

Status: Point in time view as at 01/06/2004.

Changes to legislation: Police Act 1996, Cross Heading: The metropolitan police and forces outside London is up to date with all changes known to be in force on or before 17 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



Police Act 1996

1996 CHAPTER 16

PART I

ORGANISATION OF POLICE FORCES

[^{F1}The metropolitan police and forces outside London]

Textual Amendments

F1 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 objectives determined by the Secretary of State under section 37,
 - (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.

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[^{F2}(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

F2 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

[^{F3}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.

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- (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
 - (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.]

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Textual Amendments

F3 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)}

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.
- [^{F4}(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

F4 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, ^{F5} . . .
 - (c) any performance targets established by the authority, whether in compliance with a direction under section 38 or otherwise [^{F6}, and]
 - (d) any action proposed for the purpose of complying with the requirements of Part I of the Local Government Act 1999 (best value).
- [^{F7}(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.]

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- (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.
- [^{F8}(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 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.
- [^{F9}(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

- F5** Word "and" in s. 8(2) repealed (27.7.1999) by 1999 c. 27, ss. 21, 34, **Sch. 2(1)**, note
- F6** 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)
- F7** 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)
- F8** 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)
- F9** 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.**

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 [^{F10} 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.]

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- (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.

[^{F11}(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

- F10** 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\(b\)](#)
- F11** [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.](#)

[^{F12}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.]

Textual Amendments

- F12** [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.](#)

[^{F13}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

- F13** [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.](#)

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[^{F14}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

F14 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.

[^{F15}9D **Appointment of Deputy Commissioner of Police of the Metropolis.**

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

F15 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.

[^{F16}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 [^{F17} in the interests of efficiency or effectiveness, to retire or to resign] .

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- (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 ^{F18}—
- (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, ^{F19}(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
- (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 ^{F20} 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 ^{M1}Police Pensions Act 1976.]

Textual Amendments

F16 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.

F17 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)

F18 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)

F19 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)

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F20 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

M1 1976 c. 35.

[^{F21}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 [^{F22}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 ^{M2}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

F21 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.**

F22 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

M2 1976 c. 35.

[^{F23}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.

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- (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 [^{F24}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) 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).]

Textual Amendments

F23 S. 9FA inserted (1.1.2002) by 2001 c. 16, s. 122(1); S.I. 2001/3736, art. 3(a)

F24 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)

[^{F25}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 [^{F26}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 ^{M3}Police Pensions Act 1976.]

Textual Amendments

F25 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.

F26 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

M3 1976 c. 35.

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[^{F27}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
 - ^{F28}(ca) Deputy Assistant Commissioner of Police of the Metropolis, and
 - (d) Commander,those of [^{F29}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

- F27** 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.
F28 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)
F29 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)

- C1** 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 ^{M4}Police Pensions Act 1976, the police authority, acting with the approval of the Secretary of State, may call upon the chief constable [^{F30} 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 [^{F31}—

Status: Point in time view as at 01/06/2004.

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(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.]

[^{F32}(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 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 [^{F33} 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

F30 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\(a\)](#)

F31 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\(b\)](#)

F32 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\(c\)](#)

F33 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

M4 1976 c. 35.

[^{F34}11A Appointment and removal of deputy chief constables

(1) Every police force maintained under section 2 shall have a deputy chief constable.

(2) The appointment of a person to be the 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, but only after consultation with the chief constable and subject to the approval of the Secretary of State.

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- (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 [^{F35}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).]

Textual Amendments

- F34** S. 11A inserted (1.1.2002) by 2001 c. 16, s. 123(1); S.I. 2001/3736, art. 3(a)
- F35** 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) [^{F36} to] (4) of section 11 shall apply to an assistant chief constable as they apply to a chief constable [^{F37}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).]

^{F38}(4)

^{F39}(5)

^{F40}(6)

Textual Amendments

- F36** 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)
- F37** 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)
- F38** 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)
- F39** 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)
- F40** 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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[^{F41}12A Power of deputy to exercise functions of chief constable

- (1) A 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.
- (2) A police authority responsible for maintaining a police force may 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 of that force—
 - (a) during any absence, incapacity or suspension from duty of both the chief constable and the deputy chief constable, or
 - (b) during any vacancy in the offices of both the chief constable and the deputy chief constable.
- (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 subsections (1) and (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.]

Textual Amendments
F41 S. 12A inserted (1.1.2002) by 2001 c. 16, s. 124(2); S.I. 2001/3736, art. 3(a)

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 [^{F42}, deputy chief constable] and assistant chief constable, the ranks of [^{F43}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
F42 Words in s. 13(1) inserted (1.1.2002) by 2001 c. 16, s. 123(2)(a); S.I. 2001/3736, art. 3(a)
F43 Words in s. 13(1) inserted (1.1.2002) by 2001 c. 16, s. 125(2); S.I. 2001/3736, art. 3(a)

Status: Point in time view as at 01/06/2004.

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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.
- [^{F44}(4) 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

F44 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.**

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 ^{M5}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.
- [^{F45}(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

F45 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

M5 1976 c. 35.

16 Appointment of clerk.

- ^{F46}(1) A police authority established under section 3 shall appoint a person to be the clerk to the authority.

Status: Point in time view as at 01/06/2004.

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[^{F47}(2) The Metropolitan Police Authority shall appoint a person to be the clerk to the Metropolitan Police Authority.]

Textual Amendments

- F46** 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**
- F47** 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)

- C2** S. 16 applied (10.5.2000) by S.I. 2000/1095, **art. 6(5)(b)**

17 Appointment of persons not employed by police authorities.

[^{F48}(1) Where a police authority established under section 3 is required or authorised by any Act—

- (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.

[^{F49}(2) This section shall apply to the Metropolitan Police Authority as it applies to a police authority established under section 3.]

Textual Amendments

- F48** 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**
- F49** 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**

[^{F50}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.]

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Textual Amendments

F50 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 ^{M6}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.

Marginal Citations

M6 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 [^{F51}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

F51 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.**

[^{F52}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.

Status: Point in time view as at 01/06/2004.

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- (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

F52 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 ^{M7}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
 - (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

M7 1964 c. 48.

Status:

Point in time view as at 01/06/2004.

Changes to legislation:

Police Act 1996, Cross Heading: The metropolitan police and forces outside London is up to date with all changes known to be in force on or before 17 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.