



# Police and Magistrates' Courts Act 1994

## 1994 CHAPTER 29

### PART II

#### POLICE (SCOTLAND)

#### **52 Regulations for police forces.**

- (1) Section 26 of the 1967 Act (regulations as to government and administration of police forces) shall be amended as follows.
- (2) In subsection (2) (which lists certain matters with respect to which regulations may be made), for paragraph (e) there shall be substituted—

“(e) the conduct and efficiency of constables;”.
- (3) After that subsection there shall be inserted—

“(2A) Without prejudice to the powers conferred by this section, regulations under this section shall—

  - (a) establish, or make provision for the establishment of, procedures for cases in which a constable may be dealt with by dismissal, requirement to resign, reduction in rank, reduction in rate of pay, fine, reprimand or caution; and
  - (b) make provision for securing that any case in which a constable who holds a rank above that of superintendent may be dismissed, or dealt with in any of the other ways mentioned in paragraph (a) above, is decided by the police authority of the area for which the force is maintained.

(2B) In relation to any matter as to which provision may be made by regulations under this section, the regulations may, subject to subsection (2A)(b) above—

  - (a) authorise or require provision to be made by, or confer discretionary powers on, the Secretary of State, police authorities, chief constables or other persons; or
  - (b) authorise or require the delegation by any person of functions conferred on him by or under the regulations.

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*Changes to legislation: There are currently no known outstanding effects for the Police and Magistrates' Courts Act 1994, Section 52. (See end of Document for details)*

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(2C) Without prejudice to the generality of subsection (2A)(a) above, regulations under this section shall specify the circumstances in which, for the purposes of section 40A(2) of this Act, proceedings by virtue of that subsection are to be taken to have commenced.”.

(4) Subsection (7) shall be omitted.

#### **Commencement Information**

- II** S. 52 wholly in force at 1.8.1996; s. 52 not in force at Royal Assent, see s. 94(1); s. 52(1)(3) in force for certain purposes (8.8.1994) by S.I. 1994/2025, art. 3(1)(2)(d); s. 52(1) in force (1.1.1995) insofar as not already in force and s. 52(3) in force for certain further purposes (1.1.1995) by S.I. 1994/3075, art. 2, Sch.; s. 52(2)(3)(4) in force (1.8.1996) insofar as not already in force by S.I. 1996/1646, art. 2, Sch. (with saving in art. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Police and Magistrates' Courts Act 1994, Section 52.