Assistant to be appointed by Her Majesty.

and future Clerk Assistant and Second Clerk Assistant shall be removable only by Her Majesty, upon an Address of the House of Commons to Her Majesty for that Purpose.

So much of Acts as fixes Salary of Second Clerk Assistant repealed.

II. So much of the several Acts relating to the Offices of the House of Commons as fixes the Salary of the Second Clerk Assistant, and charges such Salary on the Consolidated Fund of the United Kingdom, shall be repealed.

CAP. II.

An Act to amend the Acts relating to the Metropolitan Police.

[28th *February* 1856.]

10 G. 4. c. 44.

2 & 3 Vict. c. 47.

'WHEREAS by an Act passed in the Tenth Year of King *George* the Fourth, Chapter Forty-four, "for improving the Police in and near the Metropolis," Provision was made for the Appointment of Two fit Persons as Justices of the Peace of the Counties of *Middlesex, Surrey, Hertford, Essex,* and *Kent,* and of all Liberties therein, to execute the Duties in the said Act mentioned: And whereas by an Act of the Session holden in the Second and Third Years of Her Majesty, Chapter Forty-seven, "for further improving the Police in and near the Metropolis," it was provided, that it should be lawful for Her Majesty to appoint the Justices appointed and to be appointed under the said Act of the Tenth Year of King *George* the Fourth to be Justices of the Peace for the Counties of *Berkshire* and *Buckinghamshire,* and that the said Justices should be styled "The Commissioners of Police of the Metropolis:"' 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, as follows:

One Commissioner of Police only to be appointed after passing of this Act.

I. There shall be appointed from Time to Time under the said Acts and be but One Commissioner of Police, who shall be styled "The Commissioner of Police of the Metropolis;" and the Person who at the Time of the passing of this Act may be the surviving or continuing Commissioner appointed under the said Acts or either of them shall be such Commissioner of Police of the Metropolis; and all the Provisions of the said Acts concerning the Removal and Appointment from Time to Time of the said Justices or Commissioners, or either of them, shall be applicable to the Removal and Appointment from Time to Time of "The Commissioner of Police of the Metropolis."

Power to appoint Two Assistant Commissioners of Police, who, by virtue of such Office, shall be Justices of certain Counties herein named.

II. It shall be lawful for Her Majesty, by Warrant under Her Sign Manual, to appoint Two fit Persons to be during Her Majesty's Pleasure Assistant Commissioners of Police of the Metropolis, and upon every Vacancy in the Office of any such Assistant Commissioner in like Manner to appoint some other Person to such Office; and every such Assistant Commissioner shall by virtue of and during the Continuance of such Appointment be a Justice of the Peace of the Counties of *Middlesex, Surrey, Hertford, Essex, Kent, Berkshire,* and *Buckinghamshire,* and of all Liberties therein, and execute the Duties of a Justice of the Peace for the said several Counties and for all Liberties therein, although he may not have the Qualification by Estate required by Law in the Case of other Persons being Justices of the Peace for Counties: Provided always, that no such Assistant Commissioner shall act as a Justice of the Peace at any Court of General or Quarter Sessions, or in any Matter out of Sessions, except for the Preservation of the Peace, the Prevention of Crimes, the Detention and Committal of Offenders, and in carrying into execution the Purposes of this Act and the said recited Acts.

Provision as to Salaries of such Commissioner and Assistant Commissioners.

III. There shall be paid to the Commissioner of Police of the Metropolis such Salary not exceeding Fifteen hundred Pounds *per Annum,* and to each of the said Assistant Commissioners such Salary not exceeding Eight hundred Pounds *per Annum,* as shall be from Time to Time appointed by the Commissioners of Her Majesty's Treasury, such Salaries respectively

tively to be deemed to include the Remuneration for all Duties which under the said Acts and this Act, or under any other Acts of Parliament, the said Commissioner of Police and Assistant Commissioners respectively are or may be required or appointed to perform, and such Salaries shall be from Time to Time paid out of such Monies as may be from Time to Time provided and appropriated by Parliament for the Purpose.

Assistant Commissioners to be within Provisions of 4 & 5 W. 4. c. 24.

IV. The said Assistant Commissioners of Police shall be within the Provisions of the Act of the Session holden in the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, in like Manner as if their Offices were enumerated in the Schedule to that Act.

Powers vested in the Commissioners of Police under recited Acts to be exercised by the sole Commissioner.

V. All the Jurisdictions, Duties, Powers, and Authorities which, under the said Acts of the Tenth Year of King *George* the Fourth and the Second and Third Years of Her Majesty, or either of them, or under any other Act of Parliament, are vested in or imposed on, or should or might, if this Act had not been passed, have been performed or exercised by, the Commissioners of Police of the Metropolis, shall be vested in and imposed on and shall and may be performed and exercised by the Commissioner of Police of the Metropolis; and all Enactments contained in the said Acts or any Act of Parliament having reference to the Commissioners of Police of the Metropolis shall be applicable to the said Commissioner, save where otherwise provided by this Act.

Duties of Assistant Commissioners.

VI. The Assistant Commissioners, and each or either of them, shall respectively, under the Superintendence and Control of the Commissioner of Police of the Metropolis, do and perform such Acts and Duties in execution of the Acts relating to the said Police as may be from Time to Time directed by any Orders and Regulations made by the Commissioner of Police of the Metropolis, with the Approbation of One of Her Majesty's Principal Secretaries of State.

Matters now required to be done by One Commissioner may be done either by the Commissioner or an Assistant.

VII. Where by any Act of Parliament the Provisions of such Act are required or authorized to be executed or any Things are required or authorized to be done by One of the Commissioners of Police of the Metropolis appointed in that Behalf by One of Her Majesty's Principal Secretaries of State, such Provisions and Things shall be executed and done respectively by the Commissioner of Police of the Metropolis, or by One of the Assistant Commissioners nominated by the Secretary of State in this Behalf, as the Secretary of State shall direct.

In case of Vacancy in Office of Commissioner of Police, or of his Illness or Absence, an Assistant Commissioner may act for him.

VIII. In case of any Vacancy in the Office of Commissioner of Police of the Metropolis, or in case of the Illness or Absence of any such Commissioner, it shall be lawful for such One of the said Assistant Commissioners as may be authorized by Writing under the Hand and Seal of One of Her Majesty's Principal Secretaries of State for this Purpose to do all such Acts as it would be competent for the Commissioner of Police of the Metropolis to do, and all Acts done by any Assistant Commissioner so authorized shall be as valid and effectual as if done by the Commissioner of Police of the Metropolis if the Office had not been vacant, or (as the Case may be) if the Commissioner had been present and acting.

Provisions as to Commissioners of Police sitting in Parliament, &c. to apply to Assistant Commissioners.

IX. The Provision of the firstly-recited Act for preventing any Justice of the Peace appointed by virtue of that Act from being elected or sitting as a Member of the House of Commons, or voting in certain Elections of Members to serve in Parliament, or indirectly interfering therein, shall apply to and include the said Assistant Commissioners to be appointed under this Act.

Acts done by One Commissioner during the Vacancy in the Office of the other confirmed.

X. All Acts which, during any Vacancy in the Office of One of the Commissioners of Police of the Metropolis, have been done by the surviving or continuing Commissioner, shall be and be deemed to have been as valid and effectual as if there had been no such Vacancy, and such Acts had been done by both the Commissioners.