



# Police Act 1996

## CHAPTER 16

### POLICE ACT 1996

#### PART I

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- 1 Police areas.

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- 4 Membership of police authorities etc.
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- 6A Three-year strategy plans
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- 9 Annual reports by police authorities.
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*Status: Point in time view as at 03/07/2000.*

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- 9C Functions of Deputy Commissioner of Police of the Metropolis.
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- 9H Other members of the metropolitan police force.
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- 26 Provision of advice and assistance to international organisations etc.
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66 The Police Complaints Authority.

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- 102 Orders, rules and regulations.
- 103 Consequential amendments, transitional provisions, repeals, etc.
- 104 Commencement.
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SCHEDULES

SCHEDULE 1 — Police areas

*England (except London)*

*Wales*

SCHEDULE 2 — Police authorities established under section 3

*Membership of police authorities*

- 1 (1) Where, by virtue of section 4, a police authority...

*Appointment of members by relevant councils*

- 2 (1) In the case of a police authority in relation...
- 3 The number of members of the joint committee, and the...
- 4 (1) A council or joint committee shall exercise its power...

*Appointment of independent members*

- 5 The members of a police authority referred to in paragraph...
- 6 (1) Every police authority shall arrange for a notice stating—...

*Appointment of magistrates*

- 7 The members of a police authority referred to in paragraph...
- 8 (1) Where there is a panel for an area which...

*Chairman*

- 9 (1) A police authority shall at each annual meeting appoint...
- 9A *Vice-chairmen*

*Disqualification*

- 10 A person shall be disqualified for being appointed as a...

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- 11 (1) Subject to sub-paragraphs (3) and (4), a person shall...  
 12 .....  
 13 (1) Without prejudice to paragraphs 10 and 11, a person...  
 14 (1) Without prejudice to paragraphs 10 and 11, a person...

#### *Tenure of office*

- 15 Subject to the following paragraphs (and to the provisions of...  
 16 (1) A person shall be appointed to hold office as...  
 17 (1) A person may at any time resign his office...  
 18 (1) A member of a relevant council appointed to be...  
 19 (1) A police authority may remove a member from office...  
 20 A council or joint committee may remove from office a...  
 21 If a chairman of a police authority ceases to be...

#### *Eligibility for re-appointment*

- 22 A person who ceases to be a member, otherwise than...

#### *Validity of acts*

- 23 The acts and proceedings of any person appointed to be...  
 24 The proceedings of a police authority shall not be invalidated...

#### *Allowances*

- 25 (1) A police authority may make to its chairman and...  
 25A *Allowances for members etc.*  
 25B *Members of standards committees*

#### *Interpretation*

- 26 (1) For the purposes of this Schedule, a council is...  
 27 In this Schedule “magistrate” has the same meaning as in...

### Schedule 2A — The Metropolitan Police Authority

#### *Membership*

- 1 (1) Where the Metropolitan Police Authority is to consist of...

#### *Appointment of members by the Mayor*

- 2 (1) The members of the Metropolitan Police Authority referred to...

#### *Appointment of independent members*

- 3 (1) The members of the Metropolitan Police Authority referred to...  
 4 (1) The Metropolitan Police Authority shall arrange for a notice...

#### *Appointment of magistrates*

- 5 The members of the Metropolitan Police Authority referred to in...

#### *Chairman*

- 6 (1) The Metropolitan Police Authority shall at each annual meeting...  
 6A *Vice-chairmen*

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### *Disqualification*

- 7 (1) Subject to sub-paragraphs (3) and (4), a person shall...  
8 (1) Without prejudice to paragraph 7, a person shall be...  
9 (1) Without prejudice to paragraph 7, a person shall be...

### *Tenure of office*

- 10 Subject to the following paragraphs (and to the provision of...  
11 (1) A person shall be appointed to hold office as...  
12 (1) A person may at any time resign his office...  
13 (1) A member of the London Assembly appointed to be...  
14 (1) The Metropolitan Police Authority may remove a member from...  
15 The Mayor of London may remove from office a member...  
16 If the chairman of the Metropolitan Police Authority ceases to...

### *Eligibility for re-appointment*

- 17 A person who ceases to be a member, otherwise than...

### *Validity of acts*

- 18 The acts and proceedings of any person appointed to be...  
19 The proceedings of the Metropolitan Police Authority shall not be...

### *Allowances*

- 20 (1) The Metropolitan Police Authority may make to its chairman...  
20A *Allowances for members etc.*  
20B *Members of standards committees*

### *Mayor's functions to be exercised by him personally*

- 21 Any functions exercisable by the Mayor of London under this...

### *Interpretation*

- 22 In this Schedule— “ commission area ” has the same...

## SCHEDULE 3 — Police authorities: selection of independent members

### *Selection panels*

- 1 (1) There shall be a selection panel  
2 A person shall be disqualified for being appointed as or...  
3 (1) A person shall be appointed to hold office as...  
4 A member of a selection panel may be removed from...  
5 A person who ceases to be a member of a...  
6 (1) The acts and proceedings of any person appointed to...  
7 (1) A police authority shall make to members of the...

### *Functions of selection panel*

- 8 (1) Where appointments to a police authority are to be...  
9 A person shall not be nominated under paragraph 8 in...  
10 In exercising their functions a selection panel shall have regard...  
11 (1) The Secretary of State may make regulations as to—...

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*Secretary of State's short-list*

- 12 (1) Where the Secretary of State receives a notice under...
- 13 (1) This paragraph has effect where the number of persons...
- 14 The Secretary of State shall give to the designated members...

SCHEDULE 4 — Form of declaration

SCHEDULE 5 — The Police Complaints Authority

*Constitution of Authority*

- 1 (1) The Police Complaints Authority shall consist of a chairman...

*Status of Authority*

- 2 The Authority shall not be regarded as the servant or...

*Members*

- 3 (1) Subject to the following provisions of this Schedule, a...
- 4 The Secretary of State may pay, or make such payments...
- 5 Where a person ceases to hold such an office otherwise...

*Staff*

- 6 The Authority may, after consultation with the Secretary of State,...
- 7 Where a person who is employed by the Authority and...
- 8 The Employers' Liability (Compulsory Insurance) Act 1969 shall not require...

*Power of Authority to set up regional offices*

- 9 (1) If it appears to the Authority that it is...

*Proceedings*

- 10 (1) Subject to the provisions of Chapter I of Part...
- 11 The validity of any proceedings of the Authority shall not...

*Finance*

- 12 The Secretary of State— (a) shall pay to the Authority...
- 13 (1) The Authority shall— (a) keep proper accounts and proper...

SCHEDULE 6 — Appeals to police appeals tribunals

*Police appeals tribunals*

- 1 (1) In the case of an appeal by a senior...
- 2 (1) In the case of an appeal by a member...

*Notice of appeal*

- 3 An appeal shall be instituted by giving notice of appeal...



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*Respondent*

- 4 On any appeal the respondent shall be such person as...

*Casting vote*

- 5 Where there is an equality of voting among the members...

*Hearing*

- 6 (1) A police appeals tribunal may determine a case without...

*Effect of orders*

- 7 (1) Where an appeal is allowed, the order shall take...

*Remuneration and expenses*

- 8 Members of a police appeals tribunal shall be—

*Costs*

- 9 (1) An appellant shall pay the whole of his own...

*Interpretation*

- 10 In this Schedule— (a) “senior officer” means a member of...

SCHEDULE 7 — Consequential amendments

Part I — REFERENCES TO POLICE AUTHORITIES ESTABLISHED UNDER  
SECTION 3 OF POLICE ACT 1964

- 1 (1) In the provisions referred to in sub-paragraph (2), for...

Part II — OTHER CONSEQUENTIAL AMENDMENTS

*Pedlars Act 1871 (c. 96)*

- 2 In section 5 of the Pedlars Act 1871, in paragraph...  
3 In section 8 of that Act— (a) for “police district”...  
4 In section 9 of that Act for “police district”, in...  
5 In section 21 of that Act for “district” there shall...  
6 In Schedule 2 to that Act for “police district” in...

*Parks Regulation Act 1872 (c. 15)*

- 7 In section 7 of the Parks Regulation Act 1872 for...  
8 In section 8 of that Act for “of the district”...

*Riot (Damages) Act 1886 (c. 38)*

- 9 In section 2(1) of the Riot (Damages) Act 1886—  
10 In section 3 of that Act— (a) in subsection (1)...  
11 In section 9 of that Act— (a) for “police district”...

*Local Government Act 1958 (c. 55)*

- 12 In section 60(2) of the Local Government Act 1958 after...

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*Superannuation (Miscellaneous Provisions) Act 1967 (c. 28)*

- 13 (1) Section 13 of the Superannuation (Miscellaneous Provisions) Act 1967...

*Police (Scotland) Act 1967 (c. 77)*

- 14 (1) Section 26 of the Police (Scotland) Act 1967 shall...  
15 In section 39(4) of that Act, for “or section 141...

*Firearms Act 1968 (c. 27)*

- 16 In Schedule 1 to the Firearms Act 1968, in paragraph...

*Police Act (Northern Ireland) 1970 (c. 9 (N.I.))*

- 17 .....

*Pensions (Increase) Act 1971 (c. 56)*

- 18 (1) Schedule 2 to the Pensions (Increase) Act 1971 shall...

*Superannuation Act 1972 (c. 11)*

- 19 In section 15(5)(b) of the Superannuation Act 1972 for “section...  
20 Schedule 1 to that Act shall continue to have effect...

*Local Government Act 1972 (c. 70)*

- 21 In section 94(5)(b) of the Local Government Act 1972 for...

*Overseas Pensions Act 1973 (c. 21)*

- 22 In section 2(2)(d)(i) of the Overseas Pensions Act 1973 for...

*Juries Act 1974 (c. 23)*

- 23 In Schedule 1 to the Juries Act 1974, in Part...

*House of Commons Disqualification Act 1975 (c. 24)*

- 24 In section 1(3) of the House of Commons Disqualification Act...

*Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

- 25 In section 1(2) of the Northern Ireland Assembly Disqualification Act...

*Salmon and Freshwater Fisheries Act 1975 (c. 51)*

- 26 In Schedule 3 to the Salmon and Freshwater Fisheries Act...

*Sex Discrimination Act 1975 (c. 65)*

- 27 (1) Section 17 of the Sex Discrimination Act 1975 shall...

*Police Pensions Act 1976 (c.35)*

- 28 Section 1(1) of the Police Pensions Act 1976 shall continue...  
29 (1) Section 7(2) of that Act shall be amended as...  
30 (1) Section 11 of that Act (interpretation) shall be amended...

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*Race Relations Act 1976 (c. 74)*

31 In section 16(5) of the Race Relations Act 1976, in...

*Interpretation Act 1978 (c. 30)*

32 In Schedule 1 to the Interpretation Act 1978 (words and...

*Finance Act 1981 (c. 35)*

33 In section 107(3)(k) of the Finance Act 1981 for “section...

*Police and Criminal Evidence Act 1984 (c. 60)*

34 In section 5(1) of the Police and Criminal Evidence Act...

35 In section 50(2) of that Act for paragraph (a) there...

36 In section 55(14) of that Act for paragraph (a) there...

37 In section 64(6B) of that Act— (a) the definition of...

38 In section 77(3) of that Act, in the definition of...

*Prosecution of Offences Act 1985 (c. 23)*

39 In section 3(3) of the Prosecution of Offences Act 1985,...

*Housing Act 1985 (c. 68)*

40 In Schedule 1 to the Housing Act 1985, in paragraph...

*Ministry of Defence Police Act 1987 (c. 4)*

41 In section 1(2)(a) of the Ministry of Defence Police Act...

*Football Spectators Act 1989 (c. 37)*

42 In section 14(7) of the Football Spectators Act 1989 for...

*Aviation and Maritime Security Act 1990 (c. 31)*

43 In section 22(4)(b)(i) of the Aviation and Maritime Security Act...

*Local Government Act 1992 (c. 19)*

44 In section 17(6) of the Local Government Act 1992 for...

*Tribunals and Inquiries Act 1992 (c. 53)*

45 In section 7 of the Tribunals and Inquiries Act 1992,...

46 In Schedule 1 to that Act, in Part I, after...

*Criminal Appeal Act 1995 (c.35)*

47 In section 22(2)(c) of the Criminal Appeal Act 1995 for...

SCHEDULE 8 — Transitional provisions, savings etc.

Part I — GENERAL PROVISIONS

*Continuity of the law*

1 (1) The repeal (or revocation) and re-enactment of provisions in...

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*General saving for old transitional provisions and savings*

- 2 The repeal by this Act of any provision of Part...
- 3 The repeal by this Act of an enactment previously repealed...

*Use of existing forms, etc.*

- 4 Any reference to an enactment repealed by this Act which...  
Part II — PROVISIONS RELATING TO PARTICULAR ENACTMENTS

*Pedlars Act 1871*

- 5 Any reference to a police district contained in—

*Savings relating to the Police Act 1964*

- 6 Notwithstanding the repeal by this Act of subsection (4) of...
- 7 Notwithstanding the repeal by this Act of subsection (4) of...

*Saving for transitional provisions under the Police and Magistrates' Courts Act 1994*

- 8 Without prejudice to the generality of paragraph 1(4) above, any...

*Police areas*

- 9 For the period beginning with the commencement of Schedule 1...
- 10 Notwithstanding the repeal by this Act of sections 21A and...  
Part III — PROVISIONS RELATING TO COMPLAINTS AND DISCIPLINE

*Modification of enactments pending commencement of new discipline procedures*

- 11 (1) Until such day as the Secretary of State may...

*Modification of section 81*

- 12 Until such day as the Lord Chancellor may appoint under...

*Saving for complaints procedures established for other bodies of constables*

- 13 The coming into force of any provision of Part IV...

SCHEDULE 9 — Repeals and revocations

Part I — REPEALS: GENERAL

Part II — REPEALS CONSEQUENTIAL ON NEW DISCIPLINE AND  
COMPLAINTS PROCEDURES

Part III — REVOCATIONS

— TABLE OF DERIVATIONS

- 1 *Notes:*
- 2 The following abbreviations are used in the Table:— 1964 =...

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