ANNO UNDECIMO

VICTORIÆ REGINÆ.

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C A P. XIV.

An Act for authorizing a Borough Police Superannuation Fund. [22d *April* 1848.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, whereby the Council to be elected for any Borough within the Provisions of the said Act was directed to appoint a Watch Committee, and such Committee was directed to appoint from Time to Time, as Occasion should require, a sufficient Number of fit Men to act as Constables for preserving the Peace by Day and by Night, which Constables are usually called the Police Force of such Borough; and the said Watch Committee was thereby authorized to frame Regulations for rendering such Constables efficient in the Discharge of their Duties; and the Treasurer of each Borough was thereby directed to pay to such Constables such Salaries, Wages, and Allowances as such Watch Committee, with the Approbation of the Council, should order to be paid, or as a Compensation for Wounds or severe Injuries received in the Performance of their Duty, or as an Allowance to such of them as should be disabled by bodily Injury received, or be worn out by Length of Service: And whereas it might tend to the Encouragement of such Constables to continue in such Service, and to behave themselves in an orderly Manner, if the Council were enabled to establish a Superannuation Fund in each Borough, from 5 & 6 W. 4. c. 76.

which Fund each Police Constable, on the Events hereafter mentioned, shall be entitled to have and receive the Allowance hereinafter mentioned, independently of any Payment that may be awarded to him under the Provisions of the Act above mentioned: Be 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, That it shall be lawful for the Town Council of any Borough within the Provisions of the said Act, or subsequently incorporated, if it see fit, to declare that a Police Superannuation Fund shall be established in such Borough, and thereupon such Police Superannuation Fund shall be established accordingly, and the Provisions of this Act shall thenceforth be in full Force and Effect.

Councils of Boroughs may establish Police Superannuation Funds.

II. And be it enacted, That there shall be thenceforth deducted from the Pay of every Constable belonging to the Police Force of such Borough, either as Superintendent or Head Officer of the Police, or as Inspector, Acting Inspector, Serjeant, or Private Constable, or Clerk, a weekly Sum, as nearly as may be equal to One Thirty-sixth Part of his weekly Pay and Emoluments (Clothing excepted), which said Sums shall be so deducted from every Constable holding any such Office, Rank, or Situation respectively, by whatever Name or Title they may respectively be denominated in such Force; which Sums so deducted, and also all Monies accruing from Fines imposed on any of the Constables for Misconduct, and all Monies arising from the Sale of worn or cast-off Clothing supplied for the Use of the Police, and all Monies paid for the Service of Summons or Orders and Execution of Warrants by the Police, shall from Time to Time be paid into a separate Fund of such Borough, to be called the "Police Superannuation Fund;" and such Fund, and the Accounts thereof, shall be kept separate from the Borough Fund, but shall be in all respects managed and audited like the other Funds of such Borough, and shall be from Time to Time applied in Payment of such Superannuation or Retiring Allowances to Police Constables as herein-after mentioned; (that is to say,) if he shall have served as Police Constable in the said Police Force for Fifteen Years successively as a Private Police Constable, or as Serjeant or Inspector, Acting Inspector, Superintendent, or Head Officer, or any or all of those Ranks, he shall be entitled then to retire on a yearly Superannuation Allowance of an Amount equal to Half his full Pay; but if he shall then be able and willing to continue to serve as a Police Constable, and the Watch Committee shall consent thereto, he shall then receive his full Pay as a Constable from the Borough Fund, and also One Third, but no more, of the above-named Allowance from the Superannuation Fund; and when he shall have served as aforesaid for Twenty Years, he shall be entitled to retire on a yearly Pension equal to Two Thirds of his full Pay; but if he shall then be able and willing still to serve as a Police Constable, and the Watch Committee shall consent thereto, he shall then receive his full Pay as a Constable from the Borough Fund, and also One Third Part, and no more, of the said last-named Allowance from the Superannuation Fund; and if at any Time any Police Constable so entitled to a retiring Pension, but receiving a reduced Pension, while continuing

Superannuation Funds to be supported by Contributions of the Police Force, &c.;

and to be kept separate from the Borough Fund.

Rates of Superannuation or Retiring Allowances.

continuing to serve as a Constable, shall retire from the Police Force, he shall thenceforth receive the full Pension he would have been entitled to receive had he not continued so to serve: Provided always, that if any Police Constable who shall have served the necessary Period before Superannuation shall have so served in different Ranks or Capacities, his Superannuation Allowance shall be granted to him for a like Number of Years respectively in which he served in such several Ranks or Capacities, according to the Rate of Pay of each of the said several Ranks or Capacities.

If Constable has served in different Ranks, Rate of Superannuation to be regulated accordingly.

III. And be it enacted, That no Police Constable shall be entitled to be superannuated who is under Fifty Years of Age, unless he be reported, in Writing, by the Surgeon to the Police Force, to be unfit for further Service in the Force from Infirmity of Body or Mind.

No Constable to be superannuated under 50, unless unfit for Service.

IV. And be it enacted, That if any Party shall have served with Diligence and Fidelity in the Police Force for Ten Years successively, and from Injury received in the Service, or from Infirmity of Mind or Body, shall become incapable of discharging the Duties of his Office, and such last-named Circumstance shall be certified by the Police Surgeon for the Time being, thereupon it shall be lawful for the Watch Committee to order such Constable to be superannuated, and to receive out of the Police Superannuation Fund any Superannuation Allowance which such Watch Committee shall see fit to order, not exceeding Half his full Pay as before mentioned.

Cases in which Superannuation may be ordered by the Watch Committee, upon Certificate of the Police Surgeon.

V. And be it enacted, That nothing herein contained shall be construed so as to prevent the Dismissal of any Police Constable, who shall thereupon, or upon his retiring from the said Police Force, forfeit all Claim upon the Superannuation Fund; but if restored to the said Police Force, the Watch Committee may, if it see fit, at any Time make an Order enabling him to have the Time of his former Service reckoned in as Time served in respect of Superannuation, and thereupon it shall be so reckoned accordingly.

Constables dismissed or retiring to forfeit all Claim, but if restored may have Time of former Service allowed.

VI. And be it enacted, That, until the Town Council of such Borough shall otherwise direct, the Monies belonging to such Superannuation Fund shall be paid over to the Treasurer of the Borough, and employed in aid of the Borough Fund, and such Borough Fund shall be liable and answerable for the Amount thereof and of every Part thereof, when and as the same shall become liable under the Provisions hereof, and for all Accumulations and Interest thereon, after the yearly Rate of Five Pounds in the Hundred Pounds; and a separate Account shall nevertheless continue to be kept and audited, and a Debtor and Creditor Account kept, of all Receipts and Payments made as between the Borough Fund and Police Superannuation Fund: Provided always, that it shall be lawful for the Town Council to order the same or any Part thereof to be invested in Government Stock or Real Security in the Name of "The Treasurer of the Borough of [here insert the Name of the Borough] for the Time being;" and immediately upon such Investment, so long as the same shall remain so invested, the Borough Fund shall cease to be liable for

Monies paid to Superannuation Fund to be employed in aid of Borough Fund, which shall be answerable for the Amount, with Interest.

Power to Town Council to invest Monies in Government Securities;

for the Monies so invested, or any Interest thereon, but the Dividends on such Stock shall from Time to Time be received by such Treasurer, and shall be by him carried to the Credit of such Superannuation Fund; and it shall be lawful for the said Council at any Time to order the said Treasurer to re-sell such Funds, and place the Produce thereof again in the Borough Fund, subject to the like Rules as before mentioned.

and also to re-sell and replace the same in Borough Fund.

Provisions of this Act, if Town Council see fit, to apply to existing Superannuation Funds.

VII. And be it enacted, That it shall be lawful for the Town Council of any Borough, if it see fit, to declare that any Superannuation Fund heretofore established in the Police Force of such Borough shall, after the passing of this Act, be deemed to be, and the same shall thereupon be, a Superannuation Fund under this Act, and shall thereafter be in all respects regulated according to the Provisions hereof.

If Fund shall be exhausted, Town Council may advance Money on account thereof;

but if Town Council decline to advance, Superannuation Payments to be reduced pro ratâ.

VIII. And be it enacted, That in case the Superannuation Fund shall become exhausted, it shall be lawful for the Town Council, if it see fit, to cause Money to be advanced on account thereof out of the Borough Fund by the Treasurer, who shall thereupon receive the Funds coming to such Superannuation Fund from Time to Time on account of the Borough Fund, till such Advances shall have been paid off; but if the Town Council shall decline to make any such Advance, then the respective Payments to all Parties entitled to Superannuation from the said Fund shall be reduced *pro ratâ*, during such Time as the said Fund shall be insufficient to pay the whole of the Superannuation chargeable thereon in full; but the Amount of such Reductions shall nevertheless be a Charge on the said Fund, payable whenever afterwards the said Fund shall be capable of paying the total Amount thereof to all the said Parties whose Superannuations shall have been so reduced.

Act may be amended, &c.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1848.