



# Police Act 1969

## CHAPTER 63

### ARRANGEMENT OF SECTIONS

Section

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## ELIZABETH II



## 1969 CHAPTER 63

An Act to enable assistance to be given to the Royal Ulster Constabulary by home police forces and empower the Parliament of Northern Ireland to enable assistance to be given to home police forces by the Royal Ulster Constabulary; to make provision in connection with the giving of assistance to home police forces by the Royal Ulster Constabulary; to establish a Police Council for the United Kingdom in place of the Police Council for Great Britain; and to enable certain police pensions regulations to be made with retrospective effect and alter the mode of exercising parliamentary control of the power to make them.

[11th December 1969]

**B**E 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.—(1) The chief officer of police of a police force maintained under the Metropolitan Police Act 1829, the Act of the second and third years of Queen Victoria intituled "An Act for regulating the Police in the City of London" (commonly known as the City of London Police Act 1839), the Police Act 1964 or the Police (Scotland) Act 1967 (hereafter in this Act referred to as a "home police force") may, on the application of the Inspector General of the Royal Ulster Constabulary or of such other person as may be designated for the purposes of this subsection by order of the Secretary of State, provide constables or other assistance for the purpose of enabling the last-mentioned force to meet a special demand on its resources.

Aid by home police forces of the Royal Ulster Constabulary and vice versa.  
1829 c. 44.  
1839 c. xciv.  
1964 c. 48.  
1967 c. 77.

(2) The Secretary of State, if satisfied by the Minister of Home Affairs for Northern Ireland that it is expedient in the interests of public safety or order that the Royal Ulster Constabulary should be reinforced or should receive other assistance for the purpose of enabling it to meet a special demand on its resources and that satisfactory arrangements under the foregoing subsection cannot be made or cannot be made in time, may, at his request, direct the chief officer of a home police force to provide such constables or other assistance for that purpose as may be specified in the direction.

1964 c. 48.  
1967 c. 77.

(3) A constable shall, during any period during which he is provided under this section for the assistance of the Royal Ulster Constabulary be under the like direction and control as a member of that force notwithstanding section 5(1) of the Police Act 1964 or section 17(2) of the Police (Scotland) Act 1967 (controlling powers of chief constables).

1920 c. 67.

(4) An enactment of the Parliament of Northern Ireland which makes provision for the Royal Ulster Constabulary to assist a home police force shall be deemed to be within the powers of that Parliament notwithstanding anything in the Government of Ireland Act 1920.

Provisions for facilitating the engagement of members of home police forces for periods of service in the Royal Ulster Constabulary.

2.—(1) The following provisions shall have effect with respect to a member (other than the chief officer) of a home police force who, with the consent of the appropriate authority and the Secretary of State, engages for a period of service in the Royal Ulster Constabulary, namely:—

(a) during that period (or if, during the course thereof, he is dismissed from the Royal Ulster Constabulary or is required to resign as an alternative to dismissal, during such part of that period as ends when he is dismissed or required to resign) he shall, except for the purpose of his being promoted in his home force, be treated as if he were not a member thereof; and

(b) he shall, when, by virtue of the foregoing paragraph, he ceases (except for the purpose aforesaid) to be treated as if he were not a member of his home force, be entitled to revert to that force—

(i) if he has not been promoted in that force during his period of service in the Royal Ulster Constabulary, in the rank in which he was serving immediately before he engaged for a period of service in the last-mentioned force;

(ii) if he has been so promoted, in the rank to which he has been promoted.

(2) Where, in the case of a person to whom the foregoing subsection applies, the period of service in the Royal Ulster Constabulary for which he engages is, with the consent of the appropriate authority and the Secretary of State, extended or curtailed, paragraph (a) of that subsection shall have effect in relation to him as if, for the references to that period, there were substituted references, as the case requires, to the extended period or the curtailed period.

(3) A person to whom subsection (1) above applies who is dismissed or required to resign as mentioned in paragraph (a) of that subsection shall, for the purposes of the Police (Discipline) Regulations, be deemed to have committed, as a member of his home force, an offence against discipline, and may be dealt with under those Regulations accordingly; and for the purposes of this subsection a certificate that such a person has been so dismissed or required to resign, being a certificate given by or on behalf of the Inspector General of the Royal Ulster Constabulary or such other person, or such authority, as may be designated for the purposes of this subsection by order of the Secretary of State, shall be evidence (and, in Scotland, sufficient evidence) of that fact.

(4) Paragraph 2 of Schedule 4 to the Police Act 1964 (which, in 1964 c. 48. a case where, at a time when a member of a police force in England or Wales is on central service or is serving overseas, that force is amalgamated with another, converts his right of reversion to his force into a right of reversion to the amalgamated force) shall have effect as if, after sub-paragraph (b) thereof, there were inserted the following words—

“ or

(c) section 2 of the Police Act 1969 ”,

and section 24(1) of the Police (Scotland) Act 1967 (which makes 1967 c. 77. similar provision in the case of a member of a police force in Scotland) shall have effect as if, after paragraph (b) thereof, there were inserted the same words.

(5) In this section—

(a) “ appropriate authority ”, in relation to a member of a home police force, other than an assistant chief constable or a deputy chief constable, means the chief officer of that force acting with the consent of the police authority therefor and, in the case of an assistant chief constable or deputy chief constable of such a force, means that authority;

(b) “ Police (Discipline) Regulations ” means, in relation to a police force within the meaning of the Police Act 1964, the regulations relating to discipline for the time being in force under section 33 of that Act and, in

1967 c. 77.

relation to a police force within the meaning of the Police (Scotland) Act 1967, the regulations relating to discipline for the time being in force under section 26 of that Act.

Provisions  
with respect  
to aid given  
to a home  
police force  
by the Royal  
Ulster  
Constabulary.

3.—(1) Where, under arrangements authorised by, or in compliance with directions given under, an enactment of the Parliament of Northern Ireland, a member of the Royal Ulster Constabulary is provided for the purpose of enabling a home police force to meet a special demand on its resources, he shall, while serving with that force—

- (a) be under the direction and control of the chief officer thereof; and
- (b) have in any place the like (if any) powers and privileges as a member of that force has therein as a constable.

(2) The police authority maintaining a police force for which assistance is provided under such arrangements, or in compliance with such directions, as are mentioned in the foregoing subsection, shall pay, to such authority in Northern Ireland as may be designated for the purposes of this subsection by order of the Secretary of State, such contribution as may be agreed between the police authority and the authority so designated or as may, in default of agreement, be determined jointly by the Secretary of State and the Minister of Home Affairs for Northern Ireland.

The Police  
Council  
for the  
United  
Kingdom.

4.—(1) For the consideration, by persons representing the interests of the authorities who between them maintain the home police forces and the Royal Ulster Constabulary and those of the persons who are members of home police forces or of that Constabulary or are police cadets, of questions relating to hours of duty, leave, pay and allowances, pensions or the issue, use and return of police clothing, personal equipment and accoutrements, there shall be a council, to be known as the Police Council for the United Kingdom, which shall be established in accordance with such arrangements made after consultations between the Secretary of State and organisations representing those interests as appear to him to be satisfactory.

(2) The arrangements shall regulate the procedure for reaching agreement on a recommendation to be made by the Council for the purposes of subsection (4) of this section and shall include provision for arriving at such a recommendation by arbitration in such circumstances as may be determined by or under the arrangements.

(3) The Secretary of State may, out of moneys provided by Parliament, defray any expenses incurred by the Council.

(4) Before making, with respect to any of the matters mentioned in subsection (1) above (other than pensions),—

(a) regulations under section 33 or 35 of the Police Act 1964; 1964 c. 48.

(b) regulations under section 26 or 27 of the Police (Scotland) Act 1967 (other than regulations relating to special constables); or

(c) rules, orders or regulations under section 6 of the Constabulary (Ireland) Act 1836 or orders under 1836 c. 13. subsection (1) of section 4 of the Constabulary and Police (Ireland) Act 1919;

the Secretary of State or, as the case may be, the Minister of Home Affairs for Northern Ireland, shall take into consideration any recommendation made by the Police Council for the United Kingdom and furnish the Council with a draft of the regulations, rules or orders.

(5) The Police Council for the United Kingdom shall be taken to be the Police Council referred to in section 1(1) of the Pensions Act 1948; and—

(a) no regulations relating to pensions shall be made under section 35 of the Police Act 1964 or section 27 of the Police (Scotland) Act 1967 by the Secretary of State except after consultation with that Council; and

(b) no order so relating shall be made under subsection (1) of section 4 of the Constabulary and Police (Ireland) Act 1919 by the Minister of Home Affairs for Northern Ireland except after the like consultation.

(6) Section 46(3) of the Police Act 1964 (which requires that, before making regulations under section 33 or 35 of that Act, other than regulations to which subsection (4) of section 45 of that Act applies, the Secretary of State shall furnish a draft of the regulations to the Police Advisory Board for England and Wales and take into consideration any representations made by that Board) shall have effect with the substitution, for the words “other than regulations to which subsection (4) of section 45 of this Act applies”, of the words “other than regulations with respect to any of the matters mentioned in section 4(1) of the Police Act 1969”; and section 26(9) of the Police (Scotland) Act 1967 (which requires that, before making regulations under that section, other than regulations in relation to the making of which subsection (8) of that section applies, the Secretary of State shall submit a draft either to the Police Advisory Board for Scotland or to the three central committees of the Police Federation for Scotland sitting together as a joint committee and to such bodies or associations as appear to him to be representative of police authorities, chief constables and superintendents, including chief superintendents, respectively,

and shall consider any representations made as to the draft by that Board or, as the case may be, by the joint committee or any of those bodies or associations) shall have effect with the substitution, for the words "other than regulations in relation to the making of which subsection (8) of this section applies" of the words "other than regulations with respect to any of the matters mentioned in section 4(1) of the Police Act 1969".

1919 c. 68. (7) The references in subsections (4) and (5) above to subsection (1) of section 4 of the Constabulary and Police (Ireland) Act 1919 shall be construed as including references to that subsection as amended or re-enacted (with or without modification) by any enactment of the Parliament of Northern Ireland and the reference in subsection (4) above to section 6 of the Constabulary (Ireland) Act 1836 shall be similarly construed.

1836 c. 13. (8) Upon the establishment of the Police Council for the United Kingdom, the Police Council for Great Britain established under section 45 of the Police Act 1964 shall cease to exist and the following provisions shall cease to have effect, namely:—

1964 c. 48. (a) that section; and

1967 c. 77. (b) in the Police (Scotland) Act 1967, in section 26, subsection (8), in section 27(3) the words "(8) and" and, in Schedule 4, the third paragraph under the heading "The Police Act 1964".

Power to give retrospective effect to certain police pensions regulations, and parliamentary control of the power to make them.

1948 c. 24.

5.—(1) Regulations made under section 1 of the Police Pensions Act 1948 may, if the instrument containing them satisfies the condition that it is made before the expiration of the period of twelve months beginning with the day on which this Act is passed and either states that it is made in consequence of the enactment of section 2 of this Act or states that it is made in consequence of the enactment by the Parliament of Northern Ireland of provisions relating to the Royal Ulster Constabulary, be made so as to take effect from such day, whether before or after the making of the regulations, as may be specified therein, not being earlier than the day on which this Act is passed.

(2) Subsection (7) of section 1 of the Police Pensions Act 1948 (which provides that regulations made under that section shall not be made unless a draft thereof has been laid before Parliament and approved by resolution of each House) shall not apply to regulations so made contained in an instrument that satisfies the condition mentioned in the foregoing subsection, but the instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Orders.

6. A power conferred by this Act to make an order shall be exercisable by statutory instrument, and a power conferred by any of the foregoing provisions of this Act to make an order

shall be construed as including a power, exercisable in the like manner, to vary or revoke the order.

7.—(1) This Act may be cited as the Police Act 1969.

Short title  
and commence-  
ment.

(2) This Act shall come into operation on such day as the Secretary of State may by order appoint; and different days may be appointed for different provisions.

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