



# Police Act 1964

## 1964 CHAPTER 48

### PART I

#### ORGANISATION OF POLICE FORCES

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

**C1** Pt. I(ss. 1-27) restricted (6.3.1992) by [Local Government Act 1992 \(c. 19\), s. 18\(4\)\(a\)](#)

#### *County, county borough and combined forces*

### **1 Police areas.**

[<sup>F1</sup>(1) Subject to the provisions of this Act, a police force shall be maintained—

- (a) for every county in England and Wales which is not comprised in a combined area constituted by an amalgamation scheme or in the Northumbria police area;
- (b) for every combined area constituted by an amalgamation scheme; and
- (c) for the Northumbria police area.

(1A) For the purposes of this Act the Northumbria police area shall consist of the county of Tyne and Wear and the county of Northumberland.]

(2) ..... <sup>F2</sup>

(4) For the purposes of this section, any part of a county which is for the time being comprised in the metropolitan police district shall be treated as not forming part of that county.

##### Textual Amendments

**F1** [S.1\(1\)\(1A\)](#) substituted for section 1(1) by [Local Government Act 1985 \(c. 51, SIF 81:1\), s. 37, Sch. 11 para. 1\(1\)](#)

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

**F2** Ss. 1(2)(3), 2(3), 8(5) repealed by Local Government Act 1972 (c. 70), **Sch. 30**

**2 Police authorities for counties and county boroughs.**

- (1) The police authority for [<sup>F3</sup>a police area consisting of a non-metropolitan county] . . .  
<sup>F4</sup> shall be a committee of the council of the county . . . <sup>F4</sup> constituted in accordance with the provisions of this section, to be known . . . <sup>F4</sup> as the police committee . . . <sup>F4</sup>
- (2) The police committee for [<sup>F5</sup>a police area consisting of a non-metropolitan county] shall consist of such number of persons as may be determined by the council of the county, and of that number—
  - (a) two thirds shall be members of the council of the county appointed by that council;
  - (b) . . . . . <sup>F6</sup>one third shall be [<sup>F7</sup>appointed from among their own number by the magistrates for the county in accordance with a scheme made by the magistrates’ courts committee for, or for an area including, the county and approved by the Secretary of State]
  - (c) . . . . . <sup>F8</sup>
- (3) . . . . . <sup>F9</sup>
- (4) The magistrates to be appointed members of a police committee . . . <sup>F4</sup> shall be appointed at such times, in such manner and for such term as may be prescribed by rules made by the Secretary of State; and the other members of a police committee . . . <sup>F4</sup> shall be appointed at such times, in such manner and for such term as may from time to time be determined by the council responsible for appointing them.
- (5) The quorum of a police committee . . . <sup>F4</sup> shall be such as may from time to time be determined by the council of the county . . . <sup>F4</sup>
- [<sup>F10</sup>(6) Section 102(5) of the <sup>M1</sup>Local Government Act 1972 shall apply to a committee appointed under this section as it applies to a committee appointed under that section.]
- (7) Any proceedings by or against a committee appointed under this section shall be brought by or against the clerk of the council or town clerk as representing that committee.

<b>Textual Amendments</b>	
<b>F3</b>	Words substituted by Local Government Act 1985 (c. 51, SIF 81:1), s. 37, <b>Sch. 11 para. 1(2)</b>
<b>F4</b>	Words repealed by Local Government Act 1972 (c. 70), <b>Sch. 30</b>
<b>F5</b>	Words substituted by Local Government Act 1985 (c. 51, SIF 81:1), s. 37, <b>Sch. 11 para. 1(3)a</b>
<b>F6</b>	Words inserted by Local Government Act 1972 (c. 70, SIF81:1), <b>Sch. 27 para. 18</b> and are repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 37, 102, <b>Sch. 11 para. 1(3)(c)</b> , Sch. 17
<b>F7</b>	Words substituted by Courts Act 1971 (c. 23), <b>s. 53(5)</b> , (6)
<b>F8</b>	Para. (c) inserted by Local Government Act 1972 (c. 70, SIF81:1), <b>Sch. 27 para. 18</b> and are repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 37, 102, <b>Sch. 11 para. 1(3)(c)</b> , Sch. 17
<b>F9</b>	Ss. 1(2)(3), 2(3), 8(5) repealed by Local Government Act 1972 (c. 70), <b>Sch. 30</b>
<b>F10</b>	S. 2(6) substituted by Local Government Act 1972 (c. 70), <b>s. 196(2)</b>
<b>Modifications etc. (not altering text)</b>	
<b>C2</b>	Reference to clerk of the council and town clerk to be construed as reference to the proper officer of the county council: Local Government Act 1972 (c. 70), <b>Sch. 29 Pt. I para. 4</b>

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

**C3** S. 2 excluded by [S.I. 1973/734, art. 3](#)

#### Marginal Citations

**M1** [1972 c. 70.](#)

### [<sup>F11</sup>2A **Police authorities for metropolitan counties and Northumbria police area.**

The police authority for a police area consisting of a metropolitan county shall be the metropolitan county police authority constituted in accordance with the provisions of Part IV of the Local Government Act 1985; and the police authority for the Northumbria police area shall be the Northumbria Police Authority constituted in accordance with those provisions.]

#### Textual Amendments

**F11** S. 2A inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\), s. 37, Sch. 11 para. 1\(4\)](#)

### **3 Police authorities for combined areas.**

- (1) The police authority for a combined area shall be the combined police authority constituted for the purpose in accordance with the provisions of the relevant amalgamation scheme; and every such authority shall, subject to subsection (4) of this section, be a body corporate by such name as may be prescribed by the scheme.
- (2) A combined police authority shall be appointed in such manner, and shall consist of such number of persons, as may be prescribed by the amalgamation scheme; and of the number of persons so prescribed—
  - (a) two thirds shall be members of the constituent councils;
  - (b) one third shall be magistrates for the constituent areas.
- (3) Provision may be made by an amalgamation scheme for applying, in relation to the constitution and proceedings of the combined police authority and in relation to the officers of that authority, any of the provisions of [<sup>F12</sup>Parts V and VI and sections 112 to 119 of the <sup>M2</sup>Local Government Act 1972 ]subject to such modifications as may be prescribed by the scheme.

[<sup>F13</sup>(3A) Meetings of a combined police authority which is (as well as one which is not) a body corporate are open to the public, and documents relating to such meetings are open to inspection by the public, in accordance with the provisions of Part VA of the Local Government Act 1972.]

- (4) If the constituent councils request that the combined police authority to be constituted by an amalgamation scheme should be a committee of one of those councils, the scheme shall constitute the combined police authority a committee of that council instead of a body corporate; and the provisions of Schedule 1 to this Act shall have effect with respect to such a scheme and a combined police authority so constituted.

#### Textual Amendments

**F12** Words substituted by virtue of [Local Government Act 1972 \(c. 70\), s. 272\(2\)](#)

**F13** [S. 3\(3A\)](#) inserted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\), s. 3, Sch. 2 para. 5](#)

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

### Marginal Citations

M2 1972 c. 70.

VALID FROM 21/07/1994

### <sup>F14</sup>3A Membership of police authorities etc.

- (1) Subject to subsection (2) of this section, each police authority established under section 3 of this Act 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 made under subsection (2) of this section shall be laid before Parliament after being made.
- (4) Schedules 1B and 1C to this Act shall have effect in relation to police authorities established under section 3 and the appointment of their members.]

### Textual Amendments

**F14** Ss. 3A, 3B inserted (21.7.1994 and 8.8.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, ss. 3(1), 94(3)(a); S.I. 1994/2025, art. 4(2)(b); S.I. 1994/3262, art. 4, Sch.

VALID FROM 21/07/1994

### <sup>F15</sup>3B Reductions in size of police authorities.

- (1) This section applies to any order under subsection (2) of section 3A of this Act 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,
  - (b) the councils which are relevant councils in relation to the authority for the purposes of Schedule 1B to this Act, and
  - (c) any panel (or magistrates' courts committee) which is responsible, or is represented on a joint committee which is responsible, for the appointment of members of the authority.
- (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.

**Status:** Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)

### Textual Amendments

**F15** Ss. 3A, 3B inserted (21.7.1994 and 8.8.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, ss. 3(1), 94(3)(a); S.I. 1994/2025, art. 4(2)(b); S.I. 1994/3262, art. 4, Sch.

## 4 General functions of police authorities.

- (1) It shall be the duty of the police authority for every police area for which a police force is required to be maintained by section 1 of this Act to secure the maintenance of an adequate and efficient police force for the area, and to exercise for that purpose the powers conferred on a police authority by this Act.
- (2) The police authority for every such police area shall, subject to the approval of the Secretary of State and to regulations under Part II of this Act, appoint the chief constable of the police force maintained by that authority and determine the number of persons of each rank in that force which is to constitute the establishment of the force.
- (3) The police authority for any such police area may, subject to the consent of the Secretary of State, provide and maintain such buildings, structures and premises, and make such alterations in any buildings, structures or premises already provided, as may be required for police purposes of the area.
- (4) The police authority for any such police area may, subject to any regulations under Part II of this Act, provide and maintain such vehicles, apparatus, clothing and other equipment as may be required for police purposes of the area.
- (5) A combined police authority may, if so authorised by the amalgamation scheme, make arrangements with any constituent authority for the use by the combined police authority of the services of officers of the constituent authority and the making of contracts and payments on behalf of the combined police authority by the constituent authority.

### Modifications etc. (not altering text)

**C4** S. 4 amended by S.I. 1973/734, art. 5

**C5** S. 4(2) modified by Local Government Act 1985 (c. 51, SIF 81:1), s. 85(3)

## 5 Chief constables.

- (1) The police force maintained for a police area under section 1 of this Act shall be under the direction and control of the chief constable appointed under section 4(2) of this Act.
- (2) The same person may, with the consent of the police authorities concerned, be appointed chief constable of more than one police force.
- (3) The Secretary of State shall not approve the appointment as first chief constable of a combined force of any person other than the chief constable of a police force which ceases to exist in consequence of the formation of the combined force unless the Secretary of State is satisfied, having regard to the size and character of the combined force and any exceptional circumstances, that some other person should be appointed.

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

- (4) Without prejudice to any regulations under Part II of this Act or under the [<sup>F16M3</sup>Police Pensions Act 1976], the police authority, acting with the approval of the Secretary of State, may call upon the chief constable to retire in the interests of efficiency.
- (5) Before seeking the approval of the Secretary of State under subsection (4) of this section the police authority shall give the chief constable an opportunity to make representations and shall consider any representations so made.
- (6) A chief constable who is called upon to retire as aforesaid shall retire on such date as the police authority may specify or on such earlier date as may be agreed upon between him and the police authority.

#### Textual Amendments

**F16** Words substituted by virtue of [Police Pensions Act 1976 \(c. 35\), s. 12\(3\)](#)

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

**C6** [S. 5\(1\)](#) excluded by [Police Act 1969 \(c. 63\), s. 1\(3\)](#)

#### Marginal Citations

**M3** [1976 c. 35.](#)

## 6 Deputy and assistant chief constables.

- (1) In every police force maintained under section 1 of this Act there shall be a [<sup>F17</sup>person holding the rank of]deputy chief constable, who shall have all the powers and duties of the chief constable—
  - (a) during any absence, incapacity or suspension from duty of the chief constable;
  - (b) during any vacancy in the office of chief constable;
 but shall not have power to act by virtue of this subsection for any continuous period exceeding three months except with the consent of the Secretary of State.
- (2) The provisions of subsection (1) above shall be in addition to, and not in substitution for, any other enactment which makes provision for the exercise by any other person of the powers conferred by that enactment on a chief constable.
- (3) The establishment of any such police force as aforesaid may include one or more persons holding the rank of assistant chief constable.
- (4) [<sup>F18</sup>Appointments or promotions to the rank of deputy chief constable or] assistant chief constable, shall be made, in accordance with regulations under Part II of this Act, by the police authority after consultation with the chief constable and subject to the approval of the Secretary of State.
- (5) Subsections (2), (4), (5) and (6) of section 5 of this Act shall apply to a deputy chief constable, and subsections (4), (5) and (6) of that section shall apply to an assistant chief constable, as they apply to a chief constable.

#### Textual Amendments

**F17** Words inserted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 108\(2\)\( a \)](#)

**F18** Words substituted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 108\(2\)\( b \)](#)

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

## **[<sup>F19</sup>6A Deputy chief constables— supplementary.**

- (1) Any police force maintained under section 1 of this Act may include more than one person holding the rank of deputy chief constable, but only if the additional person or persons holding that rank—
  - (a) was a deputy chief constable before a period—
    - (i) of central service; or
    - (ii) of overseas service, as defined in <sup>M4</sup>section 3 of the Police (Overseas Service) Act 1945; or
    - (iii) of service in pursuance of an appointment under <sup>M5</sup>section 10 of the Overseas Development and Co-operation Act 1980 as an officer to whom that section applied; or
  - (b) became a deputy chief constable by virtue of section 58(2) of this Act.
- (2) If there is more than one person who holds the rank of deputy chief constable in a police force maintained under section 1 of this Act, one of the persons who hold it shall be designated as the officer having the powers and duties conferred on a deputy chief constable by section 6(1) of this Act.
- (3) A person shall be designated under subsection (2) of this section by the police authority after consultation with the chief constable and subject to the approval of the Secretary of State.]

### **Textual Amendments**

**F19** S. 6A inserted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 108\(3\)](#)

### **Marginal Citations**

**M4** 1945 c.17(95)

**M5** 1980 c.63(88)

## **7 Other members of police forces.**

- (1) The ranks which may be held in a police force maintained under section 1 of this Act shall be such as may be prescribed by regulations under Part II of this Act and the ranks so prescribed shall include, in addition to chief constable [<sup>F20</sup>, deputy chief constable]and assistant chief constable, the ranks of superintendent, inspector, sergeant and constable.
- (2) Appointments and promotions to any rank below that of assistant chief constable in any such police force shall be made, in accordance with regulations under Part II of this Act, by the chief constable.

### **Textual Amendments**

**F20** Words inserted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 119\(1\), Sch. 6 para. 14](#)

## **8 Financial provisions.**

- (1) Subject to the following provisions of this section and to any regulations under the [<sup>F21M6</sup>Police Pensions Act 1976], all receipts of the police authority for a police area

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

for which a police force is maintained under section 1 of this Act shall be paid into the police fund and all expenditure of any such police authority shall be paid out of that fund.

(2) .....

<sup>F22</sup>(3) For every [<sup>F23</sup>police area consisting of a non-metropolitan county] . . . <sup>F24</sup>an account, to be known as the police account, shall be kept of all expenditure and receipts of the police authority; and every such account, [<sup>F25</sup>shall be treated for the purposes of [<sup>F26</sup>Part III of the Local Government Finance Act 1982]as though it were included among the accounts of the council of that county, . . . <sup>F27</sup>]

(4) No sum shall be paid out of the police fund for a [<sup>F28</sup>police area consisting of a non-metropolitan county] . . . <sup>F29</sup>without the approval of the council of the county . . . <sup>F30</sup>except—

- (a) any sum required for giving effect to regulations under Part II of this Act;
- (b) any sum required to satisfy any judgment or order of a court;
- (c) any sum directed to be paid out of that fund by or under any enactment other than this section, including any such enactment in this Act.

(5) ..... <sup>F31</sup>

#### Textual Amendments

- F21** Words substituted by virtue of [Police Pensions Act 1976 \(c. 35\), s. 12\(3\)](#)
- F22** [S. 8\(2\)](#) repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\), s. 194, Sch. 12](#)
- F23** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\), s. 37, Sch. 11 para. 1\(5\)](#)
- F24** Words repealed by [Local Government Act 1972 \(c. 70, SIF 81:1\), s. 272, Sch. 30](#)
- F25** Words substituted by [Local Government Act 1972 \(c. 70, SIF 81:1\), s. 196\(3\)](#)
- F26** Words substituted by [Local Government Finance Act 1982 \(c. 32, SIF 81:1\), s. 34, Sch. 5 para. 2](#)
- F27** Words repealed by [Local Government Finance Act 1982 \(c. 32, SIF 81:1\), s. 38, Sch. 6 Pt. IV](#)
- F28** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\), s. 37, Sch. 11 para. 1\(5\)](#)
- F29** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F30** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F31** [Ss. 1\(2\)\(3\), 2\(3\), 8\(5\)](#) repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)

#### Marginal Citations

- M6** [1976 c. 35.](#)

## 9 Acquisition of land.

(1) The council of any county . . . <sup>F32</sup>constituting a police area may by agreement acquire, whether by way of purchase, lease or exchange, any land which is required for the purpose of any of the functions of the police authority for the area; and [<sup>F33</sup>subsections (3) and (4) of section 120 of theLocal Government Act 1972 shall apply to the acquisition of land under this subsection as they apply to the acquisition of land under that section];

(2) The council of any such county . . . <sup>F34</sup>may be authorised by the Secretary of State to purchase compulsorily any land which is required for the purpose of any of the functions of the police authority for the county . . . <sup>F35</sup>; and the <sup>M7</sup>Acquisition of Land [<sup>F36</sup>Act 1981 shall apply to a compulsory purchase under this section], [<sup>F37</sup>and subsection (3) of section 121 of the <sup>M8</sup>Local Government Act 1972 shall apply in



*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

relation to a proposal to acquire any land in exercise of the power conferred by this subsection as it applies in relation to a proposal to acquire land in exercise of the power conferred by subsection (1) of that section].

- (3) A combined police authority shall have the same powers with respect to the acquisition of land for police purposes, and the appropriation and disposal of land, as the council of a county . . . <sup>F38</sup>; and the provisions of this section, the [<sup>F39M9</sup>Local Government Act 1972] . . . <sup>M10</sup>with respect to the acquisition, appropriation and disposal of land by such councils shall have effect accordingly as if references to the council of a county . . . <sup>F40</sup>included references to a combined police authority.
- (4) References in this Act to expenditure of a police authority or to expenses incurred for police purposes by any police authority include references to expenditure under this section by the council of a county . . . <sup>F41</sup> on behalf of a police authority.

#### Textual Amendments

- F32** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F33** Words substituted by [Local Government Act 1972 \(c. 70\), s. 196\(4\)\(a\)](#)
- F34** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F35** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F36** Words substituted by [Acquisition of Land Act 1981 \(c. 67 SIF 28:1\) s. 34, Sch. 4 para. 13](#)
- F37** Words added by [Local Government Act 1972 \(c. 70\), s. 196\(4\)\(b\)](#)
- F38** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F39** Words substituted by virtue of [Local Government Act 1972 \(c. 70\), s. 272\(2\)](#)
- F40** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F41** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)

#### Marginal Citations

- M7** [1981 c. 67.](#)
- M8** [1972 c. 70.](#)
- M9** [1972 c. 70.](#)
- M10** Words repealed by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\), s. 34, Sch. 6 Pt. I](#)

## 10 Civilian employees.

- (1) The police authority for a police area for which a police force is maintained under section 1 of this Act, and the council of any county . . . <sup>F42</sup> for which a police force is maintained under that section, may employ civilians for police purposes of the area.
- (2) . . . . . <sup>F43</sup>
- (3) References in this Act to expenditure of a police authority or to expenses incurred for police purposes by any police authority include references to expenditure under this section by the council of a county . . . . . <sup>F44</sup>.

#### Textual Amendments

- F42** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F43** [S. 10\(2\)](#) repealed by [Superannuation Act 1972 \(c. 11\), s. 29\(4\), Sch. 8](#)
- F44** Words repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

## 11 Questions on police matters by members of county and county borough councils.

Arrangements shall be made (whether by standing orders or otherwise) for enabling questions on the discharge of the functions of the police authority for [<sup>F45</sup>any non-metropolitan county], . . . <sup>F46</sup>or combined area to be put, in the course of the proceedings of the council for that county or, . . . <sup>F47</sup>as the case may be, of a constituent council, by members of that council for answer by a member thereof who is also a member of the police authority and is nominated by that authority for that purpose.

### Textual Amendments

- F45** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 37, [Sch. 11 para. 1\(6\)](#)  
**F46** Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)  
**F47** Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

VALID FROM 08/08/1994

*[<sup>F48</sup> Forces outside London]*

### Textual Amendments

- F48** [Ss. 2, 3](#) and crossheading preceding s. 2 substituted for s. 2, 2A, 3 (8.8.1994 to the extent s. 3 is substituted and 1.4.1995 otherwise) by [1994 c. 29, s. 2](#); [S.I. 1994/2025, art. 4](#); [S.I. 1994/3262, art. 4](#), [Sch.](#)

VALID FROM 01/10/1994

### <sup>F49</sup>4A Local policing objectives.

- (1) Every police authority established under section 3 of this Act 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 28A of this Act 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 it in accordance with arrangements made under section 106 of the <sup>M11</sup>Police and Criminal Evidence Act 1984 (arrangements for obtaining the views of the community on policing).

### Textual Amendments

- F49** [Ss. 4, 4A-4C](#) substituted for s. 4 (1.10.1994 for certain purposes and 1.4.1995 otherwise) by [1994 c. 29, s. 4](#); [S.I. 1994/2025, art. 6](#); [S.I. 1994/3262, art. 4](#), [Sch.](#)

**Status:** Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)

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

- C7** S. 4A restricted (12.7.1995) by S.I. 1995/1771, [art. 4\(3\)\(b\)\(ii\)](#)  
S. 4A restricted (12.7.1995) by 1995/1772, [art. 4\(3\)\(b\)\(ii\)](#)  
S. 4A restricted (12.7.1995) by 1995/1773, [art. 4\(3\)\(b\)\(ii\)](#)  
S. 4A restricted (12.7.1995) by 1995/1774, [art. 4\(3\)\(b\)\(ii\)](#)

#### Marginal Citations

- M11** 1984 c. 60.

VALID FROM 01/10/1994

#### <sup>F50</sup>**4B Local policing plans.**

- (1) Every police authority established under section 3 of this Act 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 28A of this Act,
  - (b) any objectives determined by the authority under section 4A, and
  - (c) any performance targets established by the authority, whether in compliance with a direction under section 28B or otherwise.
- (3) A draft of the local policing plan shall be prepared by the chief constable for the area and submitted by him to the 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) of this section, a police authority shall consult the chief constable.
- (5) A police authority shall arrange for the local policing plan 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.

#### Textual Amendments

- F50** Ss. 4-4C substituted for s. 4 (1.10.1994 for certain purposes and 1.4.1995 otherwise) by 1994 c. 29, [s. 4](#); S.I. 1994/2025, [art. 6](#); S.I. 1994/3262, [art. 4](#), [Sch.](#)

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

- C8** S. 4B restricted (12.7.1995) by S.I. 1995/1771, [art. 4\(3\)\(b\)\(ii\)](#)  
S. 4B restricted (12.7.1995) by S.I. 1995/1772, [art. 4\(3\)\(b\)\(ii\)](#)  
S. 4B restricted (12.7.1995) by S.I. 1995/1773, [art. 4\(3\)\(b\)\(ii\)](#)  
S. 4B restricted (12.7.1995) by S.I. 1995/1774, [art. 4\(3\)\(b\)\(ii\)](#)

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

VALID FROM 01/10/1994

**<sup>F51</sup>4C 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 under this section for any year by a police authority shall include an assessment of the extent to which the local policing plan for that year has been carried out.
- (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.

**Textual Amendments**

**F51** Ss. 4-4C substituted for s. 4 (1.10.1994 for certain purposes and 1.4.1995 otherwise) by 1994 c. 29, s. 4; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

VALID FROM 01/04/1995

**<sup>F52</sup>5A Appointment and removal of chief constables.**

- (1) The chief constable of a police force maintained under section 2 of this Act 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 Part II of this Act.
- (2) Without prejudice to any regulations under Part II of this Act or under the <sup>M12</sup>Police Pensions Act 1976, the police authority, acting with the approval of the Secretary of State, may call upon the chief constable to retire in the interests of efficiency or effectiveness.
- (3) Before seeking the approval of the Secretary of State under subsection (2) of this section, the police authority shall give the chief constable an opportunity to make representations and shall consider any representations that he makes.
- (4) A chief constable who is called upon to retire under subsection (2) of this section shall retire on such date as the police authority may specify or on such earlier date as may be agreed upon between him and the authority.

**Textual Amendments**

**F52** Ss. 5, 5A substituted for s. 5 (1.4.1995) by 1994 c. 29, s. 5; S.I. 1994/3262, art. 4, Sch.

**Marginal Citations**

**M12** 1976 c. 35.

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

VALID FROM 01/10/1994

**[<sup>F53</sup>8A Supply of goods and services.**

Subsections (1) to (3) of section 1 of the <sup>M13</sup>Local Authorities (Goods and Services) Act 1970 (supply of goods and services by local authorities) shall apply to a police authority established under section 3 of this Act as they apply to a local authority, except that in their application to a police authority the references in those subsections to a public body shall be read as references to any person.]

**Textual Amendments**

**F53** S. 8A inserted (1.10.1994 for certain purposes and 1.4.1995 for other purposes) by 1994 c. 29, s. 9; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

**Marginal Citations**

**M13** 1970 c. 39.

VALID FROM 01/10/1994

**[<sup>F54</sup>10A Appointment of clerk.**

A police authority established under section 3 of this Act shall appoint a person to be the clerk to the authority.]

**Textual Amendments**

**F54** Ss. 10A, 10B inserted (1.10.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, s. 11; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

VALID FROM 01/10/1994

**<sup>F55</sup>10B Appointment of persons not employed by police authorities.**

Where a police authority established under section 3 of this Act 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 10 of this Act, or a person not holding any office or employment under the authority.

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

### Textual Amendments

**F55** Ss. 10A, 10B inserted (1.10.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, s. 11; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

### *General provisions*

## 12 Reports by chief constables to police authorities.

- (1) Every chief constable shall, as soon as possible after the end of each calendar year, submit to the police authority a general report in writing on the policing during that year of the area for which his force is maintained.
- (2) The chief constable of a police force shall, whenever so required by the police authority, submit to that authority a report in writing 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.
- (3) If it appears to the chief constable that a report in compliance with any such requirement of the police authority 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 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.
- (4) This section applies to the City of London police force as if for references to the chief constable there were substituted references to the Commissioner.

### Modifications etc. (not altering text)

**C9** S. 12 modified by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), ss. 5, 50(2), 55(14)

## 13 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 be discharged by members of those forces acting jointly, they may, with the approval of the police authorities for the areas for which those forces are maintained, 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 default of agreement, be determined by the Secretary of State.
- (4) An agreement under subsection (1) or subsection (2) of this section 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), subsection (2) or subsection (4) of this section, he may, after

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

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.

- (6) The reference in subsection (1) of this section to members of a police force includes a reference to special constables for the area for which that force is maintained.

#### **14 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) above 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 5(1) of this Act, 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 default of any such agreement, as may be provided by any agreement subsisting at the time between all police authorities generally, or, in default of such general agreement, as may be determined by the Secretary of State.

#### **15 Provision of special services.**

- (1) The chief officer of police of any 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.
- (2) In the application of this section to the metropolitan police, for the reference in subsection (1) to the police authority there shall be substituted a reference to the Receiver for the Metropolitan Police District.

VALID FROM 21/07/1994

#### **<sup>F56F56</sup>15A 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.

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

- (2) The power conferred on a police authority by subsection (1) of this section 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) of this section 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) of this section may be given subject to such conditions as the Secretary of State thinks fit.
- (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.
- (6) A police authority may make charges for advice or assistance provided by it under this section.
- (7) In its application in relation to the metropolitan police this section shall apply—
  - (a) as if the power conferred by subsection (1) were conferred on the Commissioner of Police of the Metropolis (and accordingly as if the references in subsections (1)(b) and (2) to a police authority were omitted), and
  - (b) as if in subsection (6) the reference to a police authority were a reference to the Receiver for the Metropolitan Police District.
- (8) The provisions of this section are without prejudice to the <sup>M14</sup>Police (Overseas Service) Act 1945 and section 10 of the <sup>M15</sup>Overseas Development and Co-operation Act 1980.]

#### Textual Amendments

**F56** S. 15A inserted (21.7.1994) by 1994 c. 29, ss. 13, 94(1)(3)(b)

#### Marginal Citations

**M14** 1945 c. 17.

**M15** 1980 c. 63.

## 16 Special constables.

- (1) The chief officer of police of the police force maintained for any police area may, in accordance with regulations under Part II of this Act, appoint special constables for that area.
- (2) Subject to such regulations as aforesaid, all special constables for a police area (including persons appointed as such before the commencement of this Act) shall be under the direction and control of, and subject to dismissal by, the chief officer of police.



*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

## 17 Police cadets.

- (1) The chief officer of police of any police force may, in accordance with regulations under Part II of this Act and <sup>F57</sup> . . . , appoint persons as police cadets to undergo training with a view to becoming members of that police force.
- (2) Subject to such regulations as aforesaid, all police cadets (including persons appointed as such before the commencement of this Act) shall be under the control of, and subject to dismissal by, the chief officer of police.
- (3) Without prejudice to subsection (2) above, the police authority by whom a police force is maintained shall, 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, be treated as the employer of any police cadets undergoing training with that force.
- (4) In the application of this section to the metropolitan police, for the reference in subsection (3) to the police authority there shall be substituted a reference to the Receiver for the Metropolitan Police District.

### Textual Amendments

**F57** Words in s. 17(1) repealed (1.4.1995) by 1994 c. 29, ss. 44, 93, Sch. 5 Pt. I para. 3, Sch. 9 Pt. I; S.I. 1994/3262, art. 4, Sch.

## 17 Police cadets. **E+W**

- (1) The chief officer of police of any police force may, in accordance with regulations under Part II of this Act and subject to the approval of the police authority as to numbers, appoint persons as police cadets to undergo training with a view to becoming members of that police force.
- (2) Subject to such regulations as aforesaid, all police cadets (including persons appointed as such before the commencement of this Act) shall be under the control of, and subject to dismissal by, the chief officer of police.
- (3) Without prejudice to subsection (2) above, the police authority by whom a police force is maintained shall, 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, be treated as the employer of any police cadets undergoing training with that force.
- (4) In the application of this section to the metropolitan police, for the reference in subsection (3) to the police authority there shall be substituted a reference to the Receiver for the Metropolitan Police District.

## 18 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 2 to this Act—

- (a) in the case of the metropolitan police district, before the Commissioner or an Assistant Commissioner of Police of the Metropolis;
- (b) in any other case, before a justice of the peace having jurisdiction within the police area.

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

## 19 Jurisdiction of constables.

- (1) A member of a police force shall have all the powers and privileges of a constable throughout England and Wales.
- (2) A special constable shall have all the powers and privileges of a constable in the police area for which he is appointed.
- [<sup>F58</sup>(3) Without prejudice to subsection (2) above, a special constable appointed for any police area shall have all the powers and privileges of a constable—
  - (a) in the case of a police area other than the City of London, in any other police area which is contiguous to his own police area;
  - (b) in the case of the City of London, in the metropolitan police district and in any area which is contiguous to that district.]
  - (4) A special constable who is for the time being required by virtue of section 13 or section 14 of this Act 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) ..... <sup>F59</sup>
  - (6) This section is without prejudice to [<sup>F60</sup>section 18 of the <sup>M16</sup>Police (Scotland) Act 1967] (execution of warrants in border counties of England and Scotland) and to any other enactment conferring powers on constables for particular purposes.

### Textual Amendments

- F58** Words substituted by [Police \(Scotland\) Act 1967 \(c. 77\), Sch. 4](#)
- F59** Ss. 19(5), 21(4), 25(1)–(4) repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)
- F60** S. 19(3) substituted by [Local Government Act 1972 \(c. 70\), s. 196\(5\)](#)

### Marginal Citations

- M16** 1967 c. 77.

## 20 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.

### *Amalgamations*

## 21 Amalgamation schemes.

- (1) If it appears to the police authorities for any two or more police areas, being areas for which police forces are required by section 1 of this Act to be maintained, that it is expedient that those areas should be amalgamated for police purposes, they may for that purpose submit to the Secretary of State an amalgamation scheme, and the Secretary of State may by order approve any scheme so submitted to him.
- (2) If it appears to the Secretary of State that it is expedient in the interests of efficiency that an amalgamation scheme should be made for any two or more such police areas

**Status:** Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)

and no scheme satisfactory to him has been submitted under subsection (1) of this section, the Secretary of State may for that purpose by order make such amalgamation scheme as he considers expedient.

(3) An amalgamation scheme shall make provision with respect to the following matters, that is to say—

- (a) the establishment of a combined police authority and a combined police force for the combined area constituted by the scheme, and of a combined police fund for the payment of the expenses of that authority and force;
- (b) the appointment of officers of the combined police authority, . . . <sup>F61</sup>;
- (c) the payment into the combined police fund, out of the local funds of the areas comprised in the combined area, of contributions assessed in accordance with the provisions of the scheme;
- (d) the transfer for the purposes of the scheme of members of the police forces concerned, other than chief constables, and of special constables and police cadets;
- (e) the transfer to the combined police authority of property, rights and liabilities of the constituent authorities, and officers of those authorities, or the use by the combined police authority of any such property;
- (f) . . . <sup>F62</sup>

and may provide for any other matters incidental to or consequential on the provisions of the scheme.

(4) . . . . . <sup>F63</sup>

(5) An amalgamation scheme shall come into force on such date as may be prescribed by the scheme, and different dates may be so prescribed for the purposes of the provisions of the scheme relating to the constitution of the combined police authority and the performance by that authority of functions necessary for bringing the scheme into full operation, and for other purposes of the scheme.

(6) Before approving or making an amalgamation scheme the Secretary of State shall ascertain whether the constituent councils desire to make such a request as is referred to in section 3(4) of this Act.

(7) Schedule 3 to this Act shall have effect with respect to the procedure for making amalgamation schemes under subsection (2) of this section; and the transitory provisions set out in Schedule 4 to this Act shall have effect in relation to any amalgamation scheme under this section.

(8) A draft of any statutory instrument to be made under subsection (2) of this section shall be laid before Parliament.

**Textual Amendments**

- F61** Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**
- F62** [S. 21\(3\)\(f\)](#) repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**
- F63** [Ss. 19\(5\), 21\(4\), 25\(1\)–\(4\)](#) repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

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

- C10** [S. 21\(3\)](#) modified by [S.I. 1973/840](#)
- C11** [S. 21\(7\)](#) modified by [Local Government Act 1972 \(c. 70\)](#), **s. 196(9)**
- C12** [S. 21\(2\)](#) modified (*prosp.*) by [1994 c. 19](#), **ss. 24(3)**, 66(3)

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

VALID FROM 30/09/1994

**[<sup>F64</sup>21A Alteration of Welsh police areas on local government reorganisation.**

- (1) The Secretary of State shall by order made before 1st April 1996 make such alterations to police areas in Wales as he considers necessary or expedient in connection with the reorganisation of local government in Wales taking place on that date.
- (2) The alterations that may be made by an order under subsection (1) of 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 division of any county or county borough between two or more police areas.
- (3) The Secretary of State shall make an order under subsection (1) of this section only after he has consulted every body within the following paragraphs which is in existence when the order is made—
  - (a) the police authorities established under section 3 of this Act for the police areas altered by the order;
  - (b) the police authorities which are to be superseded by the police authorities mentioned in paragraph (a) of this subsection;
  - (c) the county councils which—
    - (i) are the councils of counties wholly or partly within the police areas altered by the order, and
    - (ii) are to cease to exist on 1st April 1996 by virtue of the <sup>M17</sup>Local Government (Wales) Act 1994;
  - (d) the councils of the counties and county boroughs established by virtue of that Act which are wholly or partly within the police areas altered by the order; and such other persons as he considers appropriate.]

**Textual Amendments**

**F64** Ss. 21, 21A-21c substituted for s. 21 (1.10.1994 in so far as substitutes s. 21A and s. 21C and 1.4.1995 for certain other purposes) by 1994 c. 29, s. 14; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

**Marginal Citations**

**M17** 1994 c. 19.

VALID FROM 30/09/1994

**[<sup>F65</sup>21B Objections to alterations proposed by Secretary of State.**

- (1) Before making an order under section 21 of this Act by virtue of paragraph (b) of subsection (3) of that section, the Secretary of State shall give notice of his proposal to—
  - (a) the police authority for every area (other than the metropolitan police district) that he proposes to alter,

**Status:** Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)

- (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,
  - (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) of this section 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) of this section 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) of this section, the Secretary of State shall before making the order under section 21 of this Act—
- (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) of this section 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

**F65** Ss. 21, 21A-21C substituted for s. 21 (1.10.1994 for certain purposes and 1.4.1995 for all other purposes) by 1994 c. 29, s. 14; S.I. 1994/2025, art. 6; S.I. 1994/3262, art. 4, Sch.

VALID FROM 30/09/1994

#### [<sup>F66</sup>21C Orders altering police areas: supplementary provisions.

- (1) The power to make orders under section 21 or 21A of this Act 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) of this section, the power to make orders under section 21 or 21A of this Act includes power—

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

- (a) to amend Schedule 1A to this Act and section 76 of the <sup>M18</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 21 of this Act by virtue of paragraph (b) of subsection (3) 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) of this section 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 under section 21 or 21A of this Act, other than an order to which subsection (3) of this section applies, shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

#### Textual Amendments

**F66** Ss. 21, 21A-21C substituted for s. 21 (1.10.1994 in so far as substitutes s. 21A and 21C and 1.4.1995 otherwise) by 1994 c. 29, s. 14; S.I. 1994/2025, art. 6, S.I. 1994/3262, art. 4, Sch.

#### Marginal Citations

**M18** 1963 c. 33.

## 22 Amendment and revocation of schemes.

- (1) An amalgamation scheme may be amended or revoked by a subsequent scheme approved or made by the Secretary of State; and section 21 of this Act, and Schedules 3 and 4 to this Act, shall, so far as applicable, have effect in relation to any such subsequent scheme subject to any necessary modifications and to the following provisions of this section.
- (2) Without prejudice to the generality of the foregoing subsection, provision may be made by any such subsequent scheme—
- (a) for the division of the combined area into two or more police areas, being either counties . . . <sup>F67</sup> or combined areas constituted by the subsequent scheme, or for the inclusion in the combined area of any other police area;
  - (b) for the dissolution and winding up of any combined police authority constituted under the original scheme, and of any combined police fund established thereunder, or for the reconstitution of any such authority or fund;
  - (c) for the transfer or retransfer to such police forces or police areas as may be determined by the subsequent scheme of members of the combined force other than the chief constable, or of special constables or police cadets;
  - (d) for the transfer or retransfer to such authorities as may be determined by the subsequent scheme of any officers, property, rights or liabilities of the combined police authority;
  - (e) for any other matters incidental to or consequential on the provisions of the subsequent scheme.

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

- (3) The authority by whom a scheme for the amendment or revocation of an amalgamation scheme may be submitted under subsection (1) of section 21 of this Act shall be the combined police authority constituted by the original scheme, or if more than one scheme is to be amended or revoked, the combined police authorities constituted by those schemes, together with the police authority for any other police area which is to be included in a combined area under the scheme.
- (4) The authorities to whom, under paragraph 1 of Schedule 3 to this Act, notice must be given by the Secretary of State of a scheme proposed to be made by him for the amendment or revocation of an amalgamation scheme shall be the authority or authorities by whom a scheme for that purpose could be submitted by virtue of subsection (3) of this section.

#### Subordinate Legislation Made

- P1** [S. 21](#) (with s. 22) power exercised by [S.I.1991/209](#)  
**P2** For exercises of power see Index to Government Orders

#### Textual Amendments

- F67** Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

## 23 Alteration of local government areas.

[<sup>F68</sup>(1) An amalgamation scheme may be approved or made under this Act [<sup>F69</sup>with respect to any two or more prospective police areas] and subject to subsection (1A) below may be so approved or made before the relevant date.

(1A) A scheme under this section shall not come into force before the relevant date, except so far as it relates to the constitution of the combined police authority and to the performance by that authority of functions necessary for bringing the scheme into full operation on that date.

[ In this section—

<sup>F70</sup>(1B) “prospective police area” means any area which (apart from any amalgamation scheme) would become a police area by virtue of an order under Part II of the Local Government Act 1992 or Part IV of the Local Government Act 1972 or which, in accordance with such an order, is to be treated, for the purposes of the approval or making of any amalgamation scheme, as an area which would become a police area by virtue of that order; and

“the relevant date”, in relation to a prospective police area, means the date on which the order in question gives effect to structural or boundary changes affecting the area comprised in the prospective police area;

and in this subsection the reference to a structural or boundary change is a reference to any structural or boundary change within the meaning of Part II of that Act of 1992 or, in relation to an order under Part IV of that Act of 1972, to the constitution of a new county or the alteration of an existing county.]]

(2) In relation to an amalgamation scheme to be approved or made by virtue of this section, sections 21 and 22 of this Act and the Schedules therein mentioned shall apply subject to any necessary modifications and in particular to the following modifications, that is to say—

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

- [<sup>F71</sup>(a) any reference to a police area shall include a reference to a prospective police area;
- (b) any reference, in relation to a prospective police area, to a constituent authority shall be a reference to the police authority for any police area the whole or any part of which will be included in the prospective police area and the council of any county the whole or any part of which will be so included; and
- (c) any reference, in relation to a prospective police area, to the police authority (except a reference to which paragraph (b) above applies) shall be a reference to any constituent authority (within the meaning of that paragraph) other than the council for a county for which there is a separate police authority.]
- [<sup>F72</sup>(3) For the purposes of the approval or making of any amalgamation scheme with respect to any area, any steps required by this Act to be taken before an amalgamation scheme is approved or made may be taken at any time—
- (a) after any report affecting that area, together with proposals or recommendations, has been submitted to the Secretary of State under Part II of the Local Government Act 1992 or Part IV of the Local Government Act 1972; and
- (b) before an order is made to give effect to the proposals or recommendations, if the Secretary of State has notified the general nature of the order he intends to make to give effect to the proposals or recommendations to every authority which for the purposes of sections 21 and 22 above (as modified by subsection (2) above) would be a constituent authority in relation to that scheme.]
- (4) An amalgamation scheme may be amended or revoked under this Act notwithstanding that it has been modified by an order under Part VI of the said Act of 1933 or Part II of the said Act of 1958.

#### Textual Amendments

- F68** S. 23(1)(1A)(1B) substituted for s. 23(1) by [Local Government Act 1972 \(c. 70\), s. 196\(6\)](#)
- F69** Words in s. 23(1) substituted (31.10.1992) for paras. (a) and (b) by [Local Government Act 1992 \(c. 19\), s. 27, Sch. 3 para. 3\(1\); S.I. 1992/2371, art.2](#)
- F70** S. 23(1B) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\), s. 27, Sch. 3 para. 3\(2\); S.I. 1992/2371, art.2](#)
- F71** S. 23: in subsection (2) paras. (a) to (c) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\), s. 27, Sch. 3 para. 3\(3\); S.I. 1992/2371, art.2](#)
- F72** S. 23(3) substituted (31.10.1992) by [Local Government Act 1992 \(c. 19\), s. 27, Sch. 3 para. 3\(4\); S.I. 1992/2371, art. 2](#)

## 24 Adaptation of local Acts.

- (1) Where, by any local Act in force with respect to an area which ceases to be a separate police area by virtue of an amalgamation scheme, provision is made for conferring or imposing special powers or duties on the police, the Secretary of State may by order adapt the local Act so far as appears to him to be necessary or expedient for the purpose of the exercise or performance of those powers or duties by the police of the combined area.
- (2) Nothing in this section or in any order made thereunder shall be construed as extending the area within which or the matters in relation to which any such powers or duties as aforesaid are authorised or required by a local Act to be exercised or performed.



**Status:** Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)

- (3) Any statutory instrument made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

*Miscellaneous and supplemental*

**25 Cambridge and Peterborough.**

- (1) ..... F73
- (5) The police authority for any police area consisting of or including the City of Cambridge shall include, in addition to the number of persons determined or prescribed under the foregoing provisions of this Act, five persons representing the University of Cambridge; and those persons shall be appointed at such times, in such manner and for such term as may be prescribed—
- (a) in the case of a combined area, by the amalgamation scheme;
  - (b) in any other case, by rules made by the Secretary of State.

**Textual Amendments**

F73 Ss. 19(5), 21(4), 25(1)–(4) repealed by Local Government Act 1972 (c. 70), Sch. 30

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

C13 Unreliable marginal note

**26 The Scilly Isles.**

- (1) For the purposes of the application of this Part of this Act 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 and to the county fund shall be construed as references to the Council of the Isles and to the general fund of that Council respectively;
- and any amalgamation scheme combining the Isles with any police area shall have effect accordingly.

- (2) ..... F74

**Textual Amendments**

F74 S. 26(2) repealed by Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. XI

**27 Interpretation of Part I.**

In this Part of this Act, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

“amalgamation scheme” means a scheme under this Part of this Act or under the <sup>M19</sup>Police Act 1946;

..... F75

---

*Status: Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1964, Part I. (See end of Document for details)*

---

“constituent area” means a police area which is combined by an amalgamation scheme, and includes, in relation to a scheme amending an amalgamation scheme, the combined area constituted by the original scheme;

“constituent authority” means the police authority for an area which is combined by an amalgamation scheme and includes . . . <sup>F76</sup>, the council of the county . . . <sup>F76</sup>, and “constituent council” means any such council;

“local fund” in relation to a county, means the county fund . . . <sup>F76</sup>

“magistrate” has the same meaning as in the Justices of the <sup>M20</sup>Peace Act 1949;

“officer” includes servant.

---

**Textual Amendments**

**F75** Definition of “consolidation agreement” repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

**F76** Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

---

**Marginal Citations**

**M19** [1946 c. 46](#).

**M20** [1949 c. 101](#).

**Status:**

Point in time view as at 01/04/1994. This version of this part contains provisions that are not valid for this point in time.

**Changes to legislation:**

There are currently no known outstanding effects for the Police Act 1964, Part I.