1964 No. 1456

TRANSPORT

The British Transport Police Force Scheme 1963 (Approval) Order 1964

Made - - - -	10*th September* 1964
Laid before Parliament	17*th September* 1964
Coming into Operation	1*st January* 1965

The Minister of Transport (hereinafter referred to as "the Minister") in exercise of the powers conferred upon him by section 69(5) and (8) of the Transport Act 1962(a) (hereinafter referred to as "the Act") and of all other enabling powers, and after consultation with the British Railways Board, the London Transport Board, the British Transport Docks Board and the British Waterways Board (hereinafter referred to as "the Boards") in accordance with the requirements of section 69(6) of the Act hereby makes the following Order:—

1.—(1) The Minister hereby approves the scheme for the organisation of the transport police of the Boards submitted to him by the British Railways Board in pursuance of section 69(1) of the Act, subject to the amendment that the date upon which the scheme shall come into operation shall be the 1st January 1965 in substitution for the 1st June 1964 as provided in the scheme submitted to the Minister.

(2) The scheme as so approved with the said amendment is set out in the Schedule to this Order.

2.—(1) This Order may be cited as the British Transport Police Force Scheme 1963 (Approval) Order 1964 and shall come into operation on the 1st January 1965.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Given under the Official Seal of the Minister of Transport the 10th September 1964.

(L.S.)

Ernest Marples,
The Minister of Transport.

(a) 10 & 11 Eliz. 2. c. 46.

(b) 52 & 53 Vict. c. 63.

THE SCHEDULE

BRITISH TRANSPORT POLICE FORCE SCHEME 1963
TRANSPORT ACT 1962

SCHEME

prepared by the British Railways Board (after consulting the London Transport Board, the British Transport Docks Board and the British Waterways Board) and submitted to the Minister of Transport for his approval in accordance with Section 69(1) of the Transport Act, 1962

1. *Definitions*

(*a*) In this Scheme unless the context otherwise requires:—

"the Minister" means the Minister of Transport;

"the Railways Board" means the British Railways Board;

"the other Boards" means the London Transport Board, the British Transport Docks Board and the British Waterways Board or any of them as the context may require;

"the Boards" means the Railways Board and the other Boards;

"transport police" means constables appointed or deemed to be appointed under Section 53 of the British Transport Commission Act, 1949(a), or appointed or to be appointed under that section as amended by Section 70 of the Transport Act, 1962;

"the Force" means the force of transport police to be organised under this Scheme;

"the Committee" means the British Transport Police Committee constituted under this Scheme.

(*b*) The Interpretation Act, 1889, shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament.

2. *British Transport Police Force*

(*a*) The transport police shall be organised in a single force for the Railways Board but the services of the Force shall subject to the provisions of this Scheme be made available by the Railways Board to meet the requirements (if any) of the other Boards and the Railways Board shall use their best endeavours to meet the requirements of those Boards.

(*b*) The Force shall be known as "The British Transport Police Force".

(*c*) Subject to the provisions of this Scheme all transport police hereafter appointed shall be appointed and employed by the Railways Board and all transport police now appointed shall continue to be employed by the Railways Board.

(*d*) The property and rights and liabilities which vested in the Railways Board under Section 31(2) of the Transport Act 1962 as being comprised in that part of the undertaking of the British Transport Commission which constituted the British Transport Commission Police Force shall so far as the same are still vested in the Railways Board continue to be so vested but the Railways Board and each of the other Boards may from time to time enter into agreements for the transfer to such other Board of any of the said property in any case where in the opinion of the Boards concerned such transfer is necessary or convenient for the purposes of this Scheme.

3. *Organisation of the Force*

(*a*) The Force shall be organised in Divisions as from time to time may be agreed between the Boards.

(a) 12, 13 & 14 Geo. 6. c. xxix.

(*b*) There shall be a chief officer of the Force with the title of Chief Constable and there shall be officers subordinate to him in charge of one or more of each of the Divisions of the Force. The chief officer of the Railways Board's Police Force at the date of the coming into operation of this Scheme shall be the first Chief Constable of the Force.

4. *British Transport Police Committee*

(*a*) There shall be a committee (to be known as "the British Transport Police Committee") to whom the Chief Constable shall be responsible for the administration of the Force in accordance with the directions from time to time given to him by the Committee.

(*b*) The Committee shall consist of a Chairman appointed by the Railways Board and four other members appointed by that Board and one member each appointed by such of the other Boards requiring the services of the Force to be made available to them under this Scheme as may from time to time wish to appoint a member thereto. The Railways Board and such other Boards are in this Clause hereinafter collectively referred to as "the represented Boards".

(*c*) The terms of appointment of each member of the Committee shall be such as shall be agreed between the represented Boards. At least one of the members to be appointed by the Railways Board shall be appointed after consultation with the other represented Boards from among persons who have had wide experience of, or who have shown capacity in, the control or administration of police.

(*d*) A member of the Committee shall hold office in accordance with the terms of his appointment and may at any time resign his membership by notice to the Board which appointed him and each of the represented Boards may (unless the terms of appointment otherwise provide) at any time remove any member appointed by that Board by notice to such member.

(*e*) The Committee may act notwithstanding a vacancy among its members.

(*f*) The quorum of the Committee shall be four (including at least one member appointed otherwise than by the Railways Board) and subject thereto the Committee shall determine its own procedure.

(*g*) It shall be the duty of the Committee—

(i) to supervise the administration of the Force by the Chief Constable on such lines as may from time to time be agreed between the represented Boards and to give to him all such directions as may from time to time be necessary for that purpose;

(ii) to make recommendations to the represented Boards in respect of any matter relating to the Force;

(iii) to exercise on behalf and in the name of the Railways Board the powers of the Railways Board under Section 53 of the British Transport Commission Act 1949 as amended by Section 70 of the Transport Act, 1962; and

(iv) to do on behalf and in the name of the Railways Board all other things which may be necessary for performing their functions under this Scheme.

(*h*) Notice of every decision of the Committee with respect to any matter relating to the Force shall be sent to each of the represented Boards who shall be deemed to have approved such decision unless they signify in writing to the Committee and all other represented Boards within seven days of receipt of such notice that they object thereto, and the Committee and the represented Boards shall give effect to any decision of the Committee which is approved or deemed to be approved as aforesaid. Effect shall not be given to any decision to which a represented Board have objected, unless the objection is withdrawn, but any represented Board may apply to the

Minister after notice to the others for a determination of any matter arising out of the objection and the Committee and the represented Boards shall give effect to such determination.

5. Expenses of Force

All expenses relating to the Force shall be borne by the Railways Board but the other Boards shall make such contribution towards those expenses as may be agreed between the Boards from time to time and the Railways Board shall be entitled to recover from the other Boards the amounts of their respective contributions.

6. Settlement of Disputes

If the Boards or the represented Boards (as the case may be) fail to agree upon any matter which is expressed in this Scheme to be the subject of agreement between them the matter shall be determined by the Minister upon the application of any of them after notice to the others and effect shall be given to such determination.

7. Citation etc.

This Scheme may be cited as " the British Transport Police Force Scheme 1963 " and shall come into operation on the first day of January 1965.

Dated this Ninth day of December 1963.

The COMMON SEAL of THE BRITISH RAILWAYS BOARD was hereunto affixed in the presence of:—

G. N. Russell	Member. 2405.	LS.
Ll. Wansbrough-Jones	Secretary.	

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

Section 69(1) of the Transport Act 1962 imposes a duty upon the British Railways Board, after consulting the other Boards set up by the Act, to prepare and submit to the Minister of Transport a scheme for the organisation of the transport police of the Boards. The Minister is empowered by Section 69(5) and (6) to approve the scheme with or without amendment, after consulting the Boards.

This Order embodies the Minister's approval of a scheme duly submitted to him, subject only to an amendment as to the date of its operation. The Scheme as so approved is set out in the Schedule.