



Police (Insurance of Voluntary Assistants) Act 1997

1997 CHAPTER 45

An Act to provide for the insurance by police authorities and the Receiver for the Metropolitan Police District of persons providing voluntary assistance for police purposes. [21st March 1997]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Power of police authorities to insure voluntary assistants

- (1) Section 146A of the Local Government Act 1972 (which treats certain other bodies as local authorities for the purposes of specified provisions of Part VII of that Act) is amended as follows.
- (2) In subsection (1A)(a), for “139, 140A or 140C” there is substituted “or 139”.
- (3) After subsection (1A) there is inserted—
 - “(1B) In their application by virtue of subsection (1) above to a police authority established under section 3 of the Police Act 1996, sections 140A and 140C above shall have effect as if—
 - (a) in the definition of “voluntary assistant” in section 140A(2), the reference to the request of the local authority or an authorised officer of the local authority included a reference to the request of a member of the police force maintained by the police authority, and
 - (b) section 140C(1)(a) were omitted.
 - (1C) For the purposes of section 140A above as it applies to a police authority established under section 3 of the Police Act 1996, a special constable acting as such is not to be treated as a voluntary assistant.”

2 Insurance of voluntary assistants of metropolitan police force

- (1) The Receiver may enter into a contract of insurance of class 1 in Part I of Schedule 2 to the Insurance Companies Act 1982 (accident insurance) against risks of any voluntary assistant meeting with a personal accident, whether fatal or not, while engaged as such, or suffering from any disease or sickness, whether fatal or not, as a result of being so engaged.
- (2) Any sum received under a contract of insurance made by virtue of subsection (1) shall, after deduction of any expenses incurred in the recovery of the sum, be paid by the Receiver to, or to the personal representatives of, the voluntary assistant who suffered the accident, disease or sickness in respect of which the sum is received or to such other person as the Receiver considers appropriate having regard to the circumstances of the case; and a sum paid to any person other than the assistant or his personal representatives shall be applied by that person in accordance with any directions given by the Receiver for the benefit of any dependant of the voluntary assistant.
- (3) The provisions of the Life Assurance Act 1774 shall not apply to any such contract.
- (4) Section 119 of the Local Government Act 1972 (payments due to deceased officers) shall apply, subject to the necessary modifications, to any sum which is due from the Receiver by virtue of subsection (2) above and does not exceed the amount for the time being specified in subsection (1) of that section.
- (5) In this section—
 - “the Receiver” means the Receiver for the Metropolitan Police District;
 - “the Commissioner” means the Commissioner of Police of the Metropolis;
 - “voluntary assistant” means a person who, at the request of the Secretary of State, the Commissioner or any member of the metropolitan police force, performs any service or does anything otherwise than for payment by the Receiver (except by way of reimbursement of expenses), for the purposes of, or in connection with, the carrying out of any of the functions of the Commissioner, but does not include a special constable acting as such.

3 Consequential amendment

In Part I of Schedule 2 to the Insurance Companies Act 1982 (classes of general business), in entry number 1, in the third column, after “section 140, 140A or 140B of the Local Government Act 1972” there is inserted “or section 2 of the Police (Insurance of Voluntary Assistants) Act 1997”.

4 Short title and extent

- (1) This Act may be cited as the Police (Insurance of Voluntary Assistants) Act 1997.
- (2) This Act extends to England and Wales only.