations or rules under section 50, 52, 84 or 85], other than regulations with respect to any of the matters mentioned in section 61(1), or
 - (b) regulations under Part 2 of the Police Reform Act 2002, [^{F390}or
 - (c) regulations under paragraph 19 of Schedule 1 to the Police and Justice Act 2006 (regulations as to constables who are members of the staff of the National Policing Improvement Agency), other than regulations with respect to any of the matters mentioned in section 61(1),][^{F391}or

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- (d) an order under section 97A, or
- (e) an order under section 11A of the Police Pensions Act 1976 (power to amend kinds of service),]

the Secretary of State shall supply the Police Advisory Board for England and Wales with a [^{F392}draft of the regulations, rules or order], and take into consideration any representations made by that Board.]

Textual Amendments

- F379** Words in s. 63 title substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 25(2)**
- F380** Words in s. 63(1) repealed (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), **ss. 97(2)(a)(i)**, 129(2) (with s. 100); [S.S.I. 2013/51](#), art. 2 (with transitional provisions and savings in [S.S.I. 2013/121](#)) and omitted (E.W.N.I.) (1.4.2013) by virtue of [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 1 para. 5(7)(a)(i)**
- F381** Words in s. 63(1) repealed (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), **ss. 97(2)(a)(ii)**, 129(2) (with s. 100); [S.S.I. 2013/51](#), art. 2 (with transitional provisions and savings in [S.S.I. 2013/121](#)) and omitted (E.W.N.I.) (1.4.2013) by virtue of [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 1 para. 5(7)(a)(ii)**
- F382** S. 63(1ZA) repealed (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), **ss. 97(2)(b)**, 129(2) (with s. 100); [S.S.I. 2013/51](#), art. 2 (with transitional provisions and savings in [S.S.I. 2013/121](#))
- F383** S. 63(1A) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), [Sch. 4 para. 78\(2\)](#), **Sch. 17 Pt. 2**; [S.I. 2006/378](#), art. 4(1), [Sch. paras. 10, 13\(y\)](#)
- F384** S. 63(1B) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), [Sch. 4 para. 78\(2\)](#), **Sch. 17 Pt. 2**; [S.I. 2006/378](#), art. 4(1), [Sch. paras. 10, 13\(y\)](#)
- F385** S. 63(1C) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 1 para. 68(2)**; [S.I. 2007/709](#), art. 3(a) (with art. 6)
- F386** Words in s. 63(2) substituted (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), **ss. 97(2)(c)**, 129(2) (with s. 100); [S.S.I. 2013/51](#), art. 2 (with transitional provisions and savings in [S.S.I. 2013/121](#)) and (E.W.N.I.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 1 para. 5(7)(b)**
- F387** Words in s. 63(2) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 39**; [S.I. 2011/3019](#), art. 3, [Sch. 1](#)
- F388** S. 63(3) substituted (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), **Sch. 4 para. 78(3)**; [S.I. 2006/378](#), art. 4(1), [Sch. para. 10](#)
- F389** Words in s. 63(3)(a) substituted (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 22 para. 6(2)**; [S.I. 2008/1586](#), art. 2(1), [Sch. 1 para. 47](#)
- F390** S. 63(3)(c) and word inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 1 para. 68(3)**; [S.I. 2007/709](#), art. 3(a) (with art. 6)
- F391** S. 63(3)(d)(e) and word inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 10(3)(a)**, 116(1); [S.I. 2010/125](#), art. 2(a)
- F392** Words in s. 63(3) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), **ss. 10(3)(b)**, 116(1); [S.I. 2010/125](#), art. 2(a)

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64 Membership of trade unions.

- (1) Subject to the following provisions of this section, a member of a police force shall not be a member of any trade union, or of any association having for its objects, or one of its objects, to control or influence the pay, pensions or conditions of service of any police force.
- (2) Where a person was a member of a trade union before becoming a member of a police force, he may, with the consent of the chief officer of police, continue to be a member of that union during the time of his service in the police force.
- ^{F393}(3)
- (4) This section applies to police cadets as it applies to members of a police force, and references to a police force or to service in a police force shall be construed accordingly.
- ^{F394}(4A)
- ^{F394}(4B)
- ^{F395}(4C) This section applies to a member of the staff of the National Policing Improvement Agency who is—
- (a) a constable, and
 - (b) an employee of the Agency,
- as it applies to a member of a police force, and references to a police force or to service in a police force shall be construed accordingly.
- (4D) In its application by virtue of subsection (4C), subsection (2) shall have effect as if the reference to the chief officer of police were a reference to the chief executive of the National Policing Improvement Agency.]
- ^{F396}(4E)
- ^{F397}(4F)
- (5) Nothing in this section applies to membership of the Police Federations, or of any body recognised by the Secretary of State for the purposes of this section as representing members of police forces who are not members of those Federations.

Textual Amendments

- F393** S. 64(3) repealed (1.12.2001) by [S.I. 2001/3649](#), [arts. 1](#), 349
- F394** S. 64(4A)(4B) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), [Sch. 4 para. 79](#), [Sch. 17 Pt. 2](#); [S.I. 2006/378](#), art. 4(1), [Sch. paras. 10](#), 13(y)
- F395** S. 64(4C)(4D) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 1 para. 69](#); [S.I. 2007/709](#), art. 3(a) (with art. 6)
- F396** S. 64(4E) repealed (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 8 Pt. 1](#); [S.S.I. 2013/51](#), art. 2 (with transitional provisions and savings in [S.S.I. 2013/121](#)) and omitted (E.W.) (1.4.2013) by virtue of [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), [Sch. 1 para. 5\(8\)](#)
- F397** S. 64(4F) repealed (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 8 Pt. 1](#); [S.S.I. 2013/51](#), art. 2 (with transitional provisions and savings in [S.S.I. 2013/121](#)) and omitted (E.W.) (1.4.2013) by virtue of [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), [Sch. 1 para. 5\(8\)](#)

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PART IV

COMPLAINTS, DISCIPLINARY PROCEEDINGS ETC.

F398 ...

Textual Amendments

F398 Pt. 4 Ch. 1 repealed (1.4.2004) by [Police Reform Act 2002 \(c. 30\)](#), s. 108(2), [Sch. 8](#) (with s. 26(9)(10)(28)); [S.I. 2004/913](#), art. 2(f)(iv) (with savings in [S.I. 2004/671](#), arts. 1(1), 2(3)(4))

Modifications etc. (not altering text)

C19 Pt. 4 Ch. 1 restricted by [S.I. 1985/520](#), reg. 11(1) (as amended (15.11.2003) by [The Police \(Complaints\) \(General\) \(Amendment\) Regulations 2003 \(S.I. 2003/2602\)](#), regs. 1(1), [8\(2\)](#))

C20 Pt. IV Ch. I continued (1.4.2004) by [The Independent Police Complaints Commission \(Transitional Provisions\) Order 2004 \(S.I. 2004/671\)](#), arts. 1(1), [2\(3\)\(4\)](#)

F398

Modifications etc. (not altering text)

C21 S. 65 applied (1.4.1999) by [S.I. 1999/731](#), [reg. 11\(5\)](#)

F398

Extent Information

E1 This section extends E.W. but also extends S. so far as it relates to [Sch. 5, para.8](#)

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Modifications etc. (not altering text)
C22 S. 81 modified (1.6.1999) by S.I. 1999/1273, reg. 28

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CHAPTER II

DISCIPLINARY AND OTHER PROCEEDINGS

[^{F399}84 Representation etc. at disciplinary and other proceedings

- (1) The Secretary of State shall by regulations make provision for or in connection with—
 - (a) enabling the officer concerned or a relevant authority to be represented in proceedings conducted under regulations made in pursuance of section 50(3) or section 51(2A);
 - (b) enabling the panel conducting such proceedings to receive advice from a relevant lawyer or another person falling within any prescribed description of persons.
- (2) Regulations under this section may in particular make provision—
 - (a) specifying the circumstances in which the officer concerned or a relevant authority is entitled to be legally represented (by a relevant lawyer);
 - (b) specifying the circumstances in which the officer concerned or a relevant authority is entitled to be represented by a person (other than a relevant lawyer) who falls within any prescribed description of persons;
 - (c) for securing that—
 - (i) a relevant authority may be legally represented, and
 - (ii) the panel conducting the proceedings may receive advice from a relevant lawyer,whether or not the officer concerned is legally represented.
- (3) Without prejudice to the powers conferred by this section, regulations under this section shall, in relation to cases where the officer concerned is entitled to legal or other representation, make provision—
 - (a) for securing that the officer is notified of his right to such representation;
 - (b) specifying when the officer is to be so notified;
 - (c) for securing that proceedings at which the officer may be dismissed are not to take place unless the officer has been notified of his right to such representation.
- (4) In this section—

“the officer concerned”, in relation to proceedings within subsection (1)

 - (a), means the member of a police force or special constable to whom the proceedings relate;

“the panel”, in relation to proceedings within subsection (1)(a), means the panel of persons, or the person, prescribed for the purpose of conducting the proceedings;

“prescribed” means prescribed by regulations under this section;

“relevant authority” means—

 - (a) where the officer concerned is a member of a police force (other than [^{F400}the chief officer of police]), or a special constable, the chief officer of police of the police force of which the officer is a member, or for which the officer is appointed as a special constable;
 - (b) where the officer concerned is [^{F401}the chief officer of police, the local policing body] for the police force of which the officer is a member;

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“relevant lawyer” means a person who, for the purposes of the Legal Services Act 2007, is an authorised person in relation to an activity which constitutes the exercise of a right of audience (within the meaning of that Act);

“senior officer” means a member of a police force holding a rank above that of chief superintendent.

- (5) But in prescribed circumstances “relevant authority” also includes the Independent Police Complaints Commission.
- (6) Regulations under this section may make different provision for different cases and circumstances.
- (7) A statutory instrument containing regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) Subsection (7) does not apply to a statutory instrument containing (whether alone or with other provision) any regulations under this section coming into force at a time that is the earliest time at which any regulations under this section are to come into force since the commencement of paragraph 7 of Schedule 22 to the Criminal Justice and Immigration Act 2008.
- (9) A statutory instrument within subsection (8) may not be made unless a draft of it has been laid before and approved by a resolution of each House of Parliament.]

Textual Amendments

- F399** S. 84 substituted (3.11.2008 for specified purposes, 1.12.2008 in so far as not already in force) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 22 para. 7** (with [Sch. 27 para. 35](#)); [S.I. 2008/2712](#), art. 2, [Sch. para. 16\(b\)](#) (with art. 4); [S.I. 2008/2993](#), art. 2(1)(h)(i) (with art. 3)
- F400** Words in s. 84(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 40(a)**; [S.I. 2011/3019](#), art. 3, [Sch. 1](#) (with art. 8(1)(3)) (as amended (14.11.2012) by [S.I. 2012/2892](#), art. 8(3))
- F401** Words in s. 84(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 40(b)**; [S.I. 2011/3019](#), art. 3, [Sch. 1](#) (with art. 8(1)(3)) (as amended (14.11.2012) by [S.I. 2012/2892](#), art. 8(3))

85 Appeals against dismissal etc.

- [^{F402}(1) The Secretary of State shall by rules make provision specifying the cases in which a member of a police force or a special constable may appeal to a police appeals tribunal.
- (2) A police appeals tribunal may, on the determination of an appeal under this section, make an order dealing with the appellant in any way in which he could have been dealt with by the person who made the decision appealed against.]
 - (3) The Secretary of State may make rules as to the procedure on appeals to police appeals tribunals under this section.
- [^{F403}(4) Rules made under this section may, in particular, make provision—
- (a) for enabling a police appeals tribunal, in such circumstances as are specified in the rules, to determine a case without a hearing;
 - (b) for the appellant or the respondent to be entitled, in a case where there is a hearing, to be represented—
 - (i) by a relevant lawyer within the meaning of section 84, or

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- (ii) by a person who falls within any description of persons prescribed by the rules;
 - (c) for enabling a police appeals tribunal to require any person to attend a hearing to give evidence or to produce documents,
and rules made in pursuance of paragraph (c) may apply subsections (2) and (3) of section 250 of the Local Government Act 1972 with such modifications as may be set out in the rules.]
- [^{F403}(4A) Rules under this section may make different provision for different cases and circumstances.]
- [^{F404}(5) A statutory instrument containing rules under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.]
- [^{F404}(5A) Subsection (5) does not apply to a statutory instrument containing (whether alone or with other provision) the first rules made under this section after the commencement of paragraph 8 of Schedule 22 to the Criminal Justice and Immigration Act 2008: such an instrument may not be made unless a draft of it has been laid before and approved by a resolution of each House of Parliament.]
- (6) Schedule 6 shall have effect in relation to appeals under this section.

Textual Amendments

- F402** S. 85(1)(2) substituted (3.11.2008 for specified purposes, 1.12.2008 in so far as not already in force) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\)](#), **Sch. 22 para. 8(2)**; S.I. 2008/2712, art. 2, Sch. para. 16(c) (with art. 4); S.I. 2008/2993, art. 2(1)(h)(i) (with art. 3)
- F403** S. 85(4)(4A) substituted for s. 85(4) (3.11.2008 for specified purposes, 1.12.2008 in so far as not already in force) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\)](#), **Sch. 22 para. 8(3)** (with [Sch. 27 para. 35](#)); S.I. 2008/2712, art. 2, Sch. para. 16(c) (with art. 4); S.I. 2008/2993, art. 2(1)(h)(i) (with art. 3)
- F404** S. 85(5)(5A) substituted for s. 85(5) (3.11.2008 for specified purposes, 1.12.2008 in so far as not already in force) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\)](#), **Sch. 22 para. 8(4)**; S.I. 2008/2712, art. 2, Sch. para. 16(c) (with art. 4); S.I. 2008/2993, art. 2(1)(h)(i) (with art. 3)

Modifications etc. (not altering text)

- C23** S. 85 excluded (31.3.1999) by [S.I. 1999/533, art. 3\(2\)](#)
S. 85 applied (1.4.1999) by [S.I. 1999/731, reg. 15\(6\)](#)
- C24** S. 85(2)-(5) applied (31.10.1997) by [1997 c. 50, s. 82\(2\)](#); S.I. 1997/2390, **art. 2(2)(r)**

^{F405}**86 Admissibility of statements in subsequent proceedings.**

Textual Amendments

- F405** S. 86 repealed (1.4.2004) by [Police Reform Act 2002 \(c. 30\), s. 108\(2\)](#), **Sch. 8**; S.I. 2004/913, art. 2(f)(iv)

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^{F406}87 Guidance concerning disciplinary proceedings etc.

(1) The Secretary of State may issue relevant guidance to—

- ^{F407}(a) local policing bodies,
- (b) chief officers of police,
- (c) other members of police forces,
- (d) special constables, and
- ^{F408}(e) members of the civilian staff of a police force, including the metropolitan police force (within the meaning of Part 1 of the Police Reform and Social Responsibility Act 2011).]

^{F406}(1ZA) “Relevant guidance” is guidance as to the discharge of functions under regulations under section 50 or 51 in relation to the matters mentioned in section 50(2)(e) or 51(2)(ba).]

^{F409}(1A) The Secretary of State may also issue guidance to the Independent Police Complaints Commission concerning the discharge of its functions under any regulations under section 50 [^{F410}or 51] in relation to disciplinary proceedings.

- (2) Nothing in this section shall authorise the issuing of any guidance about a particular case.
- (3) It shall be the duty of every person to whom any guidance under this section is issued to have regard to that guidance in discharging the functions to which the guidance relates.
- (4) A failure by a person to whom guidance under this section is issued to have regard to the guidance shall be admissible in evidence in any disciplinary proceedings or on any appeal from a decision taken in any such proceedings.
- (5) In this section “disciplinary proceedings” means any proceedings under any regulations under section 50 [^{F411}or 51] that are identified as disciplinary proceedings by those regulations.]]

Textual Amendments

- F406** S. 87(1)(1ZA) substituted for s. 87(1) (1.12.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\), Sch. 22 para. 9\(2\)](#); S.I. 2008/2993, art. 2(1)(h)(ii) (with art. 3)
- F407** S. 87(1)(a) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 41\(a\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F408** S. 87(1)(e) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 41\(b\)](#); S.I. 2011/3019, art. 3, Sch. 1
- F409** S. 87(1A)-(5) substituted for s. 87(2) (1.4.2004) by [Police Reform Act 2002 \(c. 30\), s. 108\(2\), Sch. 7 para. 18](#); S.I. 2004/913, art. 2(e)
- F410** Words in s. 87(1A) inserted (1.12.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\), Sch. 22 para. 9\(3\)](#); S.I. 2008/2993, art. 2(1)(h)(ii) (with art. 3)
- F411** Words in s. 87(5) inserted (1.12.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\), Sch. 22 para. 9\(4\)](#); S.I. 2008/2993, art. 2(1)(h)(ii) (with art. 3)

88 Liability for wrongful acts of constables.

- (1) The chief officer of police for a police area shall be liable in respect of [^{F412}any unlawful conduct of] constables under his direction and control in the performance or purported

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performance of their functions in like manner as a master is liable in respect of torts committed by his servants in the course of their employment, and accordingly shall ^{F413}, in the case of a tort,] be treated for all purposes as a joint tortfeasor.

- (2) There shall be paid out of the police fund—
- (a) any damages or costs awarded against the chief officer of police in any proceedings brought against him by virtue of this section and any costs incurred by him in any such proceedings so far as not recovered by him in the proceedings; and
 - (b) any sum required in connection with the settlement of any claim made against the chief officer of police by virtue of this section, if the settlement is approved by the ^{F414}local policing body].
- (3) Any proceedings in respect of a claim made by virtue of this section shall be brought against the chief officer of police for the time being or, in the case of a vacancy in that office, against the person for the time being performing the functions of the chief officer of police; and references in subsections (1) and (2) to the chief officer of police shall be construed accordingly.
- (4) A ^{F415}local policing body] 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 against a person to whom this subsection applies in proceedings for ^{F416}any unlawful conduct of] that person,
 - (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.
- (5) Subsection (4) applies to a person who is—
- (a) a member of the police force maintained by the ^{F417}local policing body],
 - (b) a constable for the time being required to serve with that force by virtue of section 24 or 98 ^{F418}of this Act ^{F419}..., or
 - (c) a special constable appointed for the ^{F420}local policing body's] police area.
- ^{F421}(5A) This section shall have effect where, by virtue of section 23 or 24 of the Serious Organised Crime and Police Act 2005, a member of the staff of the Serious Organised Crime Agency who is neither a constable nor an employee of the ^{F422}local policing body] is provided to a police force as if—
- (a) any unlawful conduct of his in the performance or purported performance of his functions were unlawful conduct of a constable under the direction and control of the chief officer of police of that force; and
 - (b) subsection (4) applied to him in the case of the ^{F422}local policing body] maintaining that force.]
- ^{F423}(6) This section shall have effect where an international joint investigation team has been formed under the leadership of a constable who is a member of a police force as if—
- (a) any unlawful conduct, in the performance or purported performance of his functions as such, of any member of that team who is neither a constable nor an employee of the ^{F424}local policing body] were unlawful conduct of a constable under the direction and control of the chief officer of police of that force; and

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- (b) subsection (4) applied, in the case of the [^{F424}local policing body] maintaining that force, to every member of that team to whom it would not apply apart from this subsection.
- (7) In this section “international joint investigation team” means any investigation team formed in accordance with—
- (a) any framework decision on joint investigation teams adopted under [^{F425}Article 34 of the Treaty on European Union (as it had effect before 1 December 2009) or under Article 87 of the Treaty on the Functioning of the European Union];
 - (b) the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union, and the Protocol to that Convention, established in accordance with that Article of that Treaty; or
 - (c) any international agreement to which the United Kingdom is a party and which is specified for the purposes of this section in an order made by the Secretary of State.
- (8) A statutory instrument containing an order under subsection (7) shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F412** Words in s. 88(1) substituted (1.10.2002) by Police Reform Act 2002 (c. 30), **ss. 102(1)(a)(2)(a), 105(2)-(5); S.I. 2002/2306, art. 2(f)(xi)**
- F413** Words in s. 88(1) substituted (1.10.2002) by Police Reform Act 2002 (c. 30), **ss. 102(1)(b)(2)(a), 105(2)-(5); S.I. 2002/2306, art. 2(f)(xi)**
- F414** Words in s. 88(2)(b) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 42(2); S.I. 2011/3019, art. 3, Sch. 1**
- F415** Words in s. 88(4) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 42(2); S.I. 2011/3019, art. 3, Sch. 1**
- F416** Words in s. 88(4)(a) substituted (1.10.2002) by Police Reform Act 2002 (c. 30), **ss. 102(4)(5)(a), 105(2)-(5); S.I. 2002/2306, art. 2(f)(xi)**
- F417** Words in s. 88(5)(a) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 42(3)(a); S.I. 2011/3019, art. 3, Sch. 1**
- F418** Words in s. 88(5)(b) inserted (1.4.1998) by 1997 c. 50, s. 134(1), **Sch. 9 para. 85; S.I. 1998/354, art. 2(2)(ay)**
- F419** Words in s. 88(5)(b) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 80(2), Sch. 17 Pt. 2; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)**
- F420** Words in s. 88(5)(c) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 42(3)(b); S.I. 2011/3019, art. 3, Sch. 1**
- F421** S. 88(5A) inserted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 80(3); S.I. 2006/378, art. 4(1), Sch. para. 10**
- F422** Words in s. 88(5A) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 42(4); S.I. 2011/3019, art. 3, Sch. 1**
- F423** S. 88(6)-(8) inserted (1.10.2002) by Police Reform Act 2002 (c. 30), **ss. 103(1), 105(2)-(5); S.I. 2002/2306, art. 2(f)(xii)**
- F424** Words in s. 88(6) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 42(5); S.I. 2011/3019, art. 3, Sch. 1**
- F425** Words in s. 88(7)(a) substituted (1.8.2012) by The Treaty of Lisbon (Changes in Terminology or Numbering) Order 2012 (S.I. 2012/1809), art. 2(1), **Sch. Pt. 1 (with art. 2(2))**

Status: Point in time view as at 01/04/2013.

Changes to legislation: Police Act 1996 is up to date with all changes known to be in force on or before 09 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)

Modifications etc. (not altering text)

- C25** S. 88 applied (with modifications) (1.1.2000) by S.I. 1999/3272, **art. 3**
- C26** S. 88(1)-(5) modified (1.7.2004) by **Railways and Transport Safety Act 2003 (c. 20), s. 25(5)**; S.I. 2004/1572, **art. 3(h)**
- C27** S. 88(1) excluded by 1974 c. 37, s. 51A(2D)(2E)(b) (as inserted (7.4.2005) by **Serious Organised Crime and Police Act 2005 (c. 15), ss. 158(1), 178(1)(a)** (with s. 158(5)-(7)))

PART V

MISCELLANEOUS AND GENERAL

Offences

89 Assaults on constables.

- (1) Any person who assaults a constable in the execution of his duty, or a person assisting a constable in the execution of his duty, shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both.
- (2) Any person who resists or wilfully obstructs a constable in the execution of his duty, or a person assisting a constable in the execution of his duty, shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding one month or to a fine not exceeding level 3 on the standard scale, or to both.
- (3) This section also applies to a constable who is a member of [^{F426}the Police Service of Scotland] or Northern Ireland when he is executing a warrant, or otherwise acting in England or Wales, by virtue of any enactment conferring powers on him in England and Wales.
- [^{F427}(4) In this section references to a person assisting a constable in the execution of his duty include references to any person who is neither a constable nor in the company of a constable but who—
 - (a) is a member of an international joint investigation team that is led by a member of a police force ^{F428}...; and
 - (b) is carrying out his functions as a member of that team.
- (5) In this section “international joint investigation team” means any investigation team formed in accordance with—
 - (a) any framework decision on joint investigation teams adopted under [^{F429}Article 34 of the Treaty on European Union (as it had effect before 1 December 2009) or under Article 87 of the Treaty on the Functioning of the European Union];
 - (b) the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union, and the Protocol to that Convention, established in accordance with that Article of that Treaty; or
 - (c) any international agreement to which the United Kingdom is a party and which is specified for the purposes of this section in an order made by the Secretary of State.

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- (6) A statutory instrument containing an order under subsection (5) shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F426** Words in s. 89(3) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 25(3)**
- F427** S. 89(4)-(6) inserted (1.10.2002) by [Police Reform Act 2002 \(c. 30\)](#), **ss. 104(1)**, 108(2)-(5); S.I. 2002/2306, **art. 2(f)(xiii)**
- F428** Words in s. 89(4)(a) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), Sch. 4 para. 81, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F429** Words in s. 89(5) substituted (1.8.2012) by [The Treaty of Lisbon \(Changes in Terminology or Numbering\) Order 2012 \(S.I. 2012/1809\)](#), art. 2(1), **Sch. Pt. 1** (with art. 2(2))

Modifications etc. (not altering text)

- C28** S. 89 modified (26.4.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\)](#), **ss. 84(1)**, 94(1); S.I. 2004/786, art. 3(1)(2)
- C29** S. 89(1)(2) applied (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), **s. 68(1)(3)**; S.I. 2004/1572, art. 3(yy)
- C30** S. 89(1)(2) modified (1.4.2005) by [Energy Act 2004 \(c. 20\)](#), **ss. 68(1)**, 198(2); S.I. 2005/877, art. 2(1), Sch. 1

90 Impersonation, etc.

- (1) Any person who with intent to deceive impersonates a member of a police force or special constable, or makes any statement or does any act calculated falsely to suggest that he is such a member or constable, shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both.
- (2) Any person who, not being a constable, wears any article of police uniform in circumstances where it gives him an appearance so nearly resembling that of a member of a police force as to be calculated to deceive shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) Any person who, not being a member of a police force or special constable, has in his possession any article of police uniform shall, unless he proves that he obtained possession of that article lawfully and has possession of it for a lawful purpose, be guilty of an offence and liable on summary conviction to a fine not exceeding level 1 on the standard scale.
- (4) In this section—
- (a) “article of police uniform” means any article of uniform or any distinctive badge or mark or document of identification usually issued to members of police forces or special constables, or anything having the appearance of such an article, badge, mark or document,
- [^{F430}(ab) “member of a police force” includes a member of the staff of the National Policing Improvement Agency who is a constable, and]
- (b) “special constable” means a special constable appointed for a police area.

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Textual Amendments

F430 S. 90(4)(ab) substituted for s. 90(4)(aa) (1.4.2007) by virtue of [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 1 para. 70](#); S.I. 2007/709, art. 3(a) (with art. 6)

Modifications etc. (not altering text)

C31 S. 90 applied (with modifications) (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), s. 68(2)(3); S.I. 2004/1572, art. 3(yy)

C32 S. 90 modified (1.4.2005) by [Energy Act 2004 \(c. 20\)](#), ss. 68(2), 198(2); S.I. 2005/877, art. 2(1), Sch. 1

91 Causing disaffection.

(1) Any person who causes, or attempts to cause, or does any act calculated to cause, disaffection amongst the members of any police force, or induces or attempts to induce, or does any act calculated to induce, any member of a police force to withhold his services, shall be guilty of an offence and liable—

- (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.

[^{F431}(2) This section applies in the case of—

- (a) special constables appointed for a police area,
 - [^{F432}(aa) members of the staff of the National Policing Improvement Agency who are constables,]
 - (b) members of the Civil Nuclear Constabulary, and
 - (c) members of the British Transport Police Force,
- as it applies in the case of members of a police force.]

[^{F433}(3) Liability under subsection (1) for any behaviour is in addition to any civil liability for that behaviour.]

Textual Amendments

F431 S. 91(2) substituted (1.4.2005) by [Energy Act 2004 \(c. 20\)](#), ss. 68(3), 198(2); S.I. 2005/877, art. 2(1), Sch. 1

F432 S. 91(2)(aa) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 1 para. 71](#); S.I. 2007/709, art. 3(a) (with art. 6)

F433 S. 91(3) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), [Sch. 14 para. 30](#); S.I. 2007/709, art. 3(p) (with art. 6)

Modifications etc. (not altering text)

C33 S. 91 amended (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), [Sch. 5 para. 4](#); S.I. 2004/1572, art. 3(jjj)

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Miscellaneous financial provisions

92 Grants by local authorities.

- (1) The council of a county, district, county borough [^{F434}London borough, parish or community] may make grants to any [^{F435}police and crime commissioner] whose police area falls wholly or partly within the [^{F434}council's area].
- (2) The council of a London borough, county, [^{F436}district or parish] which falls wholly or partly within the metropolitan police district may make grants for police purposes to the [^{F437}Mayor's Office for Policing and Crime] .
- (3) Grants under this section may be made unconditionally or, with the agreement of the chief officer of police for the police area concerned, subject to conditions.
- (4) This section applies to the Council of the Isles of Scilly as it applies to a county council.

Textual Amendments

F434 Words in s. 92(1) substituted (19.5.1997) by 1997 c. 29, s. 31(2); S.I. 1997/1097, art. 3(a)

F435 Words in s. 92(1) substituted (22.11.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), ss. 25(4)(a), 157(1); S.I. 2012/2892, art. 2(a)

F436 Words in s. 92(2) substituted (19.5.1997) by 1997 c. 29, s. 31(2); S.I. 1997/1097, art. 3(a)

F437 Words in s. 92(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), ss. 25(4)(b), 157(1); S.I. 2011/3019, art. 3, Sch. 1

93 Acceptance of gifts and loans.

- (1) A [^{F438}local policing body] may, in connection with the discharge of any of its functions, accept gifts of money, and gifts or loans of other property, on such terms as appear to [^{F439}the body] to be appropriate.
- (2) The terms on which gifts or loans are accepted under subsection (1) may include terms providing for the commercial sponsorship of any activity of the [^{F440}local policing body] or of the police force maintained by it.

^{F441}(3)

Textual Amendments

F438 Words in s. 93(1) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), ss. 25(5)(a), 157(1); S.I. 2011/3019, art. 3, Sch. 1

F439 Words in s. 93(1) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), Sch. 16 para. 43; S.I. 2011/3019, art. 3, Sch. 1

F440 Words in s. 93(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), ss. 25(5)(b), 157(1); S.I. 2011/3019, art. 3, Sch. 1

F441 S. 93(3) repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 101, Sch. 34 Pt. VII (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, Sch.

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94 Financing of new ^{F442}police and crime commissioners].

- (1) The Secretary of State may make grants to any ^{F443}police and crime commissioner] in respect of expenditure incurred (or to be incurred) by ^{F444}the commissioner] at any time before the beginning of its first precepting year.
- (2) Without prejudice to any other powers to borrow, a ^{F445}police and crime commissioner] may borrow by way of temporary loan or overdraft from a bank or otherwise any sums which ^{F446}the commissioner] may require for the purpose of meeting ^{F447}the commissioner's] expenditure before the beginning of ^{F447}the commissioner's] first precepting year.
- (3) The sums borrowed by ^{F448}a commissioner] under this section shall not exceed such amount as the Secretary of State may determine, and shall be repaid before the end of ^{F449}the commissioner's] first precepting year.
- (4) For the purposes of this section the “first precepting year” of ^{F450}a police and crime commissioner] is the financial year in which revenue is first received by ^{F451}the commissioner] as a result of a precept issued by ^{F451}the commissioner] under Part I of the ^{M5}Local Government Finance Act 1992.

Textual Amendments

- F442** Words in s. 94 title substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(7\), 157\(1\); S.I. 2012/2892, art. 2\(a\)](#)
- F443** Words in s. 94(1) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(8\)\(a\), 157\(1\); S.I. 2012/2892, art. 2\(a\)](#)
- F444** Words in s. 94(1) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(8\)\(b\), 157\(1\); S.I. 2012/2892, art. 2\(a\)](#)
- F445** Words in s. 94(2) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(9\)\(a\), 157\(1\); S.I. 2012/2892, art. 2\(a\)](#)
- F446** Words in s. 94(2) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(9\)\(b\), 157\(1\); S.I. 2012/2892, art. 2\(a\)](#)
- F447** Words in s. 94(2) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(9\)\(c\), 157\(1\); S.I. 2012/2892, art. 2\(a\)](#)
- F448** Words in s. 94(3) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(10\)\(a\), 157\(1\); S.I. 2012/2892, art. 2\(a\)](#)
- F449** Words in s. 94(3) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(10\)\(b\), 157\(1\); S.I. 2012/2892, art. 2\(a\)](#)
- F450** Words in s. 94(4) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(11\)\(a\), 157\(1\); S.I. 2012/2892, art. 2\(a\)](#)
- F451** Words in s. 94(4) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 25\(11\)\(b\), 157\(1\); S.I. 2012/2892, art. 2\(a\)](#)

Marginal Citations

- M5** 1992 c. 14.

95 ^{F452}The City of London police Fund.]

There shall be paid out of ^{F453}... the City of London police fund ^{F454}... any expenditure incurred under this Act in respect of—

- (a) any special constables appointed for ^{F453}... the City of London police area; and

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- (b) any police cadets appointed in relation to ^{F453} . . . the City of London police force.

Textual Amendments

- F452** Sidenote to s. 95 substituted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 102(3)** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**
- F453** Words in s. 95(a)(b) repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 102(2)(a)(c)(d), **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**
- F454** Words in s. 95 repealed (3.7.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 102(2)(b), **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

Miscellaneous

96 Arrangements for obtaining the views of the community on policing.

- (1) Arrangements shall be made for each police area for obtaining—
- (a) the views of people in that area about matters concerning the policing of the area, and
 - (b) their co-operation with the police in preventing crime [^{F455}and anti-social behaviour] in that area. [^{F456},

and for obtaining the views of victims of crime in that area about matters concerning the policing of the area.]

[^{F457}(1A) Those arrangements must include, in the case of—

- (a) a police area listed in Schedule 1, or
- (b) the metropolitan police district,

arrangements for obtaining, before a police and crime plan is issued under section 5 or 6 of the Police Reform and Social Responsibility Act 2011, the views of the people in that police area, and the views of the victims of crime in that area, on that plan.

(1B) Those arrangements must include, in the case of a police area listed in Schedule 1, arrangements for obtaining, before the first precept for a financial year is issued by the police and crime commissioner under section 40 of the Local Government Finance Act 1992, the views of—

- (a) the people in that police area, and
- (b) the relevant ratepayers' representatives,

on the proposals of the police and crime commissioner for expenditure (including capital expenditure) in that financial year.

(1C) Those arrangements must include, in the case of the metropolitan police district, arrangements for obtaining, before the first calculations in relation to the Mayor's Office for Policing and Crime are made for a financial year under section 85 of the Greater London Authority Act 1999, the views of—

- (a) the people in the metropolitan police district, and
- (b) the relevant ratepayers' representatives,

on the proposals of the Mayor's Office for Policing and Crime for expenditure (including capital expenditure) in that financial year.]

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[^{F458}(2) Arrangements under this section are to be made by the local policing body for the police area, after consulting the chief officer of police for that area.]

^{F459}(3)

^{F459}(4)

^{F459}(5)

[^{F460}(5A) In subsections (1B) and (1C) “relevant ratepayers' representatives”, in relation to a police area listed in Schedule 1, or the metropolitan police district, means the persons or bodies who appear to the elected local policing body for that area or district to be representative of persons subject to non-domestic rates under sections 43 and 45 of the Local Government Finance Act 1988 as regards hereditaments situated in that area or district.

(5B) In determining which persons or bodies are relevant ratepayers' representatives, an elected local policing body must have regard to any guidance given by the Secretary of State.]

^{F461}(6)

^{F461}(7)

^{F461}(8)

^{F461}(9)

^{F461}(10)

Textual Amendments

F455 Words in s. 96(1)(b) inserted (15.3.2010) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 2 para. 30(2)**; S.I. 2010/414, art. 2(b)

F456 Words in s. 96(1) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 14(2)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)

F457 S. 96(1A)-(1C) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 14(3)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)

F458 S. 96(2) substituted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 14(4)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)

F459 S. 96(3)-(5) repealed (3.7.2000) by 1999 c. 26, **ss. 325, 423**, Sch. 27 para. 103(3), **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

F460 S. 96(5A)(5B) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 14(5)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)

F461 S. 96(6)-(10) omitted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 14(6)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)

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[^{F462}96A National and international functions of the metropolitan police [^{F463} force and other police forces].

[^{F464}(1) The Secretary of State and the Mayor's Office for Policing and Crime may enter into agreements with respect to the level of performance to be achieved by the metropolitan police force in respect of any of its national or international functions.

(1A) The Secretary of State and the police and crime commissioner that maintains a police force may enter into agreements with respect to the level of performance to be achieved by the police force in respect of any of its national or international functions.

(1B) The Secretary of State and the Common Council may enter into agreements with respect to the level of performance to be achieved by the City of London police force in respect of any of its national or international functions.]

(2) If the Secretary of State is of the opinion that [^{F465}a police force] is not performing any or all of its national or international functions—

- (a) to the standard specified in any agreement in force under subsection (1), or
- (b) if no agreement is in force under that subsection in relation to the function or functions in question, to a standard which the Secretary of State considers to be satisfactory,

he may direct the [^{F466}local policing body] to take such measures as may be specified in the direction.

(3) [^{F467}A local policing body] shall comply with any directions given under subsection (2).

^{F468}(4)]

Textual Amendments

F462 Ss. 96A, 96B inserted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 104** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

F463 Words in s. 96A title inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(2)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1

F464 Ss. 96A(1)-(1B) substituted for s. 96A(1) (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(3)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 5)

F465 Words in s. 96A(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(4)(a)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1

F466 Words in s. 96A(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(4)(b)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1

F467 Words in s. 96A(3) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(5)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1

F468 S. 96A(4) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(6)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1

^{F469}96B National and international functions: application of requirements relating to reports etc.

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Textual Amendments

F469 S. 96B omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 94\(7\)](#), [157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#)

97 Police officers engaged on service outside their force.

- (1) For the purposes of this section “relevant service” means—
- (a) temporary service on which a person is engaged in accordance with arrangements made under section 26;
 - ^{F470}(aa) temporary service on which a person is engaged in accordance with arrangements made under paragraph 6(2) of Schedule 2 to the Police Reform Act 2002 (c. 30);]
 - (b) temporary service under section 56 on which a person is engaged with the consent of the appropriate authority;
 - (c) temporary service under the Crown in connection with the provision by the Secretary of State of—
 - (i) such organisations and services as are described in section 57, or
 - (ii) research or other services connected with the police,on which a person is engaged with the consent of the appropriate authority;
 - ^{F471}(ca)
 - ^{F472}(cb)
 - ^{F473}(cc)
 - ^{F473}(cd)
 - ^{F474}(ce)
 - ^{F475}(cf) temporary service as a member of the staff of the Serious Organised Crime Agency on which a person is engaged with the consent of the appropriate authority;]
 - ^{F476}(cg) temporary service with the National Policing Improvement Agency on which a person is engaged with the consent of the appropriate authority;]
 - ^{F477}(ch) temporary service with the ^{F478}Disclosure and Barring Service] on which a person is engaged with the consent of the appropriate authority;]
 - ^{F479}(ch)
 - ^{F479}(ci)
 - (d) temporary service as an adviser to the Secretary of State on which a person is engaged with the consent of the appropriate authority;
 - (e) service the expenses of which are payable under section 1(1) of the ^{M6}Police (Overseas Service) Act 1945, on which a person is engaged with the consent of the appropriate authority;
 - ^{F480}(ea) temporary service with the Police Ombudsman for Northern Ireland on which a person is engaged in accordance with arrangements made under paragraph 8 of Schedule 3 to the Police (Northern Ireland) Act 1998;]
 - (f) service in the ^{F481}Police Service of Northern Ireland], on which a person is engaged with the consent of the Secretary of State and the appropriate authority; ^{F482} . . .
 - (g) service pursuant to an appointment under section 10 of the ^{M7}Overseas Development and Co-operation Act 1980, on which a person is engaged with the consent of the appropriate authority ^{F483}, or

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- (h) service in connection with the provision by the Secretary of State of assistance under the International Development Act 2001 on which a person is engaged with the consent of the appropriate authority.]
- [^{F484}(i) temporary service with the body known as the College of Policing on which a person is engaged with the consent of the appropriate authority;]
- (2) In subsection (1) “appropriate authority”, in relation to a member of a police force, means the chief officer of police acting with the consent of the [^{F485}local policing body], except that in relation to the chief officer of police it means the [^{F485}local policing body].
- (3) Subject to subsections (4) to (8), a member of a police force engaged on relevant service shall be treated as if he were not a member of that force during that service; but, except where a pension, allowance or gratuity becomes payable to him out of money provided by Parliament by virtue of regulations made under the ^{M8}Police Pensions Act 1976—
- (a) he shall be entitled at the end of the period of relevant service to revert to his police force in the rank in which he was serving immediately before the period began, and
- (b) he shall be treated as if he had been serving in that force during the period of relevant service for the purposes of any scale prescribed by or under regulations made under section 50 above fixing his rate of pay by reference to his length of service.
- (4) In the case of relevant service to which subsection (1)(e) refers, the reference in subsection (3) to regulations made under the Police Pensions Act 1976 shall be read as including a reference to regulations made under section 1 of the ^{M9}Police (Overseas Service) Act 1945.
- (5) A person may, when engaged on relevant service, be promoted in his police force as if he were serving in that force; and in any such case—
- (a) the reference in paragraph (a) of subsection (3) to the rank in which he was serving immediately before the period of relevant service began shall be construed as a reference to the rank to which he is promoted, and
- (b) for the purposes mentioned in paragraph (b) of that subsection he shall be treated as having served in that rank from the time of his promotion.
- (6) A member of a police force who—
- (a) has completed a period of relevant service within [^{F486}paragraph (a), (aa), (b), (c), ^{F487}... ^{F488}... (cf) [^{F489}, (cg)] [^{F490}, (ch)] [^{F491}, (ch), (ci)] , (d), (g) [^{F492}, (h) or (i),] of subsection (1)], or
- (b) while engaged on relevant service within paragraph (e) of that subsection, is dismissed from that service by the disciplinary authority established by regulations made under section 1 of the Police (Overseas Service) Act 1945 or is required to resign as an alternative to dismissal, or
- (c) while engaged on relevant service within paragraph [^{F493}(ea) or] (f) of that subsection, is dismissed from that service or is required to resign as an alternative to dismissal,
- may be dealt with under regulations made in accordance with section 50(3) for anything done or omitted while he was engaged on that service as if that service had been service in his police force; and section 85 shall apply accordingly.

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- (7) For the purposes of subsection (6) a certificate certifying that a person has been dismissed, or required to resign as an alternative to dismissal, shall be evidence of the fact so certified, if—
- (a) in a case within paragraph (b) of that subsection, it is given by the disciplinary authority referred to in that paragraph, or
 - (b) in a case within paragraph (c) of that subsection, it is given by or on behalf of ^{F494}the Police Ombudsman for Northern Ireland or (as the case may be) the chief constable of the ^{F495}Police Service of Northern Ireland], or such other person or authority as may be designated for the purposes of this subsection by order of the Secretary of State.
- (8) A member of a police force engaged on relevant service within ^{F496}paragraph (aa), (b), (c), ^{F497}... ^{F498}... (cf) ^{F499}, (cg) ^{F500}, (ch) ^{F501}, (ch), (ci) ^{F502}, (d) or (i) of subsection (1) —
- (a) shall continue to be a constable, and
 - (b) shall be treated for the purposes of sections 30, 59, 60, 64 and 90 as if he were a member of his police force.
- (9) The Secretary of State shall be liable in respect of ^{F503}any unlawful conduct of] a member of a police force engaged on relevant service within paragraph (b), (c) or (d) of subsection (1) in the performance or purported performance of his functions in like manner as a master is liable in respect of torts committed by his servants in the course of their employment, and shall in ^{F504}, in the case of a tort,] be treated for all purposes as a joint tortfeasor.

Textual Amendments

- F470** S. 97(1)(aa) inserted (1.4.2004) by [Police Reform Act 2002 \(c. 30\)](#), s. 108(2), **Sch. 7 para. 19(1)**; S.I. 2004/913, art. 2(e)
- F471** S. 97(1)(ca) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), **Sch. 4 para. 82(2)(a)**, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F472** S. 97(1)(cb) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), **Sch. 4 para. 82(2)(a)**, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F473** S. 97(1)(cc)(cd) repealed (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 15 Pt. 1(A)**; S.I. 2007/709, art. 3(q) (with art. 6); S.I. 2007/709, art. 3(q) (with art. 6)
- F474** S. 97(1)(ce) repealed (1.4.2008) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(1), Sch. 8 para. 155(2), **Sch. 14**; S.I. 2008/755, art. 2(1)(a)(d) (with arts. 3-14)
- F475** S. 97(1)(cf) inserted (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), **Sch. 4 para. 82(2)(c)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F476** S. 97(1)(cg) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 1 para. 72(2)**; S.I. 2007/709, art. 3(a) (with art. 6)
- F477** S. 97(1)(ch) inserted (12.10.2009) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\)](#), s. 65, **Sch. 9 para. 13(2)** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2009/2611, art. 2, Sch.
- F478** Words in s. 97(1) substituted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\)](#), arts. 1(1), **13(1)(2)(b)** (with Pt. 4)
- F479** S. 97(1)(ch)(ci) omitted (1.4.2013) by virtue of [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 25(4)**
- F480** S. 97(1)(ea) inserted (9.2.1999 and 21.2.2003) by 1998 c. 32, s. 74(1), **Sch. 4 para. 20(3)**; S.R. 1999/48, **art. 3** (with art. 4); S.R. 2003/142, **art. 3**
- F481** Words in s. 97(1)(f) substituted (4.11.2001) by 2000 c. 32, s. 74, **Sch. 6 para. 12(3)**; S.R. 2001/396, art. 2, **Sch.**

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- F482** Word in s. 97(1) repealed (17.6.2002) by International Development Act 2002 (c. 1), ss. 19, 20(2), **Sch. 4** (with Sch. 5 para. 5); S.I. 2002/1408, **art. 2**
- F483** S. 97(1)(h) and word inserted (17.6.2002) by International Development Act 2002 (c. 1), ss. 19, 20(2), **Sch. 3 para. 11(2)** (with Sch. 5 para. 5); S.I. 2002/1408, **art. 2**
- F484** S. 97(1)(i) inserted (21.12.2012) by The Police (Descriptions of Service) Order 2012 (S.I. 2012/2954), arts. 1(2), **3(2)**
- F485** Words in s. 97(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 44**; S.I. 2011/3019, art. 3, Sch. 1
- F486** Words in s. 97(6)(a) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 82(3)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F487** Words in s. 97(6)(a) repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(A)**; S.I. 2007/709, art. 3(q) (with art. 6)
- F488** Word in s. 97(6)(a) repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), Sch. 8 para. 155(3), **Sch. 14**; S.I. 2008/755, art. 2(1)(a)(d) (with arts. 3-14)
- F489** Word in s. 97(6)(a) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 1 para. 72(3)**; S.I. 2007/709, art. 3(a) (with art. 6)
- F490** Words in s. 97(6)(a) inserted (12.10.2009) by Safeguarding Vulnerable Groups Act 2006 (c. 47), s. 65, **Sch. 9 para. 13(3)** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2009/2611, art. 2, Sch.
- F491** Words in s. 97(6)(a) inserted (1.4.2007) by The Police, Public Order and Criminal Justice (Scotland) Act 2006 (Consequential Provisions and Modifications) Order 2007 (S.I. 2007/1098), art. 1(3), **Sch. para. 3(3)(b)**
- F492** Words in s. 97(6)(a) substituted (21.12.2012) by The Police (Descriptions of Service) Order 2012 (S.I. 2012/2954), arts. 1(2), **3(3)**
- F493** Words in s. 97(6)(c) inserted (9.2.1999 and 21.2.2003) by 1998 c. 32, s. 74(1), **Sch. 4 para. 20(4)**; S.R. 1999/48, **art. 3** (with art. 4); S.R. 2003/142, **art. 3**
- F494** Words in s. 97(7)(b) inserted (9.2.1999 and 21.2.2003) by 1998 c. 32, s. 74(1), **Sch. 4 para. 20(5)**; S.R. 1999/48, **art. 3** (with art. 4); S.R. 2003/142, **art. 3**
- F495** Words in s. 97(7)(b) substituted (4.11.2001) by 2000 c. 32, s. 74, **Sch. 6 para. 12(3)**; S.R. 2001/396, art. 2, **Sch.**
- F496** Words in s. 97(8) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 82(4)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F497** Words in s. 97(8) repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(A)**; S.I. 2007/709, art. 3(q) (with art. 6)
- F498** Word in s. 97(8) repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), Sch. 8 para. 155(4), **Sch. 14**; S.I. 2008/755, art. 2(1)(a)(d) (with arts. 3-14)
- F499** Word in s. 97(8) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 1 para. 72(3)**; S.I. 2007/709, art. 3(a) (with art. 6)
- F500** Words in s. 97(8) inserted (12.10.2009) by Safeguarding Vulnerable Groups Act 2006 (c. 47), s. 65, **Sch. 9 para. 13(3)** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2009/2611, art. 2, Sch.
- F501** Words in s. 97(8) inserted (1.4.2007) by The Police, Public Order and Criminal Justice (Scotland) Act 2006 (Consequential Provisions and Modifications) Order 2007 (S.I. 2007/1098), art. 1(3), **Sch. para. 3(3)(b)**
- F502** Words in s. 97(8) substituted (21.12.2012) by The Police (Descriptions of Service) Order 2012 (S.I. 2012/2954), arts. 1(2), **3(4)**
- F503** Words in s. 97(9) substituted (1.10.2002) by Police Reform Act 2002 (c. 30), ss. **102(1)(a)(2)(b)**, 108(2)-(5); S.I. 2002/2306, **art. 2(f)(xi)**
- F504** Words in s. 97(9) substituted (1.10.2002) by Police Reform Act 2002 (c. 30), ss. **102(1)(b)(2)(b)**, 108(2)-(5); S.I. 2002/2306, **art. 2(f)(xi)**

Modifications etc. (not altering text)

- C34** S. 97 applied (with modifications) (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 3 para. 5**

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C35 S. 97(9) excluded by 1974 c. 37, s. 51A(2D)(2E)(c) (as inserted (7.4.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\), ss. 158\(1\), 178\(1\)\(a\)](#) (with s. 158(5)-(7)))

Marginal Citations

- M6** 9 & 10 Geo. 6 c. 17.
- M7** 1980 c. 63.
- M8** 1976 c. 35.
- M9** 9 & 10 Geo. 6 c. 17.

[^{F505}97A Power to amend section 97

- (1) The Secretary of State may by order amend the definition of “relevant service” in section 97(1).
- (2) An order under this section may make transitional, consequential, incidental and supplemental provision or savings.
- (3) The provision that may be made under subsection (2) includes provision amending any enactment.
- (4) A statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

F505 S. 97A inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\), ss. 10\(1\), 116\(1\)](#); S.I. 2010/125, art. 2(a)

98 Cross-border aid of one police force by another.

- (1) The chief officer of police of a police force in England or Wales may, on the application of [^{F506}the chief constable of the Police Service of Scotland] or the chief constable of the [^{F507}Police Service of Northern Ireland], provide constables or other assistance for the purpose of enabling the Scottish force or the [^{F507}Police Service of Northern Ireland] to meet any special demand on its resources.
- (2) [^{F508}The chief constable of the Police Service of Scotland] may, on the application of the chief officer of police of a police force in England or Wales ^{F509}... the chief constable of the [^{F507}Police Service of Northern Ireland]^{F510}..., provide constables or other assistance for the purpose of enabling the English or Welsh force or the [^{F507}Police Service of Northern Ireland]^{F510}... to meet any special demand on its resources.
- (3) The chief constable of the [^{F507}Police Service of Northern Ireland] may, on the application of the chief officer of police of a police force in England or Wales or [^{F511}the chief constable of the Police Service of Scotland]^{F512}..., provide constables or other assistance for the purpose of enabling the English or Welsh force or the Scottish force ^{F512}... to meet any special demand on its resources.

^{F513}(3A)

- (4) If it appears to the Secretary of State—

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- (a) to be expedient in the interests of public safety or order that a police force ^{F514}...should be reinforced or should receive other assistance for the purpose of enabling it to meet any special demand on its resources, and
- (b) that satisfactory arrangements under subsection (1), [^{F515}(2) or (3)] cannot be made, or cannot be made in time,
- he may direct the chief officer of police of any police force in England or Wales, [^{F516}the chief constable of the Police Service of Scotland] or the chief constable of the [^{F507}Police Service of Northern Ireland]^{F514} ..., as the case may be, to provide such constables or other assistance for that purpose as may be specified in the direction.
- (5) While a constable is provided under this section for the assistance of another police force ^{F517}... he shall, notwithstanding any enactment,—
- (a) be under the direction and control of the chief officer of police of that other force (or, where that other force is [^{F518}the Police Service of Scotland] or the [^{F507}Police Service of Northern Ireland]^{F517} ..., of [^{F519}the chief constable of that Service]^{F520} ...); and
- (b) have in any place the like powers and privileges as a member of that other force has in that place as a constable.
- (6) The [^{F521}local policing body] maintaining a police force for which assistance is provided under this section shall pay to the [^{F521}local policing body] maintaining the force from which that assistance is provided such contribution as may be agreed upon between [^{F522}those bodies] or, in the absence of any such agreement, as may be provided by any agreement subsisting at the time between all [^{F523}local policing bodies] generally, or, in the absence of such general agreement, as may be determined by the Secretary of State.
- ^{F524}(6A)
- ^{F525}(6B) In this section “local policing body” includes—
- (a) [^{F526}the Scottish Police Authority], and
- (b) the Northern Ireland Policing Board.]
- (7) In the application of this section to Scotland, any expression used in this section and in the [^{F527}Police and Fire Reform (Scotland) Act 2012] shall have the same meaning in this section as in that Act.
- ^{F528}(8) “Constable”, in relation to Northern Ireland, means a police officer within the meaning of the Police (Northern Ireland) Act 2000.]

Textual Amendments

- F506** Words in s. 98(1) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 25(5)**
(a)
- F507** Words in s. 98(1)-(5) substituted (4.11.2001) by [2000 c. 32](#), s. 74, **Sch. 6 para. 12(4)**; [S.R. 2001/396](#), art. 2, **Sch.**
- F508** Words in s. 98(2) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 25(5)**
(b)
- F509** Word in s. 98(2) repealed (1.4.1998) by [1997 c. 50](#), s. 134(2), **Sch. 10**; [S.I. 1998/354](#), **art. 2(2)(ay)**
- F510** Words in s. 98(2) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), [Sch. 4 para. 83\(2\)](#), **Sch. 17 Pt. 2**; [S.I. 2006/378](#), art. 4(1), [Sch. paras. 10, 13\(y\)](#)

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- F511** Words in s. 98(3) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(c)**
- F512** Words in s. 98(3) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 83(2), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F513** S. 98(3A) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 83(3), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F514** Words in s. 98(4) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 83(4)(a), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F515** Words in s. 98(4) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 83(4)(b)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F516** Words in s. 98(4) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(d)**
- F517** Words in s. 98(5) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 83(5)(a), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F518** Words in s. 98(5)(a) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(e)(i)**
- F519** Words in s. 98(5)(a) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(e)(ii)**
- F520** Words in s. 98(5)(a) omitted (1.4.2013) by virtue of The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(e)(iii)**
- F521** Words in s. 98(6) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 45(2)(a)**; S.I. 2011/3019, art. 3, Sch. 1
- F522** Words in s. 98(6) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 45(2)(b)**; S.I. 2011/3019, art. 3, Sch. 1
- F523** Words in s. 98(6) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 45(2)(c)**; S.I. 2011/3019, art. 3, Sch. 1
- F524** S. 98(6A) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 83(6), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F525** S. 98(6B) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 45(3)**; S.I. 2011/3019, art. 3, Sch. 1
- F526** Words in s. 98(6B) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(f)**
- F527** Words in s. 98(7) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 25(5)(g)**
- F528** S. 98(8) substituted (4.11.2001) for s. 98(8)(9) by 2000 c. 32, s. 74, **Sch. 6 para. 12(5)**; S.R. 2001/396, art. 2, **Sch.**

99 Jurisdiction of metropolitan police officers.

- (1) A member of the metropolitan police force who is assigned to the protection of any person or property in Scotland shall, in the discharge of that duty, have the powers and privileges of a constable of [^{F529}the Police Service of Scotland].

Status: Point in time view as at 01/04/2013.

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- (2) A member of the metropolitan police force who is assigned to the protection of any person or property in Northern Ireland shall, in the discharge of that duty, have the powers and privileges of a constable of the Royal Ulster Constabulary.

Extent Information

E2 S. 99(1) extends to S. only and s. 99(2) extends to N.I. only

Textual Amendments

F529 Words in s. 99(1) substituted (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 7 para. 13\(5\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121) and (N.I.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), [Sch. 1 para. 5\(9\)](#)

100 Chief constables affected by police area alterations or local government reorganisations.

- (1) If the chief constable of a police force which ceases to exist in consequence of an order under section 32 above [^{F530}or section 58 of the Local Government Act 1972] is not appointed chief constable or other member of the successor force as from the date of transfer, he shall on that date become a member of that force (or, if there is more than one successor force, of such of them as may be provided by or under the order) by virtue of this section.
- (2) While a person is a member of a police force by virtue only of this section he shall hold the rank of assistant chief constable but shall be treated for the purposes of his pay, pension and other conditions of service as if he had continued to be chief constable of the force which ceased to exist, subject however to section 10(1).
- (3) A chief constable who becomes a member of a police force by virtue of this section shall, subject to regulations under section 50, cease to be a member of that force at the end of three months unless he has then accepted and taken up an appointment in that force.
- (4) If a chief constable was appointed for a term which expires within three months of his becoming a member of a police force by virtue of this section, subsection (3) shall have effect as if the reference to three months were a reference to that term.
- (5) Where—
- (a) the chief constable of a police force is engaged for a period of relevant service within paragraph (b), (c), (d) or (e) of section 97(1), and
 - (b) before the end of that period that force ceases to exist as mentioned in subsection (1) above,
- subsection (1) shall apply to the chief constable as if he were still the chief constable of that force, but with the substitution for references to the date of transfer of references to the end of the said period.
- (6) In this section—
- (a) “successor force”, in relation to a police force which ceases to exist in consequence of an order, means a force to which members of that police force are transferred by virtue of the order; and

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- (b) “date of transfer” means the date as from which those members are so transferred.

Textual Amendments

F530 Words in s. 100(1) substituted (1.11.2007 for E.) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), s. 245\(5\), Sch. 1 para. 19\(3\)](#); S.I. 2007/3136, art. 2(b)

Supplemental

101 Interpretation.

- (1) Except where the context otherwise requires, in this Act—

[^{F531}“the Association of Chief Police Officers” means the Association of Chief Police Officers of England, Wales and Northern Ireland;]

[^{F532}[^{F533}“British Transport Police Force” means the constables appointed under section 53 of the British Transport Commission Act 1949 (c. xxix);]

“chief officer of police” means—

- (a) in relation to a police force maintained under section 2, the chief constable,
(b) in relation to the metropolitan police force, the Commissioner of Police of the Metropolis, and
(c) in relation to the City of London police force, the Commissioner of Police for the City of London ;

“City of London police area” means the City of London as defined for the purposes of the Acts relating to the City of London police force;

[^{F534}“Common Council” means the Common Council of the City of London in its capacity as police authority for the City of London police area;

“elected local policing body” means—

- (a) a police and crime commissioner;
(b) the Mayor's Office for Policing and Crime;

“local policing body” means—

- (a) a police and crime commissioner (in relation to a police area listed in Schedule 1);
(b) the Mayor's Office for Policing and Crime (in relation to the metropolitan police district);
(c) the Common Council (in relation to the City of London police area);

“Mayor's Office for Policing and Crime” means the body established under section 3 of the Police Reform and Social Responsibility Act 2011;]

“metropolitan police district” means that district as defined in section 76 of the ^{M10}London Government Act 1963;

[^{F535}“national or international functions” means functions relating to—

- (a) the protection of prominent persons or their residences,
(b) national security,
(c) counter-terrorism, or
(d) the provision of services for any other national or international purpose;

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“police and crime commissioner” means a body established under section 1 of the Police Reform and Social Responsibility Act 2011;]

“police area” means a police area provided for by section 1;

^{F536}
...

“police force” means a force maintained by a [^{F537}local policing body];

“police fund” means—

(a) [^{F538}in relation to a police area for which there is an elected local policing body, the fund kept by that body under section 21 of the Police Reform and Social Responsibility Act 2011;]

(b) ^{F539}.....

(c) in relation to the City of London police force, the fund out of which the expenses of that force are paid.

(2) In this Act “police purposes”, in relation to a police area, includes the purposes of—

(a) special constables appointed for that area,

(b) police cadets undergoing training with a view to becoming members of the police force maintained for that area, and

(c) civilians employed for the purposes of that force or of any such special constables or cadets.

[^{F540}(3) References in this Act to the staff of a police and crime commissioner, or to the staff of the Mayor's Office for Policing and Crime, have the same meaning as in the Police Reform and Social Responsibility Act 2011.]

Extent Information

E3 S. 101 extends E.W. except s. 101(2) which extends G.B.

Textual Amendments

F531 Words in s. 101(1) inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 4 para. 8**; S.I. 2007/709, art. 3(d) (with art. 6)

F532 Definition in s. 101 ceases to have effect (1.7.2004) by virtue of [Railways and Transport Safety Act 2003 \(c. 20\)](#), **Sch. 5 para. 4**; S.I. 2004/1572, art. 3(jjj)

F533 S. 101(1): definition of “British Transport Police Force” inserted (14.12.2001) by [2001 c. 24](#), ss. 101, 127(2)(f), **Sch. 7 para. 27**

F534 Words in s. 101(1) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 96(2)(a)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 10(1)(2)); S.I. 2012/2892, art. 2(a)

F535 Words in s. 101(1) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 96(2)(b)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 10(1)(2)); S.I. 2012/2892, art. 2(a)

F536 Words in s. 101(1) omitted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 96(2)(c)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 10(1)(2)); S.I. 2012/2892, art. 2(a)

F537 Words in s. 101(1) substituted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 96(2)(d)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 10(1)(2)); S.I. 2012/2892, art. 2(a)

F538 Words in s. 101(1) substituted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 96(2)(e)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 10(1)(2)); S.I. 2012/2892, art. 2(a)

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F539 Words in s. 101(1) repealed (3.7.2000) by 1999 c. 29, ss. 312(3)(b), 423, **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

F540 S. 101(3) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Police Reform and Social Responsibility Act 2011 (c. 13), ss. **96(3)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 10(1)(2)); S.I. 2012/2892, art. 2(a)

Modifications etc. (not altering text)

C36 S. 101 amended (1.7.2004) by Railways and Transport Safety Act 2003 (c. 20), **Sch. 5 para. 4**; S.I. 2004/1572, art. **3(jjj)**

Marginal Citations

M10 1963 c. 33.

102 Orders, rules and regulations.

Any power of the Secretary of State to make orders, rules or regulations under this Act shall be exercisable by statutory instrument.

103 Consequential amendments, transitional provisions, repeals, etc.

- (1) The enactments mentioned in Schedule 7 shall be amended as provided in that Schedule.
- (2) Schedule 8 (which contains transitional and transitory provisions, savings etc.) shall have effect.
- (3) The enactments mentioned in Parts I and II of Schedule 9 are repealed, and the instruments mentioned in Part III of that Schedule are revoked, to the extent specified in the third column of the Schedule.

Extent Information

E4 S. 103 extends E.W. and insofar as it relates to Sch. 8 paras. 1-5, 7 and 11(1),(2) and(4) also to S. and insofar as it relates to Sch. 8 paras. 1-4 also to N.I.

104 Commencement.

- (1) Except as provided by subsection (2), this Act shall come into force at the end of the period of three months beginning with the day on which it is passed.
- (2) The following provisions of this Act—
section 50(3),
Part IV (including Schedules 5 and 6) other than section 88,
paragraphs 43, 45 and 46 of Schedule 7,
paragraph 12 of Schedule 8, and
Part II of Schedule 9,
shall come into force on such day as the Secretary of State may by order appoint.
- (3) An order under this section may appoint different days for different purposes or different areas.

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- (4) The power to make orders under this section includes power to make such transitional provisions and savings as appear to the Secretary of State to be necessary or expedient.
- (5) Where an order under this section contains provisions made by virtue of subsection (4), the statutory instrument containing that order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Subordinate Legislation Made

P1 [S. 104](#) power partly exercised (3.3.1999): 1.4.1999 appointed for specified provisions by [S.I. 1999/533](#), [art. 2](#) (with [art. 3](#))

105 Extent.

- (1) Except as provided by subsections (2) to (5), this Act extends to England and Wales only.
- (2) The following provisions of this Act extend to Scotland (and in the case of section 99(1) to Scotland only)—
 - section 21;
 - [^{F541}section 25(1A);]
 - Part III;
 - ^{F542}...
 - sections 98, 99(1), 101(2), 102 and 104 to 106 and paragraphs 1 to 5, 7 and 11(1), (2) and (4) of Schedule 8 (and section 103 so far as it relates to those paragraphs).
- (3) The following provisions of this Act extend to Northern Ireland (and in the case of section 99(2) to Northern Ireland only)—
 - sections 61 and 62;
 - sections 98, 99(2), 102 and 104 to 106 and paragraphs 1 to 4 of Schedule 8 (and section 103 so far as it relates to those paragraphs).
- (4) Subject to subsection (5), the amendments in Schedule 7 and the repeals and revocations in Schedule 9 have the same extent as the enactments to which they refer and section 103 extends accordingly.
- (5) Paragraphs 2 to 6 of Schedule 7 extend to England, Wales and Scotland only.

Textual Amendments

F541 Words in [s. 105\(2\)](#) inserted (14.12.2001) by [2001 c. 24](#), [ss. 101, 127\(2\)\(f\)](#), [Sch. 7 para. 28](#)

F542 Words in [s. 105\(2\)](#) repealed (1.4.2004) by [Police Reform Act 2002 \(c. 30\)](#), [s. 108\(2\)](#), [Sch. 8](#); [S.I. 2004/913](#), [art. 2\(f\)\(iv\)](#)

106 Short title.

This Act may be cited as the Police Act 1996.

Status:

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