



Police and Magistrates' Courts Act 1994

1994 CHAPTER 29

PART I

POLICE

CHAPTER I

PRINCIPAL AMENDMENTS OF POLICE ACT 1964

General

26 Police officers engaged on service outside their force

After section 53B of the 1964 Act there shall be inserted—

“53C Police officers engaged on service outside their force

- (1) For the purposes of this section “relevant service” means—
- (a) temporary service on which a person is engaged in accordance with arrangements made under section 15A(2) of this Act,
 - (b) central service (as defined in section 43(5) of this Act) on which a person is engaged with the consent of the appropriate authority,
 - (c) service the expenses of which are payable under section 1(1) of the Police (Overseas Service) Act 1945, on which a person is engaged with the consent of the appropriate authority,
 - (d) service in the Royal Ulster Constabulary, on which a person is engaged with the consent of the Secretary of State and the appropriate authority, or
 - (e) service pursuant to an appointment under section 10 of the Overseas Development and Co-operation Act 1980, on which a person is engaged with the consent of the appropriate authority.

Status: This is the original version (as it was originally enacted).

- (2) In subsection (1) of this section “appropriate authority” has the same meaning as in section 43 of this Act.
- (3) Subject to subsections (4) to (7) of this section, a member of a police force engaged on relevant service shall be treated as if he were not a member of that force during that service; but, except where a pension, allowance or gratuity becomes payable to him out of money provided by Parliament by virtue of regulations made under the Police Pensions Act 1976—
- (a) he shall be entitled at the end of the period of relevant service to revert to his police force in the rank in which he was serving immediately before the period began, and
 - (b) he shall be treated as if he had been serving in that force during the period of relevant service for the purposes of any scale prescribed by or under regulations made under section 33 of this Act fixing his rate of pay by reference to his length of service.
- (4) In the case of relevant service to which subsection (1)(c) of this section refers, the reference in subsection (3) to regulations made under the Police Pensions Act 1976 shall be read as including a reference to regulations made under section 1 of the Police (Overseas Service) Act 1945.
- (5) A person may, when engaged on relevant service, be promoted in his police force as if he were serving in that force; and in any such case—
- (a) the reference in paragraph (a) of subsection (3) of this section to the rank in which he was serving immediately before the period of relevant service began shall be construed as a reference to the rank to which he is promoted, and
 - (b) for the purposes mentioned in paragraph (b) of that subsection he shall be treated as having served in that rank from the time of his promotion.
- (6) A member of a police force who—
- (a) has completed a period of relevant service within paragraph (a), (b) or (e) of subsection (1) of this section, or
 - (b) while engaged on relevant service within paragraph (c) of that subsection, is dismissed from that service by the disciplinary authority established by regulations made under section 1 of the Police (Overseas Service) Act 1945 or is required to resign as an alternative to dismissal, or
 - (c) while engaged on relevant service within paragraph (d) of that subsection, is dismissed from that service or is required to resign as an alternative to dismissal,
- may be dealt with under regulations made in accordance with subsection (3) of section 33 of this Act for anything done or omitted while he was engaged on that service as if that service had been service in his police force; and section 37 of this Act shall apply accordingly.
- (7) For the purposes of subsection (6) of this section a certificate certifying that a person has been dismissed, or required to resign as an alternative to dismissal, shall be evidence of the fact so certified, if—
- (a) in a case within paragraph (b) of that subsection, it is given by the disciplinary authority referred to in that paragraph, or

- (b) in a case within paragraph (c) of that subsection, it is given by or on behalf of the Chief Constable of the Royal Ulster Constabulary, or such other person or authority as may be designated for the purposes of this subsection by order of the Secretary of State.”