



# Police Act 1996

## 1996 CHAPTER 16

### PART V

#### MISCELLANEOUS AND GENERAL

##### *Miscellaneous*

#### **96 Arrangements for obtaining the views of the community on policing.**

- (1) Arrangements shall be made for each police area for obtaining—
- (a) the views of people in that area about matters concerning the policing of the area, and
  - (b) their co-operation with the police in preventing crime [<sup>F1</sup>and anti-social behaviour] in that area. [<sup>F2</sup>;

and for obtaining the views of victims of crime in that area about matters concerning the policing of the area.]

[<sup>F3</sup>(1A) Those arrangements must include, in the case of—

- (a) a police area listed in Schedule 1, or
- (b) the metropolitan police district,

arrangements for obtaining, before a police and crime plan is issued under section 5 or 6 of the Police Reform and Social Responsibility Act 2011, the views of the people in that police area, and the views of the victims of crime in that area, on that plan.

(1B) Those arrangements must include, in the case of a police area listed in Schedule 1, arrangements for obtaining, before the first precept for a financial year is issued by the police and crime commissioner under section 40 of the Local Government Finance Act 1992, the views of—

- (a) the people in that police area, and
- (b) the relevant ratepayers' representatives,

on the proposals of the police and crime commissioner for expenditure (including capital expenditure) in that financial year.

*Status: Point in time view as at 01/12/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Cross Heading: Miscellaneous. (See end of Document for details)*

(1C) Those arrangements must include, in the case of the metropolitan police district, arrangements for obtaining, before the first calculations in relation to the Mayor's Office for Policing and Crime are made for a financial year under section 85 of the Greater London Authority Act 1999, the views of—  
(a) the people in the metropolitan police district, and  
(b) the relevant ratepayers' representatives,  
on the proposals of the Mayor's Office for Policing and Crime for expenditure (including capital expenditure) in that financial year.]

[<sup>F4</sup>(2) Arrangements under this section are to be made by the local policing body for the police area, after consulting the chief officer of police for that area.]

<sup>F5</sup>(3) .....

<sup>F5</sup>(4) .....

<sup>F5</sup>(5) .....

[<sup>F6</sup>(5A) In subsections (1B) and (1C) “relevant ratepayers' representatives”, in relation to a police area listed in Schedule 1, or the metropolitan police district, means the persons or bodies who appear to the elected local policing body for that area or district to be representative of persons subject to non-domestic rates under sections 43 and 45 of the Local Government Finance Act 1988 as regards hereditaments situated in that area or district.

(5B) In determining which persons or bodies are relevant ratepayers' representatives, an elected local policing body must have regard to any guidance given by the Secretary of State.]

<sup>F7</sup>(6) .....

<sup>F7</sup>(7) .....

<sup>F7</sup>(8) .....

<sup>F7</sup>(9) .....

<sup>F7</sup>(10) .....

**Textual Amendments**

**F1** Words in s. 96(1)(b) inserted (15.3.2010) by [Police and Justice Act 2006 \(c. 48\)](#), s. 53(1), **Sch. 2 para. 30(2)**; S.I. 2010/414, art. 2(b)

**F2** Words in s. 96(1) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 14(2)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)

**F3** S. 96(1A)-(1C) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 14(3)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)

**F4** S. 96(2) substituted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 14(4)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)

**F5** S. 96(3)-(5) repealed (3.7.2000) by 1999 c. 26, ss. 325, 423, Sch. 27 para. 103(3), **Sch. 34 Pt. VII** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**

*Status: Point in time view as at 01/12/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Cross Heading: Miscellaneous. (See end of Document for details)*

- F6** S. 96(5A)(5B) inserted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 14(5)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)
- F7** S. 96(6)-(10) omitted (16.1.2012 for specified purposes, 22.11.2012 in so far as not already in force) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 14(6)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1; S.I. 2012/2892, art. 2(a)

**[<sup>F8</sup>96A National and international functions of the metropolitan police [<sup>F9</sup> force and other police forces].**

<sup>F10</sup>(1) The Secretary of State and the Mayor's Office for Policing and Crime may enter into agreements with respect to the level of performance to be achieved by the metropolitan police force in respect of any of its national or international functions.

(1A) The Secretary of State and the police and crime commissioner that maintains a police force may enter into agreements with respect to the level of performance to be achieved by the police force in respect of any of its national or international functions.

(1B) The Secretary of State and the Common Council may enter into agreements with respect to the level of performance to be achieved by the City of London police force in respect of any of its national or international functions.]

(2) If the Secretary of State is of the opinion that [<sup>F11</sup>a police force] is not performing any or all of its national or international functions—

- (a) to the standard specified in any agreement in force under subsection (1), or
- (b) if no agreement is in force under that subsection in relation to the function or functions in question, to a standard which the Secretary of State considers to be satisfactory,

he may direct the [<sup>F12</sup>local policing body] to take such measures as may be specified in the direction.

(3) [<sup>F13</sup>A local policing body] shall comply with any directions given under subsection (2).

<sup>F14</sup>(4) . . . . . ]

**Textual Amendments**

- F8** Ss. 96A, 96B inserted (3.7.2000) by 1999 c. 29, s. 325, **Sch. 27 para. 104** (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, **Sch.**
- F9** Words in s. 96A title inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(2)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F10** Ss. 96A(1)-(1B) substituted for s. 96A(1) (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(3)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 5)
- F11** Words in s. 96A(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(4)(a)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F12** Words in s. 96A(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(4)(b)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F13** Words in s. 96A(3) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(5)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1
- F14** S. 96A(4) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 94(6)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1

*Status: Point in time view as at 01/12/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Cross Heading: Miscellaneous. (See end of Document for details)*

**F15 96B National and international functions: application of requirements relating to reports etc.**

.....

**Textual Amendments**

**F15** S. 96B omitted (16.1.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 94\(7\)](#), [157\(1\)](#); [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#)

**97 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 26;
  - [<sup>F16</sup>(aa) temporary service on which a person is engaged in accordance with arrangements made under paragraph 6(2) of Schedule 2 to the Police Reform Act 2002 (c. 30);]
  - (b) temporary service under section 56 on which a person is engaged with the consent of the appropriate authority;
  - (c) temporary service under the Crown in connection with the provision by the Secretary of State of—
    - (i) such organisations and services as are described in section 57, or
    - (ii) research or other services connected with the police,
 on which a person is engaged with the consent of the appropriate authority;
    - <sup>F17</sup>(ca) .....
    - <sup>F18</sup>(cb) .....
    - <sup>F19</sup>(cc) .....
    - <sup>F19</sup>(cd) .....
    - <sup>F20</sup>[<sup>F21</sup>(ce)] .....
    - [<sup>F22</sup>(cf) temporary service as a member of the staff of the Serious Organised Crime Agency on which a person is engaged with the consent of the appropriate authority;]
    - [<sup>F23</sup>(cg) temporary service with the National Policing Improvement Agency on which a person is engaged with the consent of the appropriate authority;]
    - [<sup>F24</sup>(ch) temporary service with the [<sup>F25</sup>Disclosure and Barring Service] on which a person is engaged with the consent of the appropriate authority;]
    - [<sup>F26</sup>(ch) temporary service with the Scottish Police Services Authority on which a person is engaged with the consent of the appropriate authority;
    - (ci) temporary service with the Scottish Police Services Authority on which a person is engaged with the consent of the appropriate authority;]
    - (d) temporary service as an adviser to the Secretary of State on which a person is engaged with the consent of the appropriate authority;
    - (e) service the expenses of which are payable under section 1(1) of the <sup>M1</sup>Police (Overseas Service) Act 1945, on which a person is engaged with the consent of the appropriate authority;
    - [<sup>F27</sup>(ea) temporary service with the Police Ombudsman for Northern Ireland on which a person is engaged in accordance with arrangements made under paragraph 8 of Schedule 3 to the Police (Northern Ireland) Act 1998;]

---

*Status: Point in time view as at 01/12/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Cross Heading: Miscellaneous. (See end of Document for details)*

---

- (f) service in the [<sup>F28</sup>Police Service of Northern Ireland], on which a person is engaged with the consent of the Secretary of State and the appropriate authority; <sup>F29</sup> . . .
  - (g) service pursuant to an appointment under section 10 of the <sup>M2</sup>Overseas Development and Co-operation Act 1980, on which a person is engaged with the consent of the appropriate authority. [<sup>F30</sup>, or
  - (h) service in connection with the provision by the Secretary of State of assistance under the International Development Act 2001 on which a person is engaged with the consent of the appropriate authority.]
- (2) In subsection (1) “appropriate authority”, in relation to a member of a police force, means the chief officer of police acting with the consent of the [<sup>F31</sup>local policing body], except that in relation to the chief officer of police it means the [<sup>F31</sup>local policing body].
- (3) Subject to subsections (4) to (8), 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 <sup>M3</sup>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 50 above fixing his rate of pay by reference to his length of service.
- (4) In the case of relevant service to which subsection (1)(e) 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 <sup>M4</sup>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) 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 [<sup>F32</sup>paragraph (a), (aa), (b), (c), <sup>F33</sup> ... <sup>F34</sup> ... (cf) [<sup>F35</sup>, (cg) ] [<sup>F36</sup>, (ch) ] [<sup>F37</sup>, (ch), (ci) ] , (d), (g) or (h) of subsection (1)], or
  - (b) while engaged on relevant service within paragraph (e) 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 [<sup>F38</sup>(ea) or] (f) of that subsection, is dismissed from that service or is required to resign as an alternative to dismissal,

*Status: Point in time view as at 01/12/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Cross Heading: Miscellaneous. (See end of Document for details)*

may be dealt with under regulations made in accordance with section 50(3) 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 85 shall apply accordingly.

- (7) For the purposes of subsection (6) 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 [<sup>F39</sup>the Police Ombudsman for Northern Ireland or (as the case may be)] the chief constable of the [<sup>F40</sup>Police Service of Northern Ireland], or such other person or authority as may be designated for the purposes of this subsection by order of the Secretary of State.
- (8) A member of a police force engaged on relevant service within [<sup>F41</sup>paragraph (aa), (b), (c), <sup>F42</sup>... <sup>F43</sup>... (cf) [<sup>F44</sup>, (cg) ] [<sup>F45</sup>, (ch) ] [<sup>F46</sup>, (ch), (ci)] or (d) of subsection (1) —
- (a) shall continue to be a constable, and
  - (b) shall be treated for the purposes of sections 30, 59, 60, 64 and 90 as if he were a member of his police force.
- (9) The Secretary of State shall be liable in respect of [<sup>F47</sup>any unlawful conduct of] a member of a police force engaged on relevant service within paragraph (b), (c) or (d) of subsection (1) in the performance or purported performance of his functions in like manner as a master is liable in respect of torts committed by his servants in the course of their employment, and shall in [<sup>F48</sup>, in the case of a tort,] be treated for all purposes as a joint tortfeasor.

#### Textual Amendments

- F16** S. 97(1)(aa) inserted (1.4.2004) by Police Reform Act 2002 (c. 30), s. 108(2), **Sch. 7 para. 19(1)**; S.I. 2004/913, art. 2(e)
- F17** S. 97(1)(ca) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 82(2)(a), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F18** S. 97(1)(cb) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 82(2)(a), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F19** S. 97(1)(cc)(cd) repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(A)**; S.I. 2007/709, art. 3(q) (with art. 6); S.I. 2007/709, art. 3(q) (with art. 6)
- F20** S. 97(1)(ce) repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), Sch. 8 para. 155(2), **Sch. 14**; S.I. 2008/755, art. 2(1)(a)(d) (with arts. 3-14)
- F21** S. 97(1)(ce): s. 97(1)(cd) renumbered as s. 97(1)(ce) (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 82(2)(b)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F22** S. 97(1)(cf) inserted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 82(2)(c)**; S.I. 2006/378, art. 4(1), Sch. para. 10
- F23** S. 97(1)(cg) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 1 para. 72(2)**; S.I. 2007/709, art. 3(a) (with art. 6)
- F24** S. 97(1)(ch) inserted (12.10.2009) by Safeguarding Vulnerable Groups Act 2006 (c. 47), s. 65, **Sch. 9 para. 13(2)** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2009/2611, art. 2, Sch.
- F25** Words in s. 97(1) substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **13(1)(2)(b)** (with Pt. 4)
- F26** S. 97(1)(ch)(ci) inserted (1.4.2007) by The Police, Public Order and Criminal Justice (Scotland) Act 2006 (Consequential Provisions and Modifications) Order 2007 (S.I. 2007/1098), art. 1(3), **Sch. para. 3(3)(a)**

*Status: Point in time view as at 01/12/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Cross Heading: Miscellaneous. (See end of Document for details)*

- F27** S. 97(1)(ea) inserted (9.2.1999 and 21.2.2003) by 1998 c. 32, s. 74(1), **Sch. 4 para. 20(3)**; S.R. 1999/48, **art. 3** (with art. 4); S.R. 2003/142, **art. 3**
- F28** Words in s. 97(1)(f) substituted (4.11.2001) by 2000 c. 32, s. 74, **Sch. 6 para. 12(3)**; S.R. 2001/396, **art. 2, Sch.**
- F29** Word in s. 97(1) repealed (17.6.2002) by International Development Act 2002 (c. 1), ss. 19, 20(2), **Sch. 4** (with Sch. 5 para. 5); S.I. 2002/1408, **art. 2**
- F30** S. 97(1)(h) and word inserted (17.6.2002) by International Development Act 2002 (c. 1), ss. 19, 20(2), **Sch. 3 para. 11(2)** (with Sch. 5 para. 5); S.I. 2002/1408, **art. 2**
- F31** Words in s. 97(2) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 44**; S.I. 2011/3019, art. 3, **Sch. 1**
- F32** Words in s. 97(6)(a) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 82(3)**; S.I. 2006/378, art. 4(1), **Sch. para. 10**
- F33** Words in s. 97(6)(a) repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(A)**; S.I. 2007/709, art. 3(q) (with art. 6)
- F34** Word in s. 97(6)(a) repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 155(3), Sch. 14**; S.I. 2008/755, art. 2(1)(a)(d) (with arts. 3-14)
- F35** Word in s. 97(6)(a) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 1 para. 72(3)**; S.I. 2007/709, art. 3(a) (with art. 6)
- F36** Words in s. 97(6)(a) inserted (12.10.2009) by Safeguarding Vulnerable Groups Act 2006 (c. 47), s. 65, **Sch. 9 para. 13(3)** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2009/2611, art. 2, **Sch.**
- F37** Words in s. 97(6)(a) inserted (1.4.2007) by The Police, Public Order and Criminal Justice (Scotland) Act 2006 (Consequential Provisions and Modifications) Order 2007 (S.I. 2007/1098), art. 1(3), **Sch. para. 3(3)(b)**
- F38** Words in s. 97(6)(c) inserted (9.2.1999 and 21.2.2003) by 1998 c. 32, s. 74(1), **Sch. 4 para. 20(4)**; S.R. 1999/48, **art. 3** (with art. 4); S.R. 2003/142, **art. 3**
- F39** Words in s. 97(7)(b) inserted (9.2.1999 and 21.2.2003) by 1998 c. 32, s. 74(1), **Sch. 4 para. 20(5)**; S.R. 1999/48, **art. 3** (with art. 4); S.R. 2003/142, **art. 3**
- F40** Words in s. 97(7)(b) substituted (4.11.2001) by 2000 c. 32, s. 74, **Sch. 6 para. 12(3)**; S.R. 2001/396, **art. 2, Sch.**
- F41** Words in s. 97(8) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 82(4)**; S.I. 2006/378, art. 4(1), **Sch. para. 10**
- F42** Words in s. 97(8) repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(A)**; S.I. 2007/709, art. 3(q) (with art. 6)
- F43** Word in s. 97(8) repealed (1.4.2008) by Serious Crime Act 2007 (c. 27), s. 94(1), **Sch. 8 para. 155(4), Sch. 14**; S.I. 2008/755, art. 2(1)(a)(d) (with arts. 3-14)
- F44** Word in s. 97(8) inserted (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 1 para. 72(3)**; S.I. 2007/709, art. 3(a) (with art. 6)
- F45** Words in s. 97(8) inserted (12.10.2009) by Safeguarding Vulnerable Groups Act 2006 (c. 47), s. 65, **Sch. 9 para. 13(3)** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2009/2611, art. 2, **Sch.**
- F46** Words in s. 97(8) inserted (1.4.2007) by The Police, Public Order and Criminal Justice (Scotland) Act 2006 (Consequential Provisions and Modifications) Order 2007 (S.I. 2007/1098), art. 1(3), **Sch. para. 3(3)(b)**
- F47** Words in s. 97(9) substituted (1.10.2002) by Police Reform Act 2002 (c. 30), **ss. 102(1)(a)(2)(b), 108(2)-(5)**; S.I. 2002/2306, **art. 2(f)(xi)**
- F48** Words in s. 97(9) substituted (1.10.2002) by Police Reform Act 2002 (c. 30), **ss. 102(1)(b)(2)(b), 108(2)-(5)**; S.I. 2002/2306, **art. 2(f)(xi)**

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

- C1** S. 97(9) excluded by 1974 c. 37, s. 51A(2D)(2E)(c) (as inserted (7.4.2005) by Serious Organised Crime and Police Act 2005 (c. 15), **ss. 158(1), 178(1)(a)** (with s. 158(5)-(7)))

#### **Marginal Citations**

- M1** 9 & 10 Geo. 6 c. 17.



*Status: Point in time view as at 01/12/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Cross Heading: Miscellaneous. (See end of Document for details)*

- M2** 1980 c. 63.
- M3** 1976 c. 35.
- M4** 9 & 10 Geo. 6 c. 17.

**[<sup>F49</sup>97A Power to amend section 97**

- (1) The Secretary of State may by order amend the definition of “relevant service” in section 97(1).
- (2) An order under this section may make transitional, consequential, incidental and supplemental provision or savings.
- (3) The provision that may be made under subsection (2) includes provision amending any enactment.
- (4) A statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

**Textual Amendments**

**F49** S. 97A inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\), ss. 10\(1\), 116\(1\); S.I. 2010/125, art. 2\(a\)](#)

**98 Cross-border aid of one police force by another.**

- (1) The chief officer of police of a police force in England or Wales may, on the application of the chief officer of a police force in Scotland or the chief constable of the [<sup>F50</sup>Police Service of Northern Ireland], provide constables or other assistance for the purpose of enabling the Scottish force or the [<sup>F50</sup>Police Service of Northern Ireland] to meet any special demand on its resources.
- (2) The chief officer of a police force in Scotland may, on the application of the chief officer of police of a police force in England or Wales <sup>F51</sup>... the chief constable of the [<sup>F50</sup>Police Service of Northern Ireland]<sup>F52</sup>..., provide constables or other assistance for the purpose of enabling the English or Welsh force or the [<sup>F50</sup>Police Service of Northern Ireland]<sup>F52</sup>... to meet any special demand on its resources.
- (3) The chief constable of the [<sup>F50</sup>Police Service of Northern Ireland] may, on the application of the chief officer of police of a police force in England or Wales or the chief officer of a police force in Scotland <sup>F53</sup>..., provide constables or other assistance for the purpose of enabling the English or Welsh force or the Scottish force <sup>F53</sup>... to meet any special demand on its resources.

<sup>F54</sup>(3A) .....

- (4) If it appears to the Secretary of State—
  - (a) to be expedient in the interests of public safety or order that a police force <sup>F55</sup>...should be reinforced or should receive other assistance for the purpose of enabling it to meet any special demand on its resources, and
  - (b) that satisfactory arrangements under subsection (1), [<sup>F56</sup>(2) or (3)] cannot be made, or cannot be made in time,

he may direct the chief officer of police of any police force in England or Wales, the chief officer of any police force in Scotland or the chief constable of the [<sup>F50</sup>Police



*Status: Point in time view as at 01/12/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Cross Heading: Miscellaneous. (See end of Document for details)*

Service of Northern Ireland]<sup>F55</sup>..., as the case may be, to provide such constables or other assistance for that purpose as may be specified in the direction.

(5) While a constable is provided under this section for the assistance of another police force <sup>F57</sup>... he shall, notwithstanding any enactment,—

(a) be under the direction and control of the chief officer of police of that other force (or, where that other force is a police force in Scotland or the [<sup>F50</sup>Police Service of Northern Ireland]<sup>F57</sup>..., of its chief officer or the chief constable of the [Police Service of Northern Ireland]<sup>F58</sup>... respectively); and

(b) have in any place the like powers and privileges as a member of that other force has in that place as a constable.

(6) The [<sup>F59</sup>local policing body] maintaining a police force for which assistance is provided under this section shall pay to the [<sup>F59</sup>local policing body] maintaining the force from which that assistance is provided such contribution as may be agreed upon between [<sup>F60</sup>those bodies] or, in the absence of any such agreement, as may be provided by any agreement subsisting at the time between all [<sup>F61</sup>local policing bodies] generally, or, in the absence of such general agreement, as may be determined by the Secretary of State.

<sup>F62</sup>(6A) .....

[<sup>F63</sup>(6B) In this section “local policing body” includes—

(a) a police authority in Scotland, and

(b) the Northern Ireland Policing Board.]

(7) In the application of this section to Scotland, any expression used in this section and in the <sup>M5</sup>Police (Scotland) Act 1967 shall have the same meaning in this section as in that Act.

[<sup>F64</sup>(8) “Constable”, in relation to Northern Ireland, means a police officer within the meaning of the Police (Northern Ireland) Act 2000.]

#### Textual Amendments

**F50** Words in s. 98(1)-(5) substituted (4.11.2001) by 2000 c. 32, s. 74, **Sch. 6 para. 12(4)**; S.R. 2001/396, art. 2, **Sch.**

**F51** Word in s. 98(2) repealed (1.4.1998) by 1997 c. 50, s. 134(2), **Sch. 10**; S.I. 1998/354, **art. 2(2)(ay)**

**F52** Words in s. 98(2) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 83(2)**, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), **Sch. paras. 10, 13(y)**

**F53** Words in s. 98(3) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 83(2)**, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), **Sch. paras. 10, 13(y)**

**F54** S. 98(3A) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 83(3)**, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), **Sch. paras. 10, 13(y)**

**F55** Words in s. 98(4) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 83(4)(a)**, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), **Sch. paras. 10, 13(y)**

**F56** Words in s. 98(4) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 83(4)(b)**; S.I. 2006/378, art. 4(1), **Sch. para. 10**

**F57** Words in s. 98(5) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 83(5)(a)**, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), **Sch. paras. 10, 13(y)**

**F58** Words in s. 98(5) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 4 para. 83(5)(b)**, **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), **Sch. paras. 10, 13(y)**

**F59** Words in s. 98(6) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 45(2)(a)**; S.I. 2011/3019, art. 3, **Sch. 1**

*Status: Point in time view as at 01/12/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Cross Heading: Miscellaneous. (See end of Document for details)*

- F60** Words in s. 98(6) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 45(2)(b)**; S.I. 2011/3019, art. 3, Sch. 1
- F61** Words in s. 98(6) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 45(2)(c)**; S.I. 2011/3019, art. 3, Sch. 1
- F62** S. 98(6A) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 4 para. 83(6), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(y)
- F63** S. 98(6B) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 45(3)**; S.I. 2011/3019, art. 3, Sch. 1
- F64** S. 98(8) substituted (4.11.2001) for s. 98(8)(9) by 2000 c. 32, s. 74, **Sch. 6 para. 12(5)**; S.R. 2001/396, art. 2, **Sch.**

#### Marginal Citations

- M5** 1967 c. 77.

## 99 Jurisdiction of metropolitan police officers.

- (1) A member of the metropolitan police force who is assigned to the protection of any person or property in Scotland shall, in the discharge of that duty, have the powers and privileges of a constable of a police force maintained under the Police (Scotland) Act 1967.
- (2) A member of the metropolitan police force who is assigned to the protection of any person or property in Northern Ireland shall, in the discharge of that duty, have the powers and privileges of a constable of the Royal Ulster Constabulary.

#### Extent Information

- E1** S. 99(1) extends to S. only and s. 99(2) extends to N.I. only

## 100 Chief constables affected by police area alterations or local government reorganisations.

- (1) If the chief constable of a police force which ceases to exist in consequence of an order under section 32 above [<sup>F65</sup>or section 58 of the Local Government Act 1972] is not appointed chief constable or other member of the successor force as from the date of transfer, he shall on that date become a member of that force (or, if there is more than one successor force, of such of them as may be provided by or under the order) by virtue of this section.
- (2) While a person is a member of a police force by virtue only of this section he shall hold the rank of assistant chief constable but shall be treated for the purposes of his pay, pension and other conditions of service as if he had continued to be chief constable of the force which ceased to exist, subject however to section 10(1).
- (3) A chief constable who becomes a member of a police force by virtue of this section shall, subject to regulations under section 50, cease to be a member of that force at the end of three months unless he has then accepted and taken up an appointment in that force.
- (4) If a chief constable was appointed for a term which expires within three months of his becoming a member of a police force by virtue of this section, subsection (3) shall have effect as if the reference to three months were a reference to that term.

---

*Status: Point in time view as at 01/12/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Police Act 1996, Cross Heading: Miscellaneous. (See end of Document for details)*

---

(5) Where—

- (a) the chief constable of a police force is engaged for a period of relevant service within paragraph (b), (c), (d) or (e) of section 97(1), and
- (b) before the end of that period that force ceases to exist as mentioned in subsection (1) above,

subsection (1) shall apply to the chief constable as if he were still the chief constable of that force, but with the substitution for references to the date of transfer of references to the end of the said period.

(6) In this section—

- (a) “successor force”, in relation to a police force which ceases to exist in consequence of an order, means a force to which members of that police force are transferred by virtue of the order; and
- (b) “date of transfer” means the date as from which those members are so transferred.

---

**Textual Amendments**

- F65** Words in s. 100(1) substituted (1.11.2007 for E.) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\), s. 245\(5\), Sch. 1 para. 19\(3\)](#); S.I. 2007/3136, art. 2(b)

**Status:**

Point in time view as at 01/12/2012.

**Changes to legislation:**

There are currently no known outstanding effects for the Police Act 1996, Cross Heading: Miscellaneous.