in the discretion of the court or judge, and the court or judge shall have full power to determine by whom and to what extent such costs are to be paid.

Extent of Act.

6. This Act shall not apply to Ireland or Scotland.

Commencement and short title.

7. This Act shall commence on the twenty-fourth day of October one thousand eight hundred and ninety, and may be cited for all purposes as the Supreme Court of Judicature Act, 1890.

CHAPTER 45.

An Act to make provision respecting the Pensions, Allowances, and Gratuities of Police Constables in England and Wales, and their Widows and Children, and to make other provisions respecting the Police of England and Wales. [14th August 1890.]

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:

PART I.

Superannuation of Constables.

Right of constables to pensions.

1. Subject to the provisions of this Act, every constable in a police force—

(*a.*) if he has completed not less than twenty-five years approved service, and, where a limit of age is prescribed by the pension scale in force under this Act, is of an age not less than the age so prescribed, shall, on the expiration of such time not exceeding four months after he has given written notice to the police authority of his desire to retire as the police authority may fix, be entitled without a medical certificate to retire and receive a pension for life; and,

(*b.*) if after he has completed fifteen years approved service he is incapacitated for the performance of his duty by infirmity of mind or body, shall be entitled on a medical certificate to retire and receive a pension for life; and,

(*c.*) if before he has completed fifteen years approved service he is incapacitated for the performance of his duty by infirmity of mind or body, shall be entitled on a medical certificate to retire, and thereupon the police authority may, if they think fit, grant him a gratuity; and,

(*d.*) if at any time he is incapacitated for the performance of his duty by infirmity of mind or body occasioned by an injury received in the execution of his duty without his own default, shall be entitled on a medical certificate to retire and receive a pension for life.

Pension allowances and gratuities to widow and children.

2.—(1.) If a constable dies whilst in a police force from the effect of an injury received in the execution of his duty without his own default, the police authority shall grant a pension to his widow, and allowances to his children.

(2.) If a constable dies whilst in a police force from any other cause, the police authority may, if they think fit, grant gratuities to his widow and children or any of them.

(3.) If a constable, to whom a pension has been granted because he was incapacitated for the performance of his duty by an injury received in the execution of his duty without his own default, dies from the effects of the injury within twelve months after the grant of the pension, the police authority may, if they think fit, grant a pension to his widow, either for a term of years or otherwise.

(4.) If a constable to whom a pension has been granted dies within twelve months after the grant of the pension, the police authority may, if they think fit, grant gratuities to his widow and children or any of them.

Pension scale.

3.—(1.) The pensions, allowances, and gratuities granted to constables of a police force and to their widows and children shall be in accordance with the pension scale for the force.

(2.) The pension scale for a police force shall be—

(*a.*) as regards ordinary pensions, a fixed scale adopted by the police authority within the maximum and minimum limits set forth in Part I. of the First Schedule to this Act; and

(*b.*) as regards special pensions and allowances and gratuities, the scale set forth in Part II. of that Schedule.

(3.) The police authority shall before the first day of January one thousand eight hundred and ninety-one send to the Secretary of State a copy of the scale adopted by them for ordinary pensions.

(4.) If any police authority do not before the said date adopt a fixed scale for ordinary pensions and send a copy thereof to the Secretary of State, the Secretary of State may frame for that authority a fixed scale for ordinary pensions within the maximum and minimum limits set forth in Part I. of the First Schedule to this Act, and that scale shall have the same effect as if it were a scale adopted by the police authority under this section.

(5.) The pension scale for each force shall come into operation on the commencement of this Act.

(6.) A police authority may from time to time adopt and send to the Secretary of State a new scale for ordinary pensions in lieu of the scale for the time being in force, but any such new scale shall not, without the consent of the constable, apply to any constable appointed before the day of its coming into operation.

(7.) The rules contained in Part III. of the First Schedule to this Act shall apply to all pensions, allowances, and gratuities granted under this Act.

Reckoning of service for pension.

4.—(1.) The service of a constable for the purposes of this Act shall be subject to such deductions in respect of sickness, misconduct, or neglect of duty as may be made therefrom in pursuance of the regulations of the force to which the constable belongs; and the expression "approved service" shall for the purposes of this

Act mean such service as may after such deductions as aforesaid (if any) be certified under the order of the police authority to have been diligent and faithful service, but shall not, unless the regulations of the police force otherwise prescribe, include service before twenty-one years of age.

(2.) A certificate signed by the chief officer of a police force as to the period of a constable's approved service in that force shall be sufficient evidence thereof.

(3.) Where a deduction is made from a constable's service in respect of sickness, misconduct, or neglect of duty, notice of the deduction shall as soon as may be after the occurrence of the cause for which the deduction is made be given to the constable; and the constable may appeal to the chief officer of his police force against any act of an officer of police superior to the constable which prevents him from reckoning any period of actual service as approved service, and any period of actual service allowed by the chief officer on such appeal shall be deemed to be approved service: Provided that, in the case of a borough having a separate police force, the decision of the chief officer shall be subject to the approval of the watch committee.

(4.) Where a constable has served in more than one police force in any part of the United Kingdom, approved service in any such police force in which he has completed not less than three years approved service, and from which he has with the written sanction of the chief officer of that force removed to another force, shall be reckoned as approved service in the force in which the constable is serving at the time of his retirement.

(5.) Where a constable with the knowledge of the police authority or of the chief officer of his police force belongs to the army reserve, and is called out for training or for permanent service, he shall be entitled, on returning to the police force after the end of such training or service, to reckon any approved service which he was entitled to reckon at the commencement thereof.

Proof of incapacity for duty liability to serve again, and revision of pension.

5.—(1.) Before granting to a constable an ordinary pension on the ground of his being incapacitated by infirmity for the performance of his duty, the police authority shall be satisfied by the evidence of some legally qualified medical practitioner or practitioners, selected by the police authority, that the constable is so incapacitated, and that the incapacity is likely to be permanent.

(2.) Where the application is for a special pension, the police authority shall also be satisfied that the injury was received by the constable in the execution of his duty, that it was received without the default of the constable, and that the infirmity is attributable to the injury, and shall also determine whether the injury was accidental or not, and whether the disability of the constable for earning his livelihood is total or partial; and for the purpose of determining any of the said questions which ought to be determined on medical grounds shall take the like evidence as above mentioned.

(3.) Where a pension is granted to a constable on the ground of incapacity for the performance of his duty, the police authority shall, yearly or otherwise, until the power under this Act of

requiring the constable to serve again ceases, satisfy themselves that the incapacity continues, and, unless they resolve that such evidence is unnecessary, shall satisfy themselves by the like evidence as above mentioned.

(4.) In the event of the incapacity ceasing before the time at which the constable would, if he had continued to serve, have been entitled without a medical certificate to retire and receive a pension for life, the police authority may cancel his pension and require him to serve again in the police force, in a rank not less than the rank which he held before his retirement, and at a rate of pay not less than the rate which he received before his retirement.

(5.) Where a constable so serves again, the provisions of this Act as to retirement and pensions, allowances, and gratuities shall apply as if he had not previously retired, save that, except in the case of pensions for non-accidental injuries received in the execution of duty, he shall not reckon as approved service the time which elapsed between his former retirement and the commencement of his service again.

(6.) Where a pension is granted to a constable on a scale applicable to total disability for earning a livelihood, it shall be so granted for such period as may be fixed by the police authority, and, if at the expiration of that period the pensioner continues to be totally so disabled, the pension shall, in the discretion of the police authority, either be made permanent or renewed from time to time. If at any time before the pension is made permanent the police authority are satisfied by the evidence of a legally qualified medical practitioner that the pensioner's disability for earning his livelihood has become partial, the pension shall, within the limits allowed by the pension scale, be reduced to the amount allowed by the provisions of the scale applicable to cases of partial disability.

(7.) If a constable fails or refuses, when required by the police authority, to be examined by some legally qualified medical practitioner selected by that authority, the police authority may deal with the constable in all respects as if they were satisfied by the evidence of such a practitioner that the constable is not incapacitated for the performance of his duty or, as the case may be, is only partially disabled.

(8.) The decision of the police authority on the matters above in this section mentioned shall be final, save that in the case of a borough the constable may appeal to the council of the borough, and the decision of the council shall be final.

Power to reduce pension where infirmity partially due to misconduct.

6. Where a constable retires on account of infirmity of mind or body, and the police authority are satisfied on medical evidence that the constable has brought about or contributed to the infirmity by his own default or his vicious habits, the police authority may, in their discretion, reduce the amount of his pension by an amount not exceeding one half of the pension to which he would be otherwise entitled.

Assignment of pensions and regulations as

7. The following provisions shall have effect with respect to every pension, allowance, and gratuity (in this section referred to

to payment of pensions, &c.

as a "grant") payable by the police authority to any person (in this section referred to as the pensioner):—

(1.) Every assignment of and charge on a grant, and every agreement to assign or charge a grant, shall, except so far as made for the benefit of the family of the pensioner, be void, and on the bankruptcy of the pensioner the grant shall not pass to any trustee or other person acting on behalf of the creditors:

(2.) Where any parochial relief is given to a pensioner or to anyone whom he is liable to maintain, the police authority may pay the whole or any part of the grant to the guardians or other authority giving the relief, and the same, when so paid, may be applied in repayment of any sums expended in such relief, and, subject thereto, shall be paid or applied by the guardians or other authority to or for the benefit of the pensioner:

(3.) If the pensioner neglects to maintain any person whom he is liable to maintain, the police authority may in their discretion pay or apply the whole or any part of the grant to or for the benefit of that person:

(4.) If the pensioner appears to the police authority to be insane or otherwise incapacitated to act, the police authority may pay so much of the grant as the police authority think fit to the institution or person having the care of the pensioner, and may pay the surplus (if any) or such part thereof as the authority think fit for or towards the maintenance and benefit of the wife or relatives of the pensioner:

(5.) On the death of a pensioner to whom a sum not exceeding one hundred pounds is due on account of a grant, then, if the police authority so direct, probate or other proof of the title of the personal representative of the deceased may be dispensed with, and the sum may be paid or distributed to or among the persons appearing to the police authority to be beneficially entitled to the personal estate of the deceased pensioner, or to or among any one or more of those persons, or in case of the illegitimacy of the deceased pensioner, to or among such persons as the police authority may think fit, and the police authority, and any officer of the police authority making the payment, shall be discharged from all liability in respect of any such payment or distribution:

(6.) Any sum payable to a minor on account of a grant may be paid either to the minor or to such person and on such conditions for the benefit of the minor as to the police authority seems expedient:

(7.) Where a payment is made to any person by a police authority in pursuance of this section, the receipt of that person shall be a good discharge to that authority for the sum so paid:

(8.) A police authority may, with the consent of the Secretary of State, make rules with respect to declarations to be taken for any purpose relating to grants payable by that authority, and while any such rules made by a police authority are in force, a

person shall not be entitled to receive any sum in respect of a grant payable by that authority until any declaration required by those rules has been made.

Forfeiture of pension or allowance.

8. A pension or allowance under this Act is granted only upon condition that it becomes forfeited, and may be withdrawn by the police authority, in any of the following cases:—

(*a.*) if the grantee is convicted of any offence for which he is sentenced to penal servitude or to imprisonment for a term exceeding three months with hard labour, or to imprisonment for a term exceeding twelve months, whether with or without hard labour; or

(*b.*) if the grantee knowingly associates with thieves or reputed thieves; or

(*c.*) if the grantee refuses to give to the police all information and assistance in his power, for the detection of crime, for the apprehension of criminals, and for the suppression of any disturbance of the public peace; or

(*d.*) if the grantee enters into or continues to carry on any business, occupation, or employment which is illegal, or in which he has made use of the fact of his former employment in the police in a manner which the police authority consider to be discreditable and improper.

Such forfeiture and withdrawal may affect the pension wholly or in part, and may be permanent or temporary, as the police authority may determine.

Punishment for obtaining pension, &c. by fraud.

9. If a person obtains or attempts to obtain for himself or for any other person any pension, gratuity, or allowance under this Act, or any payment on account of any such pension, gratuity, or allowance, by means of any false declaration, false certificate, false representation, false evidence, or personation, or by malingering or feigning disease or infirmity, or by maiming or injuring himself, or causing himself to be maimed or injured, or otherwise producing disease or infirmity, or by any other fraudulent conduct, he shall be liable on summary conviction to imprisonment with or without hard labour for a term not exceeding four months or to a fine not exceeding twenty-five pounds, to be paid (notwithstanding anything in any charter or in any other Act whether relating to municipal corporations or otherwise) to the pension fund of the force from which he obtained or attempted to obtain the pension, gratuity, or allowance, and on conviction by a jury to imprisonment, with or without hard labour, for a term not exceeding two years, and also in either case, to forfeit any pension, gratuity, or allowance so obtained.

Saving of right of dismissal and reduction in rank.

10. Nothing in this Act shall prejudice the existing right of any police authority to dismiss any constable, or to reduce him to any lower rank or lower rate of pay, or shall prevent his claim to pension from being refused on account of misconduct, or of negligence in the discharge of his duties, or on account of any of the grounds on which his pension if granted would be liable to be forfeited and withdrawn.

Appeal in case of forfeiture, or refusal of pension or allowance.

11. In any of the following cases—

(*a.*) where a pension after being granted to a constable has subsequently in pursuance of this Act been declared to have been forfeited, and

(*b.*) where a constable is dismissed without a pension to which he would be otherwise entitled, and in any other case where a constable, or the widow or child of a constable, claims a pension or allowance under this Act as of right, and the police authority do not admit the claim,

the constable, widow, or child may apply to the police authority for a re-consideration of the claim to the pension or allowance, and if aggrieved by the decision upon such re-consideration may apply to the next practicable court of quarter sessions for the county within which the constable last served; or if the constable last served in the police force of a borough having a separate police force and a separate court of quarter sessions, then to the next practicable court of quarter sessions for that borough, and that court, after inquiry into the case, may make such order in the matter as appears to the court just, which order shall be final; but nothing in this section shall confer a right to appeal against the exercise of any discretion, or against any decision which is declared by this Act to be final.

Application of Act to chief officer of police.

12. The provisions of this Act shall apply to a chief officer of police and to the assistant commissioners of the metropolitan police in like manner, so nearly as circumstances admit, as they apply to any other constable, except that, in the case of a chief officer, the certificate of approved service and the sanction to removal from one force to another may be given by a resolution of the police authority, and that nothing in this section shall make any pension which is now payable out of money provided by Parliament payable from any other source.

Suspension of pension in case of appointment to new office.

13.—(1.) Where a constable in receipt of a pension under this Act from a police authority takes service in any police force, his pension may be suspended by that police authority in whole or in part so long as he remains in that service.

(2.) If a constable in receipt of a pension under this Act is appointed to an office remunerated out of money provided by Parliament, or out of a county or borough rate or fund, he shall not, while holding that office, receive more of the pension than together with the remuneration of that office is equal to one and a half times the remuneration of the office in respect of which the pension was awarded.

Provision as to service in more than one capacity. 50 & 51 Vict. c. 67.

14. Where a person has served in two or all of the following capacities—

(i.) as a civil servant within the meaning of the Superannuation Act, 1887;

(ii.) in a police force with a salary paid out of the police fund;

(iii.) in a police force with a salary paid out of money provided by Parliament;

he shall be entitled to reckon his entire period of service in both or all capacities for the purpose of pension, and the pension shall be

on the scale and subject to the statutory requirements affecting pensions in the service from which he last retires.

Provided as follows:—

(1.) For the purposes of the pension three years of police service shall be reckoned as equivalent to four years of service as a civil servant, and conversely; and

(2.) The pension shall be payable from money provided by Parliament, and from the police pension fund in such proportions as the Treasury may determine, regard being had to the period of service and the salary received in each capacity.

Rateable deductions from pay to be carried to pension fund.

15.—(1.) The police authority of every police force shall deduct from the pay of every constable in the force—

(*a.*) sums at a rate not exceeding two and a half per cent. per annum on his pay (in this Act referred to as the rateable deduction); and

(*b.*) such stoppages during sickness, and such fines for misconduct, as may be provided by the regulations respecting the force.

(2.) Where a constable has removed to some other force or forces with the written sanction of the chief officer of any force he has removed from, and such constable in due course becomes entitled to and is awarded a pension, the police authority in whose service he then is shall be entitled to call upon the other police authority or authorities with whom he shall have served approved service, and they shall contribute a proportionate part of any pension to such constable reckoned according to the approved service and pay of such constable during his service in such force, and the said proportionate part shall be settled by agreement between the police authorities, or in default of agreement by an arbitrator appointed by the Secretary of State.

Establishment of pension fund, and fines, fees, &c. to be carried to fund.

16.—(1.) There shall be a pension fund of every police force, and there shall be carried to that fund—

(*a.*) the deductions (including stoppages and fines) made in pursuance of this Act from the pay of the constables in the force; and

(*b.*) the fines imposed by a court of summary jurisdiction, when imposed on constables in the force, or for assaults on constables in the force, and the fines or portions of fines imposed by a court of summary jurisdiction for other offences, and awarded to informers being constables in the force; and

(*c.*) such fines or portions of fines, and such fees payable to or received by constables, as by any Act are directed or authorised to be carried to the superannuation or pension fund of the police force; and

(*d.*) the net sums arising from the sale of worn or cast clothing supplied for the use of constables of the force; and

(*e.*) such proportion of any sum received on account of constables whose services have been lent in consideration of payment as the police authority may consider to be a fair contribution to the pension fund in respect of those constables; and

(*f.*) any payments or contributions payable under the provisions of any local and personal Act to the pension or superannuation fund of any police force, whether out of any fund, rate, or account under the control of the police authority, or payable by any other authority, board, or persons; and

(*g.*) all dividends and other annual sums received in respect of the investments of the pension fund.

(2.) Unless the authority having control of the fund to which the sums herein-after mentioned would but for this section be carried otherwise resolve, and except so far as the said sums are subject to the foregoing provisions of this section, there shall also be carried to the pension fund of every police force the following sums, namely:—

(*h.*) The net sums received in the police area for pedlars and chimney sweepers certificates; and

(*i.*) All fees payable to or received by any constable of the force in the execution of his duty as such, or in the execution of any other duty which may be required to be performed by any constable of the force; and

(*k.*) The fines imposed by a court of summary jurisdiction for offences under the Licensing Acts, 1872 and 1874, when committed within the police area, or for any offence under a general or local Act similar to any of the above offences.

35 & 36 Vict. c. 94. 37 & 38 Vict. c. 49.

(3.) The police authority may also direct any sums under the control of the police authority in that capacity, or under the control of the police force, or of any member thereof in that capacity, to be carried to the pension fund, provided that this direction shall not be given in the case of any fund held on a private trust.

(4.) Any resolution passed for the purposes of this section may be revoked or varied.

(5.) The provisions of this section shall have effect notwithstanding anything in any charter or in any other Act, whether relating to municipal corporations or otherwise.

Distribution of sums granted out of Customs and Excise duties for police superannuation.

17.—(1.) Any annual sum which under an Act passed in the present session relating to the distribution of certain duties of Customs and Excise is required to be distributed among the police authorities of the police forces in England and Wales, other than the Metropolitan police force (which sum is in this Act referred to as the Exchequer contribution), shall be distributed according to the following basis of distribution, that is to say:—

(*a.*) There shall be paid in every financial year to the police authority of every such police force a sum equal to the amount of the rateable deductions made during the year ending the twenty-ninth day of September last preceding the end of the financial year from the pay of the constables belonging to that force, and that sum shall be carried to the pension fund.

(*b.*) The residue shall at the same time be distributed among the police authorities of those forces in proportion to the amounts paid during the year ending the twenty-ninth day of September last preceding the end of the financial year in respect of pensions, allowances, and gratuities out of their pension funds

respectively, and the proportion to be paid to each force shall be carried to the pension fund.

(2.) Provided that a police authority shall not in respect of any year receive any payment under this section unless the Secretary of State gives a certificate that the management and efficiency of the police force under that authority and the administration of the pension fund of that force have during that year been satisfactory; and, if the Secretary of State withholds that certificate as regards any police authority, the amount which would otherwise be payable to that authority under this section shall be forfeited to the Crown and paid into the Exchequer.

(3.) Before any such certificate is finally withheld in respect of any police force, the Secretary of State shall communicate with the police authority of the force, and that authority may address any statement on the subject to the Secretary of State; and in every case in which the certificate is withheld a statement of the grounds on which the Secretary of State has withheld his certificate, together with any such statement of the police authority, shall be laid before Parliament.

(4.) The sums to be paid to each police authority under this section shall be certified by the Secretary of State, who may, if he thinks proper, vary his certificate, but unless it is so varied his certificate shall be conclusive.

(5.) Where owing to any special circumstances affecting any particular police force the sum payable to that force under the foregoing provisions of this section would, in the opinion of the Secretary of State, be inequitable as between that force and some other force or forces, the Secretary of State may make such modification in the basis of distribution as appears to him to be necessary to meet the equities of the case.

(6.) The basis of distribution under this section may also be varied in such manner and in accordance with such conditions as may from time to time be set forth in regulations made by the Secretary of State and submitted to Parliament. All such regulations shall be laid on the table of both Houses of Parliament, and shall not come into operation until they have lain on the table of each House for not less than thirty days on which that House has sat.

(7.) This section shall come into operation on the passing of this Act.

Accounts and investment of pension fund.

18.—(1.) All sums which, in pursuance of this Act, are to be carried to the pension fund of a police force shall be accounted for and paid to the treasurer of that fund in such manner as the police authority may direct, and may be dealt with as annual income of the pension fund.

(2.) The pension fund of a police force shall be kept as a separate fund, but the treasurer of the police fund shall be the treasurer of the pension fund, and all enactments and regulations relating to the accounts of the police fund, and to the making up, audit, and publication thereof, and to the power of disallowance and otherwise shall, so nearly as circumstances admit, apply to the pension fund.

(3.) At the end of each financial year the surplus of the annual income of the pension fund above the expenditure thereout shall, as soon as may be, be invested in such name as the police authority direct, and in any manner authorised by law for investments by trustees, and all investments on account of the fund, under this section or otherwise, are in this Act referred to as the capital of the pension fund.

(4.) The capital of the pension fund shall not be applied for paying any sums payable out of that fund.

Guarantee of pension fund by police fund.

19.—(1.) If at any time the annual income of the pension fund is insufficient to pay the expenses of managing the fund, and the pensions, allowances, gratuities, and other sums payable thereout, the deficiency shall be supplied out of the police fund.

8 & 4 Vict. c. 88. 19 & 20 Vict. c. 69.

(2.) In the case of a county divided into districts within the meaning of section twenty-seven of the County Police Act, 1840, as amended by section four of the County and Borough Police Act, 1856, the deficiency shall be supplied by the several districts, as part of the local expenditure thereof, rateably in proportion to the number of constables appointed for each such district.

(3.) Where the police force of a borough has been consolidated with the police force of a county, the deficiency shall be supplied out of the police funds of the county and borough respectively in accordance with an agreement between the police authorities for the county and borough made in the same manner and subject to the same conditions as an agreement to consolidate the police force of a borough with the police force of a county can be made, and in default of any such agreement shall be supplied in such manner as may be determined by an arbitrator appointed by the Secretary of State.

(4.) Where the rate which can be levied for the police fund is limited, an addition to that rate may be levied for the purpose of raising the sum required to supply the deficiency.

Power for police authority to make regulations.

20.—(1.) Every police authority may make regulations consistent with this Act with respect to the deductions from a constable's service for sickness, misconduct, or neglect of duty, and with respect to stoppages of pay during sickness and fines for misconduct, and with respect to the mode in which pensions are to be paid, and otherwise for the purpose of giving effect to the provisions of this Act.

(2.) All regulations for a police force made before the commencement of this Act with respect to any of the above matters shall have effect as if made under the powers given by this section.

Power to return rateable deductions on leaving force.

21. If a constable not having been dismissed leaves a police force without a pension or gratuity, the police authority may, if it seems to them just, pay him the whole or part of the rateable deductions which have been made from his pay; but this section shall not apply in the case of his being removed to another force under such circumstances as will enable him to reckon his approved service in the force from which he removes.

Provisional orders by Secretary of State.

22.—(1.) Where it appears to a police authority that the assets of their pension fund exceed the amount required for meeting

the liabilities thereon, and that it is expedient to provide for the application of the excess or any part thereof, the police authority may apply to the Secretary of State, and thereupon the Secretary of State may frame and submit to Parliament for confirmation a provisional order authorising the payment out of the pension fund of such sums, for such purposes, during such period, and subject to such conditions as may seem expedient.

(2.) Where it appears to a police authority that by reason of their pension fund being sufficient to meet the liabilities thereon it is unnecessary to make any further investments on account of the capital thereof, the police authority may apply to the Secretary of State, and thereupon the Secretary of State may frame and submit to Parliament for confirmation a provisional order authorising the discontinuance of those investments.

(3.) Where a local Act provides for the payment to members of a special force in any police area of the same pension, superannuation, or other allowances or gratuities as are by that local Act provided for the police force of the area, the authority controlling the special force may apply to the Secretary of State, and thereupon the Secretary of State may frame and submit to Parliament for confirmation a provisional order providing—

(i.) for the adjustment of any financial relations existing at the commencement of this Act between the police force and the special force as regards the payment of pensions, allowances, and gratuities to members of those forces respectively; and

(ii.) for applying with or without modification all or any of the provisions of this Act to the special force.

(4.) A provisional order under this section shall be of no force unless and until it is confirmed by Act of Parliament, but when so confirmed shall have effect with any modifications made therein by Parliament.

(5.) If, while the Bill confirming any such order is pending in either House of Parliament, a petition is presented against any order comprised therein, the Bill, so far as it relates to that order, may be referred to a Select Committee, and the petitioner shall be allowed to appear and oppose as in the case of private Bills.

(6.) All costs charges and expenses incurred by the Secretary of State in relation to any order under this section shall be defrayed by the authority applying for the order.

(7.) For the purposes of this section the expression "special force" means a fire brigade, fire police, or other like force.

PART II.

General Amendment of Acts.

Table of fees.

23.—(1.) Every police authority may from time to time, and shall at least once in every five years, submit for approval to a Secretary of State a table of fees payable to constables in respect of the service of summonses, the execution of warrants, and the performance of other occasional duties which may be required of the

constables under that authority, and in respect of the performance of any other act done by constables in the execution of their duty, and the Secretary of State may approve of the table, with or without modification.

(2.) Every police authority shall also provide for those fees being duly accounted for and being duly paid to the treasurer of that authority, and those fees shall, subject to the provisions of this Act, be applied in manner provided by the enactments relating to the police force of that authority, and so far as those enactments do not extend, then in aid of the police fund of that authority.

(3.) A constable may receive any fee mentioned in a table for the time being approved not more than five years previously by a Secretary of State, but no other fee shall be taken by a constable for any service performed by him.

(4.) Every constable shall duly account in accordance with the provisions made as above mentioned for any fee taken by him.

Amendment of 22 & 23 Vict. c. 32. s. 24 as to amount of gratuity.

24. So much of the County and Borough Police Act, 1859, as limits the amount of the gratuity which may be granted as a reward for a meritorious act done by a constable in the execution of his duty is hereby repealed.

Assistance by one police force to another.

25.—(1.) Where a police authority deem it expedient for any special emergency or under any exceptional circumstances to strengthen their police force (in this section referred to as the aided force) by constables belonging to another police force, such number of constables belonging to the latter force may be added to the aided force, and for such period, as may be agreed on between the police authorities of the forces; and the constables so added, notwithstanding that they have not been sworn in or taken any declaration as constables of the aided force, shall, during that period, be deemed, save as otherwise provided by the agreement, to be for all purposes constables of the aided force, and shall have the like powers, duties, and privileges.

(2.) The agreement may be made for a particular occasion or as a standing agreement, and with reference either to recurring or to unforeseen events, or otherwise, as may be thought expedient.

(3.) Any power conferred on a police authority by this section or by any agreement made thereunder may (subject to anything in the agreement to the contrary) be delegated by that authority to their chief officer of police by any general or special order, and with or without any exceptions, restrictions, or conditions.

(4.) An agreement under this section may contain such terms as to the command of the constables added to the aided force, and as to the expenses (including the pay and allowances of the constables so added and provision for pensions, gratuities, and allowances in the event of those constables being killed or injured) and otherwise, as may seem expedient.

(5.) An agreement may be made by a police authority with more police authorities than one.

Declaration by constables respecting

26. A police authority may require every constable at the time of his appointment to appear before a justice of the peace, and

make and sign a declaration as to his previous service in a police force or public employment, in the form contained in the Second Schedule to this Act, or to the like effect; and if any constable knowingly makes a false declaration, he shall be liable, on summary conviction, to be imprisoned, with or without hard labour, for any period not exceeding three months. previous service.

27. Whereas the annual value of property on which contributions for the purposes of the metropolitan police force are calculated is required to be computed according to the last valuation for the time being acted upon in assessing the county rate, and in some cases since the passing of the Local Government Act, 1888, there may be no such valuation: Be it therefore enacted that in the case of any area for which there is no such valuation, the valuation for the purpose of the said computation shall be such as is from time to time agreed upon between the receiver for the metropolitan police district and the rating authority, whether overseers or others, of the said area, or in default of agreement, as may be determined by arbitration of the Local Government Board, and the provisions of the Local Government Act, 1888, respecting the determination of differences by arbitration of the Local Government Board shall apply accordingly. Computation of annual value in certain cases for the purpose of the metropolitan police.

In the case of any contribution made or required before the commencement of this Act, the receiver and rating authority may agree to adjust the amount according to any valuation made in pursuance of this section, or such other valuation as they may agree under all the circumstances to be just.

28.—(1.) Where in pursuance of the Act of the session held in the first and second years of King William the Fourth, chapter forty-one, intituled "An Act for amending the laws relative to the "appointment of special constables, and for the better preservation "of the peace," a special constable is appointed by a justice or justices exercising jurisdiction in any part of the metropolitan police district, he shall have all the powers of a constable throughout the whole of the metropolitan police district and the city of London, and the provisions of that Act shall apply to him as if the metropolitan police district were one county; and the allowances and expenses mentioned in section thirteen of that Act may, if the Secretary of State so directs, be paid out of the metropolitan police fund. Provision as to special constables.

(2.) Where in pursuance of the same Act a special constable is appointed by a justice or justices having jurisdiction in the city of London, he shall have the powers of a constable throughout the whole of the metropolitan police district.

29. It shall not be necessary for the receiver for the time being of the metropolitan police district to give security for the faithful performance of his duty, and any security already given for this purpose shall cease to be in force. Provision as to receiver of metropolitan police district.

PART III.

Temporary and Supplemental Provisions.

30. For the purpose of adapting the provisions of Part One of this Act to existing pension or superannuation funds and existing Application of Act to existing funds and constables.

constables, (that is to say, to constables appointed to police forces, and to the pension or superannuation funds established for those forces, before the commencement of this Act, whether under any general or local Act, or otherwise) the following provisions shall have effect:

(1.) As soon as may be after the commencement of this Act, the amount of every existing pension or superannuation fund of a police force shall, where it is not already held by the treasurer of the police fund of that force, be transferred by the persons holding the same to such persons as the police authority may direct, to be held and dealt with as part of the pension fund under this Act, and as part of the capital or income thereof, as the case may require:

(2.) Where the Exchequer contribution to the police authority of a police force becomes payable before any existing fund of the force which is required to be so transferred is so transferred, or, in the case of a police force not having any such fund, before a pension fund is established for the force in pursuance of this Act, the payment of the contribution shall be deferred until the Secretary of State has certified that the fund is so transferred or established:

(3.) Where the police force of a borough has been consolidated with the police force of a county, and the existing pension or superannuation fund of the police force of the borough has not been transferred to the county treasurer, that fund shall be transferred in accordance with the foregoing provisions of this section, as soon as may be after the commencement of this Act, by the persons holding the same, and, in the absence of any agreement between the police authorities for the county and borough, the income of that fund shall be applied in paying the superannuation and other allowances charged thereon at the date of the transfer, and, subject thereto, in paying the pensions, allowances, and gratuities to constables employed in the consolidated force, and their widows and children, in such manner as may be determined by an arbitrator appointed by the Secretary of State:

22 & 23 Vict. c. 32. 28 & 29 Vict. c. 35. 51 Vict. c. ix.

(4.) In Lincolnshire section twenty-two of the County and Borough Police Act, 1859, and sections six, seven, and eight of the Police Superannuation Act, 1865, as amended by the Lincolnshire Police Superannuation Act, 1888, shall, so far as is consistent with the tenor thereof, apply to the pension fund under this Act in like manner as if it were the superannuation fund in those sections mentioned:

(5.) Every police authority shall, within fourteen days after a pension scale has been adopted by or framed for the police authority in pursuance of this Act, cause written notice to be given to every constable in the police force under that authority, requiring him to inform that authority in writing before the date of the commencement of this Act, whether he does or does not accept the provisions of this Act in lieu of the existing enactments respecting superannuation:

(6.) This Act shall not apply to any existing constable who, before the date of the commencement of this Act, whether any such notice has or has not been given to him, declines in writing to accept the provisions of this Act; but save as aforesaid this Act shall apply to all existing constables; and those constables shall be deemed to have surrendered in favour of the police authority all right to any provision made before the commencement of this Act, either wholly or partly, by the police authority for the superannuation of such constables, or, in case of their death, for their widows and children or any of them, whether that provision is made by an annual allowance, insurance, or otherwise:

(7.) If by reason of the police authority not having given such notice as aforesaid an existing constable becomes entitled to a less pension than he would have been entitled to receive if this Act had not passed, he may apply to the police authority, and the police authority may make such order as may seem just for the purpose of preventing the constable from suffering any loss by reason of the notice not having been given:

(8.) In the case of any existing constable to whom this Act applies, his approved service for any period before the commencement of this Act in the force in which he is serving at the time of his retirement shall be reckoned as approved service; and his service for not less than three years either wholly or partly before the commencement of this Act in any police force in any part of the United Kingdom from which he removed with the sanction of the chief officer or police authority of that force to another force, shall (notwithstanding the sanction was not given in writing) be reckoned as approved service for the said period in the last-mentioned force, unless the police authority who give him the notice respecting the acceptance of this Act, inform him in writing at the time of such notice that they refuse to allow the said service to be reckoned, but their refusal shall not prevent the reckoning of that service under any other provision of this section:

(9.) Any description of service before the commencement of this Act, either in a police force or otherwise, which any existing constable to whom this Act applies is at the commencement of this Act entitled to reckon as service for any period towards superannuation out of the existing pension or superannuation fund of his police force, and which is not reckoned under any other provision of this Act, shall be reckoned for the same period for the purposes of pension under this Act: In the case of any existing constable to whom this Act applies, who has served not less than ten years before the commencement of this Act in a police force in which the police authority have heretofore, under the provisions of former Acts, granted pensions of higher amount than authorised by the scale adopted by that police authority under the provisions of this Act, and who becomes entitled to a pension under this Act, then, notwithstanding anything in this Act, the pension may, if the police authority think fit, exceed the amount prescribed in the adopted

scale so as it does not exceed the amount which might have been granted if this Act had not passed:

(10.) Provided that if, in the case of any existing constable, rateable deductions or other payments towards superannuation or insurance have not, during the period of the service which he is entitled to reckon for the purpose of calculating his pension under this Act, or for some part of such period not less than ten years, been made, and contributions have not been made from other sources to a superannuation fund in lieu of the rateable deductions not so made, the pension granted under this Act to such constable may, if the police authority think fit, be reduced by an annual amount equal to such deferred annuity as could, according to the tables for the purchase of deferred annuities from the Commissioners for the Reduction of the National Debt through the medium of the Post Office, have been purchased by rateable deductions made at the rate fixed under this Act during the said period of service, or the part thereof during which such deductions or payments were not made.

Act to supersede local Acts.

31. The provisions of this Act shall have effect, notwithstanding anything in any other Act, general or local, to the contrary.

Application of Act to metropolitan police.

32. This Act shall apply to the metropolitan police force, subject as follows:—

(1.) Anything authorised or required to be done by a resolution or other act of the police authority may be done by any instrument signed by a Secretary of State:

(2.) Anything authorised or required to be done with the approval of a Secretary of State, or by a Secretary of State on the submission or application of a police authority, may be done by a Secretary of State alone:

(3.) The court of quarter sessions to which an application is to be made with respect to a decision as to a pension or allowance shall be the court of quarter sessions for the county of London:

(4.) Nothing in this Act shall apply to any existing constable who acted as one of the police of any of Her Majesty's dockyards, and upon his transfer to the metropolitan police force did not accept the terms of superannuation of members of that force, or agree to allow the deductions to be made from his pay which have been made towards such superannuation from the pay of other members of that force; and any such constable shall be entitled to superannuation under the Superannuation Act, 1859, notwithstanding that he obtained no certificate from the Civil Service Commissioners:

22 Vict. c. 26.

(5.) The rate and conditions of pension of the chief commissioner of metropolitan police, and of the assistant commissioners of metropolitan police shall be regulated by the provisions of this Act, and not by the provisions of the Metropolitan Police Staff (Superannuation) Act, 1875, but the said chief commissioner and assistant commissioners shall be entitled to pension under the provisions of this Act in respect of any emoluments

38 & 39 Vict. c. 28.

in respect of which they are entitled to a superannuation allowance made under the Metropolitan Police Staff (Superannuation) Act, 1875.

(6.) The rateable deductions from the salary of the chief commissioner of metropolitan police and from the salaries of such of the assistant commissioners of metropolitan police as receive salaries from money provided by Parliament shall be paid into the Exchequer and not to the pension fund.

(7.) The existing chief commissioner and assistant commissioners of metropolitan police shall be deemed existing constables within the meaning of this Act.

Police areas and authorities.

33. In this Act, unless the context otherwise requires,—

The expression "police area" means one of the areas set forth in the first column of the Third Schedule to this Act; and the expressions "police authority," "chief officer of police," and "police fund," mean, as respects each police area, the authority, officer, and fund respectively mentioned opposite to that area in the second, third, and fourth columns of that schedule; and the expression "police force" means a force maintained by one of the police authorities mentioned in the said schedule:

Provided as follows:—

(1.) In the case of a county the powers of the police authority under this Act with respect to the accounting for and payment of sums to be carried to the pension fund or police fund, and with respect to investments, shall be exercised by the county council, and any sum payable under this Act by the police authority shall be payable by the county council on the requisition of the standing joint committee of the quarter sessions and the county council;

(2.) Any contributions required to meet payments out of the county fund for the purposes of this Act shall be assessed in like manner as contributions to meet the expenses of the police force;

(3.) The exercise of the powers conferred by this Act on the watch committee of a borough shall be subject to the approbation of the council of the borough.

Definitions.

34. In this Act, unless the context otherwise requires,

The expression "treasurer" includes any receiver, chamberlain, or other officer, by whatever name known, who performs the duties of treasurer in relation to any police fund:

The expression "fine" includes a pecuniary penalty:

The expression "fee" does not include any reward paid to an individual constable by direction of the Admiralty, or of any military authority, or of a Secretary of State not acting as the police authority, or any gratuity paid to a constable for a meritorious act done in the execution of his duty.

Saving for existing pensions.

35. Notwithstanding anything in this Act or in any repeal by this Act every person in receipt of any pension, superannuation, or other allowance at the commencement of this Act shall continue to be entitled to receive the same, subject to the same limitations and conditions as before the commencement of this Act, and the

same shall not be altered under this Act, and shall, save as otherwise expressly provided by this Act, be paid out of the like funds, as nearly as may be, as if this Act had not passed.

Repeal.

36. The Acts mentioned in the Fourth Schedule to this Act are hereby repealed to the extent in the third column of that schedule mentioned, and so much of any other Act as regulates the superannuation of any police force in England and Wales, or is inconsistent with this Act, is also hereby repealed:

Provided that—

(1.) This repeal shall not affect the right of any police authority to grant any pension or superannuation or other allowance or gratuity to any existing constable to whom this Act does not apply, or to the widow and child of any such constable, or either of them, and shall not affect the right of any such constable, widow, or child to claim such pension, or superannuation or other allowance or gratuity, and any such pension, allowance or gratuity may be granted and claimed accordingly, and the claim shall be allowed as if this Act had not passed, but the pension, allowance, or gratuity shall be paid out of the pension fund:

(2.) This repeal shall not prevent any constable from reckoning as approved service any service which he is entitled under any enactment hereby repealed to reckon towards pension or superannuation:

(3.) Any table of fees made in pursuance of any enactment hereby repealed shall continue in force in like manner as if it had been at the date of the commencement of this Act approved by the Secretary of State in pursuance of this Act:

(4.) Nothing in this section shall repeal any enactment so far as it relates to any fire brigade, fire police, or other force to which or to the members whereof the provisions of this Act do not apply.

Commencement of Act.

37. This Act shall come into operation on the first day of April one thousand eight hundred and ninety-one, except as to anything which is by this Act required or authorised to be done before that date, and except as to any provision which is expressed to come into operation on the passing of this Act.

Short titles.

38.—(1.) This Act may be cited as the Police Act, 1890.

(2.) The Acts mentioned in the Fifth Schedule to this Act are in this Act referred to and may be cited by the short titles respectively in that schedule mentioned, and may be cited collectively by the short title at the commencement of that schedule mentioned.

(3.) The Metropolitan Police Acts, 1829 to 1887, and this Act may be cited together as the Metropolitan Police Acts 1829 to 1890.

(4.) The Acts mentioned in the said Fifth Schedule and this Act may be cited together as the Police Acts, 1839 to 1890.

Act not to apply to City.

39. This Act shall not apply to the City of London Police.

Extent of Act.

40. This Act shall not extend to Scotland or Ireland.

SCHEDULES.

FIRST SCHEDULE.

Section 3.

PENSION SCALE.

PART I.

Ordinary Pensions.

(1.) The pension to a constable on retirement shall be within the maximum and minimum limits following; that is to say,

(*a*) if he has completed fifteen but less than twenty-one years approved service, an annual sum not less than one sixtieth nor more than one fiftieth of his annual pay for every completed year of approved service; and

(*b*) if he has completed twenty-one but less than twenty-five years approved service, an annual sum not less than twenty sixtieths nor more than twenty fiftieths of his annual pay, with an addition of not less than two sixtieths and not more than two fiftieths of his annual pay for every completed year of approved service above twenty years; and

(*c*) if he has completed twenty-five years approved service, an annual sum not less than thirty sixtieths nor more than thirty-one fiftieths of his annual pay, with an addition of not less than one sixtieth nor more than three fiftieths of his annual pay for every completed year of approved service above twenty-five years, so however that the pension shall not exceed two thirds of his annual pay.

(2.) Where a limit of age is fixed below which a constable is not to be entitled to retire on a pension without a medical certificate, it shall be not less than fifty years and not more than fifty-five years, or in the case of a constable above the rank of sergeant, not more than sixty years, but it shall not be obligatory on a police authority to fix any such limit.

PART II.

Maximum of gratuity to Constable.

(3.) Any gratuity on retirement to a constable who is incapacitated for the performance of his duty shall not exceed the amount of one month's pay for every completed year of approved service.

Special Pensions.

(4.) The pension to a constable who is incapacitated for the performance of his duty by infirmity of mind or body occasioned by an injury received in the execution of his duty without his own default, shall vary according as the injury is or is not accidental, and according as the constable is partially or totally disabled from earning his livelihood.

(5.) The amount of pension in such cases shall be in the discretion of the police authority but within the maximum and minimum limits following:—

Scale A.

If the injury is accidental and the constable is partially disabled—

(*a*) if he has completed not more than five years approved service, an annual sum not greater than ten fiftieths and not less than ten sixtieths of his annual pay;

(*b*) if he has completed more than five and not more than ten years approved service, an annual sum not greater than twelve fiftieths and not less than twelve sixtieths of his annual pay;

(*c*) if he has completed more than ten and not more than fifteen years approved service, an annual sum not greater than fifteen fiftieths and not less than fifteen sixtieths of his annual pay ; and

(*d*) if he has completed more than fifteen years approved service, an annual sum not greater than the maximum pension and not less than the minimum pension authorised under Article (1) of this schedule.

Scale B.

If the injury is accidental and the constable is totally disabled—

(*a*) if he has completed not more than ten years approved service, an annual sum not greater than fifteen fiftieths and not less than fifteen sixtieths of his annual pay ;

(*b*) if he has completed more than ten and not more than fifteen years approved service, an annual sum not greater than twenty fiftieths and not less than twenty sixtieths of his annual pay ;

(*c*) if he has completed more than fifteen years approved service, an annual sum not greater than the maximum pension authorised under Article (1) of this schedule, with an addition equal to five fiftieths of his annual pay, and not less than the minimum pension authorised under the same Article, with an addition equal to five sixtieths of his annual pay, provided that the pension shall not exceed two thirds of his annual pay.

Scale C.

If the injury is not accidental and the constable is partially disabled—

(*a*) if he has completed not more than ten years approved service, an annual sum not greater than twenty fiftieths and not less than twenty sixtieths of his annual pay ;

(*b*) if he has completed more than ten and not more than fifteen years approved service, an annual sum not greater than twenty-five fiftieths and not less than twenty-five sixtieths of his annual pay ;

(*c*) if he has completed more than fifteen years approved service, an annual sum not greater than the maximum pension authorised under Article (1) of this schedule, with an addition equal to ten fiftieths of his annual pay, and not less than the minimum pension authorised under the same Article, with an addition equal to ten sixtieths of his annual pay, provided that the pension shall not exceed two thirds of his annual pay.

Scale D.

If the injury is not accidental and the constable is totally disabled—

A sum not exceeding full pay and not less than the maximum amount prescribed by Scale C.

Pensions Allowances and Gratuities to Widow and Children.

(6.) Where a constable without his own default loses his life from the effect of an injury received in the execution of his duty, the pension to his widow and the allowances to his children shall be according to the following scale :—

(*a.*) The pension to the widow shall be an annual sum of fifteen pounds;

(*b.*) The allowance to each child shall be an annual sum of two pounds ten shillings :

Provided that the police authority may, in the case of a constable of a rank higher than that of sergeant, increase the above amounts, so however that the pension for a widow of an inspector do not exceed the annual sum

of twenty-five pounds, and the pension for a widow of an officer of a rank higher than that of inspector do not exceed thirty pounds, and the allowance for a child of a constable of a rank higher than that of sergeant do not exceed the annual sum of five pounds.

(7.) Where a constable dies under circumstances which do not entitle his widow and children to a pension or allowance under the preceding article of this schedule, any gratuities to the widow and children shall not exceed in the whole the amount of one month's pay for every completed year of approved service of the deceased constable.

(8.) The gratuities granted to the widow and children of a constable who dies within twelve months after the grant of a pension shall not exceed in the whole the difference between the annual pay of the constable and the amount he has actually received in respect of his pension.

PART III.

GENERAL RULES.

(9.) The pension to a widow shall continue only while she remains a widow and is of good character.

(10.) The allowance to a child shall not continue after the child attains the age of fifteen years.

(11.) In estimating any pension, gratuity, or allowance for the purposes of this Act—

(*a*) a pension or gratuity to a constable shall be calculated according to the amount of his annual pay at the date of his retirement;

(*b*) a pension or gratuity to the widow and an allowance or gratuity to a child of a constable shall be calculated according to the amount of the constable's annual pay at the date of his death;

(*c*) but where a constable has, in the course of the three years next before the date of his retirement or death, been in more than one rank, his annual pay at the date of the retirement or death shall be deemed to be the average annual amount of pay received by him for the said three years, instead of the annual amount actually received by him at that date.

SECOND SCHEDULE. Section 26.

DECLARATION.

I, *A.B.*, now residing in the parish of in the county of , solemnly and sincerely declare that I have* never served in any police force in Great Britain, nor in the Royal Irish Constabulary, nor in the Royal Navy, nor in Her Majesty's army, nor in the militia, nor under the Post Office, nor under any public department [*or* that I have served in the police force for years, from to , and in Her Majesty's army for years from to , and am now in the Army Reserve, but have not served in the Royal Irish Constabulary nor in the Royal Navy, nor in the militia, nor under the Post Office, nor under any public department, *or as the case may be*].

* Insert according to the circumstances.

Declared before me.

(Signed) *A.B.*

At the day of 18 .

Section 33.

THIRD SCHEDULE.

POLICE AREAS AND AUTHORITIES.

Police Area.	Police Authority.	Chief Officer of Police.	Police Fund.
The Metropolitan Police District.	One of Her Majesty's Principal Secretaries of State.	The commissioner of police of the metropolis.	The funds applicable for defraying the expenses of the metropolitan police force.
A county - -	The standing joint committee of the quarter sessions and the county council.	The chief constable.	The county fund.
A borough - -	The watch committee.	The chief or head constable.	The borough fund or borough rate or any fund or rate applicable under any local Act for the expenses of the police force.
A town not being a borough and maintaining a separate police force under any local Act of Parliament.	The authority having the management of the police under the local Act.	The head constable or other officer by whatever name called having the chief command of the police.	The fund or rate applicable under the local Act for the expenses of the police force.
The river Tyne within the limits of the Acts relating to the Tyne Improvement Commissioners.	The Tyne Improvement Commissioners.	The superintendent or other officer having the chief command of the police.	The tonnage rates and dues and other sums applicable under the Acts relating to the improvement of the river Tyne for the expenses of maintaining the police force.

In this schedule the expression "county" means an administrative county within the meaning of the Local Government Act, 1888, but does not include a county borough.

Such parts of any county as are within the Metropolitan Police District, or as form part of any other police area, shall not be deemed for the purposes of this Act to form part of the county police area.

Section 36.

FOURTH SCHEDULE.

ACTS REPEALED.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
10 Geo. 4, c. 44. -	An Act for improving the police in and near the metropolis.	In section ten, from "and the receiver for the time being," where those words first occur, to "paid to him under this Act."
2 & 3 Vict. c. 47. -	The Metropolitan Police Act, 1839.	Sections twenty-two and twenty-three.
2 & 3 Vict. c. 71. -	An Act for regulating the police courts in the metropolis.	In section forty-six, the words "which shall be applied "towards defraying the "charge of maintaining "the police of the metropolis."
3 & 4 Vict. c. 88. -	An Act to amend an Act for the establishment of county and district constables.	Sections ten, eleven, and seventeen.
19 & 20 Vict. c. 69. -	An Act to render more effectual the police in counties and boroughs in England and Wales.	Sections eight, ten, eleven, thirteen, twenty-seven, twenty-eight, and twenty-nine.
20 & 21 Vict. c. 64. -	The Metropolitan Police Act, 1857.	Section fifteen.
22 & 23 Vict. c. 32. -	An Act to amend the law concerning the police in counties and boroughs in England and Wales.	Sections eight, nine, ten, twelve, thirteen, fifteen, sixteen, seventeen, nineteen, twenty, twenty-one, twenty-three, and twenty-eight, and in section twenty-four the words "not exceeding three pounds."
24 & 25 Vict. c. 124.	The Metropolitan Police Act, 1861.	Section six.
28 & 29 Vict. c. 35. -	The Police Superannuation Act, 1865.	Section two, except so far as it relates to the County and Borough Police Act, 1859; and sections three, four, five, and nine.
45 & 46 Vict. c. 50. -	The Municipal Corporations Act, 1882.	Fifth Schedule, Part II., 5. (*b.*) from "or as may be awarded" down to "length of service."

Section 38.

FIFTH SCHEDULE.

THE POLICE (ENGLAND) ACTS.

Session and Chapter.	Title.	Short Title.
2 & 3 Vict. c. 93. -	An Act for the establishment of county and district constables by the authority of justices of the peace.	County Police Act, 1839.
3 & 4 Vict. c. 88. -	An Act to amend the Act for the establishment of county and district constables.	County Police Act, 1840.
19 & 20 Vict. c. 69. -	An Act to render more effectual the police in counties and boroughs in England and Wales.	County and Borough Police Act, 1856.
20 Vict. c. 2. - -	An Act to facilitate the appointment of chief constables for adjoining counties, and to confirm appointments of chief constables in certain cases.	County Police Act, 1857.
22 & 23 Vict. c. 32. -	An Act to amend the law concerning the police in counties and boroughs in England and Wales.	County and Borough Police Act, 1859.
28 & 29 Vict. c. 35. -	An Act to amend the law relating to the police superannuation funds in counties and boroughs.	Police Superannuation Act, 1865.

45 & 46 Vict. c. 50.

Sections one hundred and ninety to one hundred and ninety-four (both inclusive) of the Municipal Corporations Act, 1882, shall for the purposes of this Act be deemed to form part of the Acts in this schedule.

CHAPTER 46.

An Act for taking the Census of Ireland.

[18th August 1890.]

WHEREAS it is expedient to take the census of Ireland in the year one thousand eight hundred and ninety-one:

Be it therefore 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:

Census of population to be taken.

1. A census of the population of Ireland shall be taken in the year one thousand eight hundred and ninety-one in the manner herein-after directed, and the census day shall be Sunday the fifth day of April in that year.