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# Police Act 1996

## 1996 CHAPTER 16

### PART I

#### ORGANISATION OF POLICE FORCES

##### *Police areas*

## 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 <sup>M1</sup>Local Government Act 1972, or section 17 of the <sup>M2</sup>Local Government Act 1992),
  - (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, <sup>F1</sup> . . .

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#### Textual Amendments

**F1** Words in s. 1(3) repealed (1.4.2000) by 1999 c. 29, ss. 325, 423, Sch. 27 para. 69, **Sch. 34 Pt.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.  
**M2** 1992 c. 19.

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*Forces outside London*

**2 Maintenance of police forces.**

A police force shall be maintained for every police area for the time being listed in Schedule 1.

**3 Establishment of police authorities.**

- (1) There shall be a police authority for every police area for the time being listed in Schedule 1.
- (2) A police authority established under this section for any area shall be a body corporate to be known by the name of the area with the addition of the words “Police Authority”.

**4 Membership of police authorities etc.**

- (1) Subject to subsection (2), each police authority established under section 3 shall consist of seventeen members.
- (2) The Secretary of State may by order provide in relation to a police authority specified in the order that the number of its members shall be a specified odd number greater than seventeen.
- (3) A statutory instrument containing an order under subsection (2) shall be laid before Parliament after being made.
- (4) Schedules 2 and 3 shall have effect in relation to police authorities established under section 3 and the appointment of their members.

**5 Reductions in size of police authorities.**

- (1) This section applies to any order under section 4(2) which varies or revokes an earlier order so as to reduce the number of a police authority’s members.
- (2) Before making an order to which this section applies, the Secretary of State shall consult—
  - (a) the authority, [<sup>F2</sup>and ]
  - (b) the councils which are relevant councils in relation to the authority for the purposes of Schedule 2, <sup>F3</sup>...
  - <sup>F3</sup>(c) .....
- (3) An order to which this section applies may include provision as to the termination of the appointment of the existing members of the authority and the making of new appointments or re-appointments.

**Textual Amendments**

**F2** Word in s. 5(2)(a) inserted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 371\(a\)](#); S.I. 2005/910, art. 3(y)

**F3** S. 5(2)(c) and word immediately preceding it repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 371\(b\)](#), [Sch. 10](#); S.I. 2005/910, art. 3(y)

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## *<sup>F4</sup> The metropolitan police force*

### **Textual Amendments**

- F4** 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](#)

### **<sup>F5A</sup> Maintenance of the metropolitan police force.**

A police force shall be maintained for the metropolitan police district.

### **Textual Amendments**

- F5** Ss. 5A-5C 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](#)

### **<sup>F65B</sup> Establishment of the Metropolitan Police Authority.**

- (1) There shall be a police authority for the metropolitan police district.
- (2) The police authority established under this section shall be a body corporate to be known as the Metropolitan Police Authority.

### **Textual Amendments**

- F6** Ss. 5A-5B 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](#)

### **5C Membership etc of the Metropolitan Police Authority.**

- (1) The Metropolitan Police Authority shall consist of twenty three members (subject to subsection (2)).
- (2) The Secretary of State may by order provide that the number of members of the Metropolitan Police Authority shall be a specified odd number not less than seventeen.
- (3) Before making an order under subsection (2) which reduces the number of members of the Metropolitan Police Authority, the Secretary of State shall consult—
  - (a) the Greater London Authority; [<sup>F7</sup> and ]
  - (b) the Metropolitan Police Authority; <sup>F8</sup>...
  - <sup>F8</sup>(c) .....
- (4) An order under subsection (2) which reduces the number of members of the Metropolitan Police Authority may include provision as to the termination of the appointment of the existing members of the Metropolitan Police Authority and the making of new appointments or re-appointments.

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- (5) A statutory instrument containing an order under subsection (2) shall be laid before Parliament after being made.
- (6) Schedules 2A and 3 shall have effect in relation to the Metropolitan Police Authority and the appointment of its members.]

#### Textual Amendments

- F7** Word in s. 5C(3)(a) inserted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 372\(a\)](#); S.I. 2005/910, art. 3(y)
- F8** S. 5C(3)(c) and word immediately preceding it repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 372\(b\)](#); S.I. 2005/910, art. 3(y)

*[<sup>F9</sup>The metropolitan police and forces outside London]*

#### Textual Amendments

- F9** 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](#)

## 6 General functions of police authorities.

- (1) Every police authority established under section 3 shall secure the maintenance of an efficient and effective police force for its area.
- (2) In discharging its functions, every police authority established under section 3 shall have regard to—
- (a) any [<sup>F10</sup>strategic priorities determined by the Secretary of State under section 37A],
  - (b) any objectives determined by the authority under section 7,
  - (c) any performance targets established by the authority, whether in compliance with a direction under section 38 or otherwise, and
  - (d) any local policing plan issued by the authority under section 8.
- (3) In discharging any function to which a code of practice issued under section 39 relates, a police authority established under section 3 shall have regard to the code.
- (4) A police authority shall comply with any direction given to it by the Secretary of State under section 38 or 40.

[<sup>F11</sup>(5) This section shall apply in relation to the Metropolitan Police Authority as it applies in relation to a police authority established under section 3]

#### Textual Amendments

- F10** Words in s. 6(2)(a) substituted (8.11.2006) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(2), [Sch. 2 para. 7\(3\)\(a\)](#)
- F11** S. 6(5) inserted (3.7.2000) by [1999 c. 29](#), s. 311 (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/1648, art. 2, [Sch](#)

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## [<sup>F12</sup>6A Three-year strategy plans

- (1) Every police authority maintaining a police force for a police area in England and Wales shall, before the beginning of every relevant three-year period, issue a plan (“a three-year strategy plan”) which sets out the authority’s medium and long term strategies for the policing of that area during that period.
- (2) Before a three-year strategy plan for any period is issued by a police authority, a draft of a plan setting out medium and long term strategies for the policing of the authority’s area during that period must have been—
  - (a) prepared by the chief officer of police of the police force maintained by that authority; and
  - (b) submitted by him to the police authority for its consideration.
- (3) In preparing the draft plan, the chief officer of police of a police force shall have regard to the views, obtained in accordance with arrangements under section 96, of people in the police area in question.
- (4) A police authority which has issued a three-year strategy plan for any period may modify that plan at any time during that period.
- (5) It shall be the duty, in issuing, preparing or modifying a three-year strategy plan or a draft of such a plan, of every police authority or chief officer of police to have regard to the National Policing Plan in force at that time.
- (6) The Secretary of State —
  - (a) shall issue guidance to police authorities and chief officers of police as to the matters to be contained in any three-year strategy plan, and as to the form to be taken by any such plan; and
  - (b) may from time to time revise and modify that guidance;and it shall be the duty of every police authority and chief officer of police to take account of any guidance under this subsection when issuing, preparing or modifying any such plan or any draft plan prepared for the purposes of subsection (2).
- (7) Before issuing or revising any guidance under subsection (6) the Secretary of State shall consult with—
  - (a) persons whom he considers to represent the interests of police authorities;
  - (b) persons whom he considers to represent the interests of chief officers of police; and
  - (c) such other persons as he thinks fit.
- (8) A police authority which is proposing to issue or modify any plan under this section shall submit that plan, or the modifications, to the Secretary of State.
- (9) Where a police authority issues a three-year strategy plan or modifies such a plan, it shall—
  - (a) send a copy of the plan or the modified plan to the Secretary of State; and
  - (b) cause the plan or modified plan to be published;and the copy of any modified plan sent to the Secretary of State and the publication of any modified plan must show the modifications, or be accompanied by or published with a document which sets them out or describes them.
- (10) If the Secretary of State considers that there are grounds for thinking that—
  - (a) a police authority’s three-year strategy plan, or

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- (b) any proposals by a police authority for such a plan, or for the modification of such a plan,  
 may not be consistent with any National Policing Plan applicable to a financial year wholly or partly comprised in the period to which the strategy plan applies, he shall, before informing the police authority of his conclusions on whether or not it is in fact so inconsistent, consult with the persons mentioned in subsection (11).
- (11) Those persons are—
- (a) the police authority in question;
  - (b) the chief officer of police of the police force maintained by that authority;
  - (c) persons whom the Secretary of State considers to represent the interests of police authorities; and
  - (d) persons whom the Secretary of State considers to represent the interests of chief officers of police.
- (12) Before a police authority—
- (a) issues a three-year strategy plan that differs in any material respect from the draft submitted to it by the chief officer of police of the force maintained by that authority, or
  - (b) modifies its three-year strategy plan,
- it shall consult with that chief officer.
- (13) Any best value performance plan prepared by a police authority under section 6 of the Local Government Act 1999 (c. 27) for any financial year must be consistent with any three-year strategy plan which sets out the authority's current strategies for policing its area during any period which includes the whole or any part of that financial year.
- (14) The Secretary of State may by regulations make provision for—
- (a) the procedure to be followed on the submission to him of any plan or modifications for the purposes of this section; and
  - (b) the periods which are to constitute relevant three-year periods for the purposes of this section;
- and those regulations may provide for a period of less than three years to be the first period treated as a relevant three-year period for the purposes of this section.
- (15) 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

- F12** S. 6A inserted (1.10.2002 for certain purposes and 1.11.2002 in so far as not already in force) by [Police Reform Act 2002 \(c. 30\)](#), **ss. 92(1)**, 108(2)-(5); S.I. 2002/2306, {arts. 2(f)(v)}, {5(b)}

#### Modifications etc. (not altering text)

- C1** Ss. 6A(2)-(12) applied (with modifications) (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), **s. 55(2)(3)**; S.I. 2004/1572, art. 3(II)
- C2** S. 6A(14)(15) applied (with modifications) (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), **s. 55(2)(3)**; S.I. 2004/1572, art. 3(II)

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## 7 Local policing objectives.

- (1) Every police authority established under section 3 shall, before the beginning of each financial year, determine objectives for the policing of the authority's area during that year.
- (2) Objectives determined under this section may relate to matters to which objectives determined under section 37 also relate, or to other matters, but in any event shall be so framed as to be consistent with the objectives determined under that section.
- (3) Before determining objectives under this section, a police authority shall—
  - (a) consult the chief constable for the area, and
  - (b) consider any views obtained by the authority in accordance with arrangements made under section 96.

[<sup>F13</sup>(4) This section shall apply in relation to the Metropolitan Police Authority as it applies to a police authority established under section 3, but taking the reference to the chief constable for the area as a reference to the Commissioner of Police of the Metropolis]

### Textual Amendments

**F13** S. 7(4) inserted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para.70** (with **Sch. 12 para. 9(1)**); S.I. 2000/1648, art. 2, **Sch.**

## 8 Local policing plans.

- (1) Every police authority established under section 3 shall, before the beginning of each financial year, issue a plan setting out the proposed arrangements for the policing of the authority's area during the year (the local policing plan).
- (2) The local policing plan shall include a statement of the authority's priorities for the year, of the financial resources expected to be available and of the proposed allocation of those resources, and shall give particulars of—
  - (a) any objectives determined by the Secretary of State under section 37,
  - (b) any objectives determined by the authority under section 7, <sup>F14</sup> . . .
  - (c) any performance targets established by the authority, whether in compliance with a direction under section 38 or otherwise [<sup>F15</sup>, and]
  - (d) any action proposed for the purpose of complying with the requirements of Part I of the Local Government Act 1999 (best value).

[<sup>F16</sup>(2A) The local policing plan for any financial year must be consistent with any three-year strategy plan under section 6A which sets out the authority's current strategies for the policing of its area during any period which includes the whole or any part of that financial year.]

- (3) A draft of the local policing plan shall be prepared by the chief constable for the area and submitted by him to the police authority for it to consider.
- (4) Before issuing a local policing plan which differs from the draft submitted by the chief constable under subsection (3), a police authority shall consult the chief constable.

[<sup>F17</sup>(4A) It shall be the duty of a police authority and of a chief constable, in preparing, issuing or submitting any plan or draft plan under this section, to have regard to any general

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guidance given by the Secretary of State with respect to local policing plans and the drafts of such plans.

- (4B) Before giving any guidance under subsection (4A), the Secretary of State shall consult with—
- (a) persons whom he considers to represent the interests of police authorities;
  - (b) persons whom he considers to represent the interests of chief officers of police; and
  - (c) such other persons as he thinks fit.]
- (5) A police authority shall arrange for every local policing plan issued by it under this section to be published in such manner as appears to it to be appropriate, and shall send a copy of the plan to the Secretary of State.
- [<sup>F18</sup>(6) This section shall apply in relation to the Metropolitan Police Authority as it applies to a police authority established under section 3, but taking the references to the chief constable for the area as references to the Commissioner of Police of the Metropolis.]

#### Textual Amendments

- F14** Word "and" in s. 8(2) repealed (27.7.1999) by 1999 c. 27, ss. 21, 34, **Sch. 2(1)**, note
- F15** S. 8(2)(d) and word "and" immediately preceding it inserted (27.9.1999) by 1999 c. 27, s. 24(1)(b); S.I. 1999/2169, art. 3(1)
- F16** S. 8(2A) inserted (1.11.2002) by Police Reform Act 2002 (c. 30), ss. 92(2), 108(2)-(5); S.I. 2002/2306, art. 5(b)
- F17** S. 8(4A)(4B) inserted (1.10.2002) by Police Reform Act 2002 (c. 30), ss. 107, 108(2)-(5), **Sch. 7 para. 14**; S.I. 2002/2306, art. 2(g)(ii)
- F18** S. 8(6) inserted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 71** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

#### [<sup>F19</sup>8A Local policing summaries

- (1) As soon as possible after the end of each financial year, every police authority established under section 3 shall issue a report for members of the public in the authority's area on matters relating to the policing of that area for the year.
- (2) Such a report is referred to in this section as a "local policing summary".
- (3) The Secretary of State may by order specify matters which are to be included in a local policing summary.
- (4) A police authority shall arrange—
  - (a) for every local policing summary issued by it under this section to be published in such manner as appears to it to be appropriate, and
  - (b) for a copy of every such summary to be sent, by whatever means appear to the authority to be appropriate, to each person liable to pay any tax, precept or levy to or in respect of the authority.
- (5) It shall be the duty of a police authority, in preparing and publishing a local policing summary, to have regard to any guidance given by the Secretary of State about the form and content of local policing summaries and the manner of their publication.
- (6) Before making an order under subsection (3), and before giving any such guidance as is referred to in subsection (5), the Secretary of State must consult—



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- (a) persons whom he considers to represent the interests of police authorities,
  - (b) persons whom he considers to represent the interests of chief officers of police, and
  - (c) such other persons as he thinks fit.
- (7) This section shall apply in relation to the Metropolitan Police Authority as it applies to a police authority established under section 3.
- (8) A statutory instrument containing an order under subsection (3) shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

#### Textual Amendments

**F19** S. 8A inserted (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), **ss. 157, 178(8)**; S.I. 2005/1521, art. 5(2)

## 9 Annual reports by police authorities.

- (1) As soon as possible after the end of each financial year every police authority established under section 3 shall issue a report relating to the policing of the authority's area for the year.
- (2) A report issued by a police authority under this section for any year shall include an assessment of the extent to which [<sup>F20</sup>, during that year proposals have been implemented, and things have been done, in accordance with the following plans—
- (a) the three-year strategy plan issued under section 6A for the period that includes that year; and
  - (b) the local policing plan issued for that year under section 8.]
- (3) A police authority shall arrange for every report issued by it under this section to be published in such manner as appears to it to be appropriate, and shall send a copy of the report to the Secretary of State.
- [<sup>F21</sup>(4) This section shall apply in relation to the Metropolitan Police Authority as it applies to a police authority established under section 3]

#### Textual Amendments

**F20** Words in s. 9(2) substituted (1.11.2002) by [Police Reform Act 2002 \(c. 30\)](#), **ss. 92(3), 108(2)-(5)**; S.I. 2002/2306, art. 5(b)

**F21** S. 9(4) inserted (3.7.2000) by [1999 c. 29](#), s. 325, **Sch. 27 para. 72** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

## [<sup>F22</sup>9A General functions of the Commissioner of Police of the Metropolis.

- (1) The metropolitan police force shall be under the direction and control of the Commissioner of Police of the Metropolis appointed under section 9B.
- (2) In discharging his functions, the Commissioner of Police of the Metropolis shall have regard to the local policing plan issued by the Metropolitan Police Authority under section 8.]

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#### Textual Amendments

**F22** S. 9A inserted (3.7.2000) by 1999 c. 29, s. 314, (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, Sch.

### [<sup>F23</sup>9B Appointment of Commissioner of Police of the Metropolis.

- (1) There shall be a Commissioner of Police of the Metropolis.
- (2) Any appointment of a Commissioner of Police of the Metropolis shall be made by Her Majesty by warrant under Her sign manual.
- (3) A person appointed as Commissioner of Police of the Metropolis shall hold office at Her Majesty's pleasure.
- (4) Any appointment of a Commissioner of Police of the Metropolis shall be subject to regulations under section 50.
- (5) Before recommending to Her Majesty that She appoint a person as the Commissioner of Police of the Metropolis, the Secretary of State shall have regard to—
  - (a) any recommendations made to him by the Metropolitan Police Authority; and
  - (b) any representations made to him by the Mayor of London.
- (6) Any functions exercisable by the Mayor of London under subsection (5) may only be exercised by him personally.]

#### Textual Amendments

**F23** S. 9B inserted (3.7.2000) by 1999 c. 29, s. 315, (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, Sch.

### [<sup>F24</sup>9C Functions of Deputy Commissioner of Police of the Metropolis.

- (1) The Deputy Commissioner of Police of the Metropolis may exercise any or all of the powers and duties of the Commissioner of Police of the Metropolis—
  - (a) during any absence, incapacity or suspension from duty of the Commissioner,
  - (b) during any vacancy in the office of the Commissioner, or
  - (c) at any other time, with the consent of the Commissioner.
- (2) The Deputy Commissioner of Police of the Metropolis shall not have power to act by virtue of subsection (1)(a) or (b) for a continuous period exceeding three months, except with the consent of the Secretary of State.
- (3) The Deputy Commissioner of Police of the Metropolis shall also have all the powers and duties of an Assistant Commissioner of Police of the Metropolis.]

#### Textual Amendments

**F24** S. 9C inserted (3.7.2000) by 1999 c. 29, s. 316, (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, Sch.

### [<sup>F25</sup>9D Appointment of Deputy Commissioner of Police of the Metropolis.

- (1) There shall be a Deputy Commissioner of Police of the Metropolis.

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- (2) Any appointment of a Deputy Commissioner shall be made by Her Majesty by warrant under Her sign manual.
- (3) A person appointed as the Deputy Commissioner shall hold office at Her Majesty's pleasure.
- (4) Any appointment of a Deputy Commissioner shall be subject to regulations under section 50.
- (5) Before recommending to Her Majesty that She appoint a person as the Deputy Commissioner, the Secretary of State shall have regard to—
  - (a) any recommendations made to him by the Metropolitan Police Authority; and
  - (b) any representations made to him by the Commissioner.
- (6) In this section—

“the Commissioner” means the Commissioner of Police of the Metropolis;  
“Deputy Commissioner” means Deputy Commissioner of Police of the Metropolis.]

#### Textual Amendments

**F25** S. 9D inserted (3.7.2000) by 1999 c. 29, s. 317 (with Sch 12 para. 9(1)); S.I. 2000/1648, art. 2, Sch.

#### [<sup>F26</sup>9E] **Removal of Commissioner or Deputy Commissioner.**

- (1) The Metropolitan Police Authority, acting with the approval of the Secretary of State, may call upon the Commissioner of Police of the Metropolis [<sup>F27</sup> in the interests of efficiency or effectiveness, to retire or to resign ] .
- (2) Before seeking the approval of the Secretary of State under subsection (1), the Metropolitan Police Authority shall give the Commissioner of Police of the Metropolis [<sup>F28</sup>—
  - (a) an explanation in writing of the Authority's grounds for calling upon him, in the interests of efficiency or effectiveness, to retire or to resign; and
  - (b) an opportunity to make representations;and the Authority shall consider any representations made by or on behalf of the Commissioner.

The opportunity given to the Commissioner to make representations must include the opportunity to make them in person.]

[ The Metropolitan Police Authority, acting with the approval of the Secretary of State, <sup>F29</sup>(2A) may suspend the Commissioner of Police of the Metropolis from duty if—

- (a) it is proposing to consider whether to exercise its power under subsection (1) to call upon the Commissioner to retire or to resign and is satisfied that, in the light of the proposal, the maintenance of public confidence in the metropolitan police force requires the suspension; or
- (b) having been notified by the Secretary of State that he is proposing to consider whether to require the Authority to exercise that power, it is satisfied that, in the light of the Secretary of State's proposal, the maintenance of public confidence in that force requires the suspension; or

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- (c) it has exercised that power or been sent under section 42(2A) a copy of a notice of the Secretary of State’s intention to require it to exercise that power, but the retirement or resignation has not yet taken effect;
- and it shall be the duty of the Metropolitan Police Authority (without reference to the preceding provisions of this subsection) to suspend the Commissioner from duty if it is required to do so by the Secretary of State under section 42(1A).]
- (3) Where the Commissioner of Police of the Metropolis is called upon to [<sup>F30</sup> retire or resign under subsection (1), he shall retire or resign with effect from such date as the Metropolitan Police Authority may specify, or with effect from such earlier date ] as may be agreed upon between him and the Authority.
- (4) This section shall apply in relation to the Deputy Commissioner of Police of the Metropolis as it applies to the Commissioner of Police of the Metropolis.
- (5) This section is without prejudice to—
- (a) section 9B(3),
  - (b) section 9D(3),
  - (c) any regulations under section 50, or
  - (d) any regulations under the <sup>M3</sup>Police Pensions Act 1976.]

#### Textual Amendments

- F26** S. 9E inserted (3.7.2000) by 1999 c. 29, s. 318 (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, Sch.
- F27** Words in s. 9E(1) substituted (1.6.2004) by Police Reform Act 2002 (c. 30), ss. 30(1)(a), 108(2); S.I. 2004/1319, art. 2(a)
- F28** Words in s. 9E(2) substituted (1.6.2004) by Police Reform Act 2002 (c. 30), ss. 31(1), 108(2); S.I. 2004/1319, art. 2(b)
- F29** S. 9E(2A) inserted (1.6.2004) by Police Reform Act 2002 (c. 30), ss. 32(1), 108(2); S.I. 2004/1319, art. 2(c)
- F30** Words in s. 9E(3) substituted (1.6.2004) by Police Reform Act 2002 (c. 30), ss. 30(1)(b), 108(2); S.I. 2004/1319, art. 2(a)

#### Marginal Citations

- M3** 1976 c. 35.

#### [<sup>F31</sup>9F Assistant Commissioners of Police of the Metropolis.

- (1) The ranks that may be held in the metropolitan police force shall include that of Assistant Commissioner of Police of the Metropolis (“Assistant Commissioner”).
- (2) Any appointment of an Assistant Commissioner shall be made by the Metropolitan Police Authority, but subject to the approval of the Secretary of State and to regulations under section 50.
- (3) Subsections (1) to (3) of section 9E shall apply in relation to an Assistant Commissioner as they apply to the Commissioner of Police of the Metropolis [<sup>F32</sup>but with the omission in subsection (2A)—
  - (a) of paragraph (b);
  - (b) in paragraph (c), of the words from “or been sent” to “exercise that power”; and
  - (c) of the words after paragraph (c).]

*Status: Point in time view as at 08/11/2006.*

*Changes to legislation: Police Act 1996, Part I is up to date with all changes known to be in force on or before 06 August 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)*

- (4) Subsection (3) is without prejudice to—
  - (a) any regulations under section 50, or
  - (b) any regulations under the <sup>M4</sup>Police Pensions Act 1976.
- (5) An Assistant Commissioner may exercise any of the powers and duties of the Commissioner of Police of the Metropolis with the consent of the Commissioner.
- (6) Subsection (5) is without prejudice to any regulations under section 50.]

#### Textual Amendments

**F31** S. 9F inserted (3.7.2000) by 1999 c. 29, s. 319 (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, Sch.

**F32** Words in s. 9F(3) inserted (1.6.2004) by Police Reform Act 2002 (c. 30), ss. 32(3), 108(2); S.I. 2004/1319, art. 2(c)

#### Marginal Citations

**M4** 1976 c. 35.

### [<sup>F33</sup>9FA Appointment and removal of Deputy Assistant Commissioners

- (1) The ranks that may be held in the metropolitan police force shall include that of Deputy Assistant Commissioner of Police of the Metropolis (“Deputy Assistant Commissioner”).
- (2) Any appointment of a Deputy Assistant Commissioner shall be made by the Metropolitan Police Authority, but subject to the approval of the Secretary of State and to regulations under section 50.
- (3) Subsections (1) to (3) of section 9E shall apply in relation to a Deputy Assistant Commissioner as they apply in relation to the Commissioner of Police of the Metropolis.

[ A police authority maintaining a police force under section 2, acting with the approval <sup>F34</sup>(3A) of the Secretary of State, may suspend from duty the chief constable of that force if—

- (a) it is proposing to consider whether to exercise its power under subsection (2) to call upon the chief constable to retire or to resign and is satisfied that, in the light of the proposal, the maintenance of public confidence in that force requires the suspension; or
- (b) having been notified by the Secretary of State that he is proposing to consider whether to require the police authority to exercise that power, it is satisfied that, in the light of the Secretary of State’s proposal, the maintenance of public confidence in that force requires the suspension; or
- (c) it has exercised that power or been sent under section 42(2A) a copy of a notice of the Secretary of State’s intention to require it to exercise that power, but the retirement or resignation has not yet taken effect;

and it shall be the duty of a police authority maintaining such a force (without reference to the preceding provisions of this subsection) to suspend the chief constable of that force from duty if it is required to do so by the Secretary of State under section 42(1A).]

- (4) Subsection (3) of this section is without prejudice to—
  - (a) any regulations under section 50, or
  - (b) any regulations under the Police Pensions Act 1976 (c. 35).]

*Status: Point in time view as at 08/11/2006.*

*Changes to legislation: Police Act 1996, Part I is up to date with all changes known to be in force on or before 06 August 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)*

#### Textual Amendments

**F33** S. 9FA inserted (1.1.2002) by [2001 c. 16, s. 122\(1\)](#); [S.I. 2001/3736, art. 3\(a\)](#)

**F34** Words in s. 9FA(3) inserted (1.6.2004) by [Police Reform Act 2002 \(c. 30\), ss. 32\(3\), 108\(2\)](#); [S.I. 2004/1319, art. 2\(c\)](#)

### [<sup>F35</sup>9G Commanders.

- (1) The ranks that may be held in the metropolitan police force shall include that of Commander.
- (2) Any appointment of a Commander in the metropolitan police force shall be made by the Metropolitan Police Authority, but subject to the approval of the Secretary of State and to regulations under section 50.
- (3) Subsections (1) to (3) of section 9E shall apply in relation to a Commander in the metropolitan police force as they apply to the Commissioner of Police of the Metropolis [<sup>F36</sup>but with the omission in subsection (2A)—
  - (a) of paragraph (b);
  - (b) in paragraph (c), of the words from “or been sent” to “exercise that power”; and
  - (c) of the words after paragraph (c).]
- (4) Subsection (3) is without prejudice to—
  - (a) any regulations under section 50, or
  - (b) any regulations under the <sup>M5</sup>Police Pensions Act 1976.]

#### Textual Amendments

**F35** S. 9G inserted (3.7.2000) by [1999 c. 29, s. 320](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/1648, art. 2, Sch.](#)

**F36** Words in s. 9G(3) inserted (1.6.2004) by [Police Reform Act 2002 \(c. 30\), ss. 32\(3\), 108\(2\)](#); [S.I. 2004/1319, art. 2\(c\)](#)

#### Marginal Citations

**M5** [1976 c. 35.](#)

### [<sup>F37</sup>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
  - [<sup>F38</sup>(ca) Deputy Assistant Commissioner of Police of the Metropolis, and]
  - (d) Commander,

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those of [<sup>F39</sup>chief superintendent, ]superintendent, chief inspector, inspector, sergeant and constable.

- (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

- F37** 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.  
**F38** 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)  
**F39** Words in s. 9H(2) inserted (1.1.2002) by 2001 c. 16, s. 125(1); S.I. 2001/3736, art. 3(a)

## 10 General functions of chief constables.

- (1) A police force maintained under section 2 shall be under the direction and control of the chief constable appointed under section 11.
- (2) In discharging his functions, every chief constable shall have regard to the local policing plan issued by the police authority for his area under section 8.

#### Modifications etc. (not altering text)

- C3** S. 10(1) excluded (1.4.1998) by 1997 c. 50, s. 23(5); S.I. 1998/354, art. 2(2)(j)  
S. 10(1) excluded (1.1.2000) by S.I. 1999/3272, art. 2(2)

## 11 Appointment and removal of chief constables.

- (1) The chief constable of a police force maintained under section 2 shall be appointed by the police authority responsible for maintaining the force, but subject to the approval of the Secretary of State and to regulations under section 50.
- (2) Without prejudice to any regulations under section 50 or under the <sup>M6</sup>Police Pensions Act 1976, the police authority, acting with the approval of the Secretary of State, may call upon the chief constable [<sup>F40</sup> in the interests of efficiency or effectiveness, to retire or to resign ] .
- (3) Before seeking the approval of the Secretary of State under subsection (2), the police authority shall give the chief constable [<sup>F41</sup>—
- (a) an explanation in writing of the authority's grounds for calling upon him, in the interests of efficiency or effectiveness, to retire or to resign; and
  - (b) an opportunity to make representations;
- and the authority shall consider any representations made by or on behalf of the chief officer.

The opportunity given to the chief constable to make representations must include the opportunity to make them in person.]

- [<sup>F42</sup>(3A) A police authority maintaining a police force under section 2, acting with the approval of the Secretary of State, may suspend from duty the chief constable of that force if—
- (a) it is proposing to consider whether to exercise its power under subsection (2) to call upon the chief constable to retire or to resign and is satisfied that, in

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the light of the proposal, the maintenance of public confidence in that force requires the suspension; or

- (b) having been notified by the Secretary of State that he is proposing to consider whether to require the police authority to exercise that power, it is satisfied that, in the light of the Secretary of State’s proposal, the maintenance of public confidence in that force requires the suspension; or
- (c) it has exercised that power or been sent under section 42(2A) a copy of a notice of the Secretary of State’s intention to require it to exercise that power, but the retirement or resignation has not yet taken effect;

and it shall be the duty of a police authority maintaining such a force (without reference to the preceding provisions of this subsection) to suspend the chief constable of that force from duty if it is required to do so by the Secretary of State under section 42(1A).]

- (4) A chief constable who is called upon to [<sup>F43</sup> retire or resign under subsection (2), shall retire or resign with effect from such date as the police authority may specify, or with effect from such earlier date ] as may be agreed upon between him and the authority.

#### Textual Amendments

- F40** Words in s. 11(2) substituted (1.6.2004) by [Police Reform Act 2002 \(c. 30\), ss. 30\(2\)\(a\), 108\(2\); S.I. 2004/1319, art. 2\(a\)](#)
- F41** Words in s. 11(3) substituted (1.6.2004) by [Police Reform Act 2002 \(c. 30\), ss. 31\(2\), 108\(2\); S.I. 2004/1319, art. 2\(b\)](#)
- F42** S. 11(3A) inserted (1.6.2004) by [Police Reform Act 2002 \(c. 30\), ss. 32\(2\), 108\(2\); S.I. 2004/1319, art. 2\(c\)](#)
- F43** Words in s. 11(4) substituted (1.6.2004) by [Police Reform Act 2002 \(c. 30\), ss. 30\(2\)\(b\), 108\(2\); S.I. 2004/1319, art. 2\(a\)](#)

#### Marginal Citations

- M6** 1976 c. 35.

#### [<sup>F44</sup>11A Appointment and removal of deputy chief constables

- (1) Every police force maintained under section 2 shall have [<sup>F45</sup>one or more deputy chief constables].

[<sup>F46</sup>(2) The appointment of a person to be a deputy chief constable of a police force shall be made, in accordance with regulations under section 50, by the police authority responsible for maintaining that force.

- (2A) Where the police authority responsible for maintaining a police force—
  - (a) proposes to increase the number of deputy chief constables that the force has, or
  - (b) proposes to appoint a particular person to be a deputy chief constable,
 it may do so only after consultation with the chief constable and subject to the approval of the Secretary of State.]

- (3) Subsections (2) to (4) of section 11 shall apply in relation to a deputy chief constable as they apply in relation to a chief constable.][<sup>F47</sup>but with the omission in subsection (3A)

- (a) of paragraph (b);



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- (b) in paragraph (c), of the words from “or been sent” to “exercise that power”;  
and
- (c) of the words after paragraph (c).]

**Textual Amendments**

- F44** S. 11A inserted (1.1.2002) by [2001 c. 16, s. 123\(1\)](#); [S.I. 2001/3736, art. 3\(a\)](#)
- F45** Words in s. 11A(1) substituted (8.11.2006) by [Police and Justice Act 2006 \(c. 48\), s. 53\(2\), Sch. 2 para. 14\(2\)](#)
- F46** S. 11A(2)(2A) substituted for s. 11A(2) (8.11.2006) by [Police and Justice Act 2006 \(c. 48\), s. 53\(2\), Sch. 2 para. 14\(3\)](#)
- F47** Words in s. 11A(3) inserted (1.6.2004) by [Police Reform Act 2002 \(c. 30\), ss. 32\(4\), 108\(2\)](#); [S.I. 2004/1319, art. 2\(c\)](#)

**12 Assistant chief constables.**

- (1) The ranks that may be held in a police force maintained under section 2 shall include that of assistant chief constable; and in every such police force there shall be at least one person holding that rank.
- (2) Appointments and promotions to the rank of assistant chief constable shall be made, in accordance with regulations under section 50, by the police authority after consultation with the chief constable and subject to the approval of the Secretary of State.
- (3) Subsections (2) [<sup>F48</sup> to ] (4) of section 11 shall apply to an assistant chief constable as they apply to a chief constable. [<sup>F49</sup>but with the omission in subsection (3A) —
  - (a) of paragraph (b);
  - (b) in paragraph (c), of the words from “or been sent” to “exercise that power”;  
and
  - (c) of the words after paragraph (c).]

- <sup>F50</sup>(4) .....
- <sup>F51</sup>(5) .....
- <sup>F52</sup>(6) .....

**Textual Amendments**

- F48** Word in s. 12(3) substituted (1.6.2004) by [Police Reform Act 2002 \(c. 30\), ss. 32\(5\)\(a\), 108\(2\)](#); [S.I. 2004/1319, art. 2\(c\)](#)
- F49** Words in s. 12(3) inserted (1.6.2004) by [Police Reform Act 2002 \(c. 30\), ss. 32\(5\)\(b\), 108\(2\)](#); [S.I. 2004/1319, art. 2\(c\)](#)
- F50** S. 12(4)-(6) repealed (1.1.2002) by [2001 c. 16, ss. 124\(1\), 137, Sch. 7 Pt. IV](#); [S.I. 2001/3736, art. 3\(a\)\(c\)](#)
- F51** S. 12(4)-(6) repealed (1.1.2002) by [2001 c. 16, ss. 124\(1\), 137, Sch. 7 Pt. IV](#); [S.I. 2001/3736, art. 3\(a\)\(c\)](#)
- F52** S. 12(4)-(6) repealed (1.1.2002) by [2001 c. 16, ss. 124\(1\), 137, Sch. 7 Pt. IV](#); [S.I. 2001/3736, art. 3\(a\)\(c\)](#)

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## [<sup>F53</sup>12A Power of deputy to exercise functions of chief constable

- (1) [<sup>F54</sup>The appropriate deputy chief constable] of a police force may exercise or perform any or all of the powers or duties of the chief constable of that force—
- (a) during any absence, incapacity or suspension from duty of the chief constable,
  - (b) during any vacancy in the office of the chief constable, or
  - (c) at any other time, with the consent of the chief constable.

[ The appropriate deputy chief constable for the purposes of subsection (1) is—

- <sup>F55</sup>(1A) (a) in the case of a police force that has only one deputy chief constable, the deputy chief constable;
- (b) in the case of a police force that has more than one deputy chief constable, the most senior deputy chief constable.

(1B) The chief constable of a police force that has more than one deputy chief constable shall, after consulting the police authority responsible for maintaining the force, designate the deputy chief constables in order of seniority for the purposes of subsection (1A)(b).

(1C) During any absence, incapacity or suspension from duty of the person who—

- (a) is designated as the most senior deputy chief constable for the purposes of subsection (1A)(b), or
- (b) is treated under this subsection as the most senior deputy chief constable,

the person designated as the next most senior deputy chief constable shall be treated as the most senior one for those purposes.]

[<sup>F56</sup>(2) The chief constable of a police force shall, after consulting the police authority responsible for maintaining the force, designate a person holding the rank of assistant chief constable in that force to exercise or perform any or all of the powers or duties of the chief constable during any period when—

- (a) the chief constable is absent, incapacitated or suspended from duty and—
  - (i) the deputy chief constable, or each of the deputy chief constables, is also absent, incapacitated or suspended from duty, or
  - (ii) the office of the deputy chief constable, or of each of the deputy chief constables, is vacant;

or

- (b) the office of the chief constable is vacant and—
  - (i) the office of the deputy chief constable, or of each of the deputy chief constables, is also vacant, or
  - (ii) the deputy chief constable, or each of the deputy chief constables, is absent, incapacitated or suspended from duty.]

(3) Only one person shall be authorised to act at any one time by virtue of a designation under subsection (2).

(4) The power to act by virtue of subsection (1)(a) or (b) or subsection (2) shall not be exercisable for a continuous period exceeding three months except with the consent of the Secretary of State.

(5) The provisions of [<sup>F57</sup>subsections (1) to (2)] shall be without prejudice to any other enactment that makes provision for the exercise by any other person of powers conferred on a chief constable.]

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#### Textual Amendments

- F53** S. 12A inserted (1.1.2002) by 2001 c. 16, s. 124(2); S.I. 2001/3736, art. 3(a)
- F54** Words in s. 12A(1) substituted (8.11.2006) by Police and Justice Act 2006 (c. 48), s. 53(2), Sch. 2 para. 15(2)
- F55** Ss. 12A(1A)-(1C) inserted (8.11.2006) by Police and Justice Act 2006 (c. 48), s. 53(2), Sch. 2 para. 15(3)
- F56** S. 12A(2) substituted (8.11.2006) by Police and Justice Act 2006 (c. 48), s. 53(2), Sch. 2 para. 15(4)
- F57** Words in s. 12A(5) substituted (8.11.2006) by Police and Justice Act 2006 (c. 48), s. 53(2), Sch. 2 para. 15(5)

### 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 [<sup>F58</sup>, deputy chief constable] and assistant chief constable, the ranks of [<sup>F59</sup>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

- F58** Words in s. 13(1) inserted (1.1.2002) by 2001 c. 16, s. 123(2)(a); S.I. 2001/3736, art. 3(a)
- F59** Words in s. 13(1) inserted (1.1.2002) by 2001 c. 16, s. 125(2); S.I. 2001/3736, art. 3(a)

### 14 Police fund.

- (1) Each police authority established under section 3 shall keep a fund to be known as the police fund.
- (2) Subject to any regulations under the Police Pensions Act 1976, all receipts of the police authority shall be paid into the police fund and all expenditure of the authority shall be paid out of that fund.
- (3) Accounts shall be kept by each police authority of payments made into or out of the police fund.
- [<sup>F60</sup>(4) This section shall apply in relation to [<sup>F60</sup>the Metropolitan Police Authority as it applies in relation to a police authority established under section 3.]

#### Textual Amendments

- F60** S. 14(4) inserted (3.7.2000) by 1999 c. 29, s. 325, Sch. 27 para. 73 (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, Sch.

*Status: Point in time view as at 08/11/2006.*

*Changes to legislation: Police Act 1996, Part I is up to date with all changes known to be in force on or before 06 August 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)*

## 15 Civilian employees.

- (1) A police authority established under section 3 may employ persons to assist the police force maintained by it or otherwise to enable the authority to discharge its functions.
  - (2) A police authority shall exercise its powers under section 101 (and section 107) of the <sup>M7</sup>Local Government Act 1972 so as to secure that, subject to subsection (3) below, any person employed by the authority under this section is under the direction and control of the chief constable of the police force maintained by the authority.
  - (3) Subsection (2) shall not apply to such of the persons employed by the authority as may be agreed between the chief constable and the authority or, in the absence of agreement, as may be determined by the Secretary of State.
  - (4) The powers of direction and control referred to in subsection (2) include the powers of engagement and dismissal.
- [<sup>F61</sup>(5) This section shall apply in relation to the Metropolitan Police Authority as it applies in relation to a police authority established under section 3.]

### Textual Amendments

**F61** S. 15(5) inserted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 73(4)** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

### Marginal Citations

**M7** 1976 c. 35.

## 16 Appointment of clerk.

- <sup>F62</sup>(1) A police authority established under section 3 shall appoint a person to be the clerk to the authority.
- [<sup>F63</sup>(2) The Metropolitan Police Authority shall appoint a person to be the clerk to the Metropolitan Police Authority.]

### Textual Amendments

**F62** S. 16 renumbered as s. 16(1) (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. 325, **Sch. 27 para. 75(2)** (with Sch. 12 para. 9(1)); S.I. 2000/1095, **arts. 4-6**

**F63** S. 16(2) inserted (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. 325, **Sch. 27 para. 75(3)** (with Sch. 12 para. 9(1)); S.I. 2000/1095, **arts. 4-6**

### Modifications etc. (not altering text)

**C4** S. 16 applied (10.5.2000) by S.I. 2000/1095, **art. 6(5)(b)**

## 17 Appointment of persons not employed by police authorities.

- <sup>F64</sup>(1) Where a police authority established under section 3 is required or authorised by any Act—

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*Changes to legislation: Police Act 1996, Part I is up to date with all changes known to be in force on or before 06 August 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)*

- (a) to appoint a person to a specified office under the authority, or
  - (b) to designate a person as having specified duties or responsibilities,
- then, notwithstanding any provision of that Act to the contrary, the authority may appoint or designate either a person employed by the authority under section 15, or a person not holding any office or employment under the authority.

[<sup>F65</sup>(2) This section shall apply to the Metropolitan Police Authority as it applies to a police authority established under section 3.]

#### Textual Amendments

**F64** S. 17 renumbered as s. 17(1) (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. 325, **Sch. 27 para. 76(2)** (with **Sch. 12 para. 9(1)**); S.I. 2000/1095, **arts. 4-6**

**F65** S. 17(2) inserted (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. 325, **Sch. 27 para. 76(3)** (with **Sch. 12 para. 9(1)**); S.I. 2000/1095, **arts. 4-6**

#### [<sup>F66</sup>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)—

- (a) shall apply, with the modification set out in subsection (2), to a police authority established under section 3 of this Act and to the Metropolitan Police Authority as they apply to a local authority; and
- (b) shall also apply with that modification 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.

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

#### Textual Amendments

**F66** 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)**

#### 19 Approval of decisions about precepts.

(1) A police authority established under section 3 shall not—

- (a) issue a precept under section 40 of the <sup>M8</sup>Local Government Finance Act 1992, or
- (b) make the calculations required by section 43 of that Act, except by a decision of the authority which complies with subsection (2) below.

(2) A decision complies with this subsection only if the members approving it—

- (a) constitute at least half of the total membership at the time of the decision, and
- (b) include more than half of the members (at that time) appointed under paragraph 2 of Schedule 2.

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#### Marginal Citations

M8 1992 c. 14.

## 20 Questions on police matters at council meetings.

- (1) Every relevant council shall make arrangements (whether by standing orders or otherwise) for enabling questions on the discharge of the functions of a police authority [<sup>F67</sup>established under section 3] to be put by members of the council at a meeting of the council for answer by a person nominated by the authority for that purpose.
- (2) On being given reasonable notice by a relevant council of a meeting of that council at which questions on the discharge of the police authority's functions are to be put, the police authority shall nominate one or more of its members to attend the meeting to answer those questions.
- (3) In this section "relevant council" has the same meaning as in Schedule 2.

#### Textual Amendments

F67 Words in s. 20(1) inserted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 78** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

## [<sup>F68</sup>20A Questions on metropolitan police matters at London Assembly meetings.

- (1) The London Assembly shall make arrangements (whether by standing orders or otherwise) for enabling questions on the discharge of the functions of the Metropolitan Police Authority to be put by members of the Assembly at a meeting of the Assembly for answer by a person nominated by the Metropolitan Police Authority for that purpose.
- (2) On being given reasonable notice by the London Assembly of a meeting of the Assembly at which questions on the discharge of the Metropolitan Police Authority's functions are to be put, the Metropolitan Police Authority shall nominate one or more of its members to attend the meeting to answer those questions.]

#### Textual Amendments

F68 S. 20A inserted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 78** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

## 21 Application of certain provisions to police authorities.

- (1) Any relevant legislative provision which, immediately before 21st July 1994, applied to police authorities constituted in accordance with section 2 of the <sup>M9</sup>Police Act 1964 shall, except where the context otherwise requires, apply in the same way to police authorities established under section 3 above.
- (2) Subsection (1) is subject to any provision to the contrary made—
  - (a) by this Act, or

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- (b) by any other Act passed, or subordinate legislation made, on or after 21st July 1994.
- (3) For the purposes of subsection (1), a provision is a “relevant legislative provision” if it is a provision (other than a provision which applies only to specified police authorities) of an instrument which—
  - (a) was made before 21st July 1994 under a public general Act, and
  - (b) is of a legislative character.

**Marginal Citations**

**M9** 1964 c. 48.

*General provisions*

**22 Reports by chief constables to police authorities.**

- (1) Every [<sup>F69</sup>chief officer of police of a police force] shall, as soon as possible after the end of each financial year, submit to the police authority a general report on the policing during that year of the area for which his force is maintained.
- (2) A [<sup>F69</sup>chief officer] 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) The [<sup>F69</sup>chief officer of police] of a police force shall, whenever so required by the police authority, submit to that authority a report on such matters as may be specified in the requirement, being matters connected with the policing of the area for which the force is maintained.
- (4) A report submitted under subsection (3) shall be in such form as the police authority may specify.
- (5) If it appears to the [<sup>F69</sup>chief officer] 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 police authority, he may request that authority 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 police authority may arrange, or require the [<sup>F69</sup>chief officer] to arrange, for a report submitted under subsection (3) to be published in such manner as appears to the authority to be appropriate.

<sup>F70</sup>(7) .....

**Textual Amendments**

**F69** 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.**

**F70** 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.**

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## 23 Collaboration agreements.

- (1) If it appears to the chief officers of police of two or more police forces that any police functions can more efficiently or effectively be discharged by members of those forces acting jointly, they may, with the approval of the police authorities which maintain those forces, make an agreement for that purpose.
- (2) If it appears to any two or more police authorities that any premises, equipment or other material or facilities can with advantage be provided jointly for the police forces maintained by those authorities, they may make an agreement for that purpose.
- (3) Any expenditure incurred under an agreement made under this section shall be borne by the police authorities in such proportions as they may agree or as may, in the absence of agreement, be determined by the Secretary of State.
- (4) An agreement under subsection (1) or (2) may be varied or determined by a subsequent agreement.
- (5) If it appears to the Secretary of State that an agreement should be made under subsection (1), (2) or (4), he may, after considering any representations made by the parties concerned, direct those parties to enter into such an agreement under those provisions as may be specified in the direction.
- [<sup>F71</sup>(6) In subsection (1)—
  - (a) the reference to members of a police force includes a reference to special constables appointed for the area for which that force is maintained, and
  - (b) the reference to police functions includes a reference to functions with respect to training and the provision of opportunities for professional development.]
  - (7) The provisions of this section shall not prejudice the power of a police authority to act jointly, or co-operate in any other way, with any person where to do so is calculated to facilitate, or is conducive or incidental to, the discharge of any of the authority's functions.
  - [<sup>F72</sup>(7A) For the purposes of this section—
    - (a) the British Transport Police Force shall be treated as if it were a police force,
    - (b) the Chief Constable of that Force shall be treated as if he were the chief officer of police of that Force,
    - (c) “police functions” shall include the functions of the British Transport Police Force, and]
    - [<sup>F73</sup>(d) the British Transport Police Authority shall be treated as if it were the police authority maintaining that Force for the purposes of subsections (1), (2), (3), and (7).]
    - [<sup>F74</sup>(7B) For the purposes of this section—
      - (a) the Civil Nuclear Constabulary shall be treated as if it were a police force;
      - (b) the chief constable of the Civil Nuclear Constabulary shall be treated as if he were the chief officer of police of that Constabulary;
      - (c) “police functions” shall include the functions of the Civil Nuclear Constabulary; and
      - (d) the Civil Nuclear Police Authority shall be treated as if it were a police authority.]
      - [<sup>F75</sup>(8) .....



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#### Textual Amendments

- F71** S. 23(6) substituted (1.4.2002) by 2001 c. 16, ss. 99, 138(2); S.I. 2002/533, **art. 2(a)**
- F72** S. 23(7A) inserted (14.12.2001) by 2001 c. 24, ss. 101, 127(2)(f), **Sch. 7 para. 21**
- F73** S. 23(7A)(d) substituted (1.7.2004) by The British Transport Police (Transitional and Consequential Provisions) Order 2004 (S.I. 2004/1573), arts. 1, **12(4)(a)**
- F74** S. 23(7B) inserted (1.3.2005) by Energy Act 2004 (c. 20), s. 198(2), **Sch. 14 para. 7**; S.I. 2005/442, art. 2(1), Sch. 1
- F75** S. 23(8) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 69, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)

#### Modifications etc. (not altering text)

- C5** S. 23 amended (1.7.2004) by Railways and Transport Safety Act 2003 (c. 20), **Sch. 5 para. 4**; S.I. 2004/1572, art. 3(jjj)

## 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 section 10(1), be under the direction and control of the chief officer of police of that other force.
  - (4) The police authority maintaining a police force for which assistance is provided under this section shall pay to the police authority maintaining the force from which that assistance is provided such contribution as may be agreed upon between those authorities or, in the absence of any such agreement, as may be provided by any agreement subsisting at the time between all police authorities generally, or, in the absence of such general agreement, as may be determined by the Secretary of State.
- [<sup>F76</sup>(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 police authority, a police force and a chief officer of police respectively; and for that purpose the reference in subsection (3) to section 10(1) shall be construed as including a reference to section 24(2) of the Railways and Transport Safety Act 2003.]

<sup>F77</sup>(5) .....

#### Textual Amendments

- F76** 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)**
- F77** 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)

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#### Modifications etc. (not altering text)

- C6 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 police authority of charges on such scales as may be determined by that authority.
- [<sup>F78</sup>(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 [<sup>F79</sup>British Transport Police Authority] of charges on such scales as may be determined by that Authority.]
- (2) .....

#### Textual Amendments

- F78 S. 25(1A) inserted (14.12.2001) by [2001 c. 24, ss. 101, 127\(2\)\(f\)](#), [Sch. 7 para. 23](#)
- F79 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)

- C7 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 police authority 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 the authority or the chief officer of police for its area.
- (2) The power conferred on a police authority by subsection (1) includes a power to make arrangements under which a member of the police force maintained by the authority is engaged for a period of temporary service with a person or body within paragraph (a) or (b) of that subsection.
- (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 police authority 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.

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(6) A police authority may make charges for advice or assistance provided by it under this section.

<sup>F80</sup>(7) .....

(8) The provisions of this section are without prejudice to the <sup>M10</sup>Police (Overseas Service) Act 1945 <sup>F81</sup> . . . .

**Textual Amendments**

**F80** 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.**

**F81** 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**

**M10** 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 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.

**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) Without prejudice to subsection (2), 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, the police authority that maintains a police force shall be treated as the employer of any police cadets undergoing training with the force.

<sup>F82</sup>(4) .....

**Textual Amendments**

**F82** 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.**

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## 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—

- <sup>F83</sup>(a) . . . . .
- (b) <sup>F84</sup> . . . before a justice of the peace having jurisdiction within the police area.

### Textual Amendments

- F83** 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.**
- F84** 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.**

### Modifications etc. (not altering text)

- C8** 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)
- C9** 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)

## 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.
- (2) A special constable shall have all the powers and privileges of a constable in the police area for which he is appointed and, where the boundary of that area includes the coast, in the adjacent United Kingdom waters.
- (3) Without prejudice to subsection (2), a special constable appointed for a police area shall have all the powers and privileges of a constable—
  - (a) in the case of a special constable appointed for a police area other than the City of London police area, in any other police area which is contiguous to his own police area; and
  - (b) in the case of a special constable appointed for the City of London police area, in the metropolitan police district and in any police area which is contiguous to that district.
- [<sup>F85</sup>(3A) A member of the British Transport Police Force who is for the time being required by virtue of section 23 or 24 to serve with a police force maintained by a police authority shall have all the powers and privileges of a member of that police force.]
- (4) A special constable who is for the time being required by virtue of section 23 or 24 to serve with another police force shall have all the powers and privileges of a constable in any area in which special constables appointed for the area for which that force is maintained have those powers and privileges under this section.
- (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;

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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

**F85** S. 30(3A) inserted (14.12.2001) by 2001 c. 24, ss. 101, 127(2)(f), Sch. 7 para. 24

#### Modifications etc. (not altering text)

**C10** 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)

### 31 Rewards for diligence.

A police authority may, on the recommendation of the chief officer of police, grant out of the police fund to members of the police force maintained by that authority rewards for exceptional diligence or other specially meritorious conduct.

#### *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 police authority for each of the areas<sup>F86</sup> . . . affected by them, or
  - (b) it appears to him to be expedient to make the alterations in the interests of efficiency or effectiveness.
- (4) The Secretary of State shall exercise his power to make orders under this section in such a way as to ensure 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.

<sup>F87</sup>(5) . . . . .

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#### Textual Amendments

- F86** 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.**
- F87** 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 police authority for every area<sup>F88</sup> . . . 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,
  - <sup>F89</sup>[(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—
- (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

- F88** 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.**
- F89** 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.**

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### **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—
  - (a) provision as to the membership of a police authority;
  - (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.
- (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 <sup>M11</sup>London Government Act 1963 (extent of metropolitan police district), and
  - (b) to amend any other enactment, and any instrument made under any enactment, where the amendment is consequential on any provision of the order.
- (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.
- (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.

#### **Marginal Citations**

**M11** 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.

**Status:**

Point in time view as at 08/11/2006.

**Changes to legislation:**

Police Act 1996, Part I is up to date with all changes known to be in force on or before 06 August 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.