STATUTORY INSTRUMENTS

1964 No. 874 (C. 10) (S. 61)

POLICE

SCOTLAND

The Police Act 1964 (Commencement No. 2) Order 1964

Made - - - - *16th June* 1964

In exercise of the powers conferred on me by section 65(2) and (3) of the Police Act 1964(a) I hereby make the following Order :—

1. This Order may be cited as the Police Act 1964 (Commencement No. 2) Order 1964.

2. The provisions of the Police Act 1964 specified in Schedules 1 and 2 hereto shall come into operation for Scotland on the dates and to the extent specified therein.

Michael Noble,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.

16th June 1964.

SCHEDULE 1

PROVISIONS OF THE POLICE ACT 1964 COMING INTO FORCE ON 1ST AUGUST 1964

PART I

Section 59 (Amendments of Police (Scotland) Act 1956) so far as it relates to the amendments set out in Part II hereof.

Section 63 (Minor and consequential amendments) so far as it relates to the amendments set out in Part III hereof.

Section 64(2) and (6) (Interpretation, repeals and transitional provisions) and, so far as it relates to the repeals set out in Part IV hereof, section 64(3).

Section 65(1), (2), (3) and (5) (Short title, commencement and extent).

(a) 1964 c. 48.

PART II

AMENDMENTS TAKING EFFECT ON 1ST AUGUST 1964

Provision of Schedule 7 to the Police Act 1964	*Effect on Police (Scotland) Act 1956*
Paragraph 1	Amendment of section 1 (Police areas for which police forces are to be maintained).
Paragraph 2	Amendment of section 4 (General functions of constables).
Paragraph 3	Amendment of section 6 (Appointment and tenure of office of chief constables).
Paragraph 4	Insertion of section 6A (Power of Secretary of State to require retirement of chief constables, etc.).
Paragraph 5	Amendment of section 7 (Appointment and tenure of office of constables other than chief constables).
Paragraph 6	Amendment of section 10 (Deputy chief constables).
Paragraph 9, under exclusion of section 11A therein.	Insertion of section 11B (Regulations as to standard of equipment) and section 11C (Disciplinary appeals).
Paragraph 10	Amendment of section 12 (Pay, allowances, expenses and rewards).
Paragraph 11	Amendment of section 16 (Aid of one police force by another).
Paragraph 12	Insertion of section 16A (Collaboration agreements).
Paragraph 13	Amendment of section 23 (Provisions as to constables serving on overseas police service).
Paragraph 14, under exclusion of section 23A therein.	Insertion of section 23B (Information as to manner of dealing with complaints).
Paragraph 15	Amendment of section 29 (Central training and other common services).
Paragraph 16	Insertion of section 29A (Research) and section 29B (Central service on police duties).
Paragraph 17	Insertion of section 30A (Local inquiries).
Paragraph 18	Insertion of section 33A (Assistant inspectors and staff officers) and section 33B (Pensions of inspectors and assistant inspectors).
Paragraph 19	Amendment of section 34 (Annual and other reports by chief constables).

Provision of Schedule 7 to the Police Act 1964	*Effect on Police (Scotland) Act* 1956
Paragraph 20	Amendment of section 36 (Regulations and orders).
Paragraph 21	Insertion of Schedule 1A (Disciplinary appeals).

PART III

AMENDMENTS TAKING EFFECT ON 1ST AUGUST 1964

Enactment	*Amendment*
The Firearms Act 1937. 1 Edw. 8 & 1 Geo. 6. c. 12.	In Schedule 3, after the entry relating to offences under the Sexual Offences Act 1956, there shall be inserted the entry— " Offences under section 24(1) of the Police (Scotland) Act 1956 or under section 51(1) of the Police Act 1964 ".
The Police (Overseas Service) Act 1945. 9 & 10 Geo. 6. c. 17.	In section 2, after subsection (1) there shall be inserted the following subsection— " (1A) Notwithstanding anything in the last foregoing subsection, a person who has engaged for a period of overseas service may be promoted in his home police force as if he were serving in that force ; and in any such case the reference in that subsection to the rank in which he was serving immediately before he engaged as aforesaid shall be construed as a reference to the rank to which he is promoted, and for the purposes of any such scale as is mentioned in that subsection he shall be treated as having served in that rank from the time of his promotion." In section 2(2) for the words " the last foregoing subsection " there shall be substituted the words " subsection (1) of this section ". In section 3(1) for the words " within the meaning of the Police Pensions Act 1921 " there shall be substituted the words " within the meaning of the Police (Scotland) Act 1956 or the Police Act 1964 ".
The National Insurance (Industrial Injuries) Act 1946. 9 & 10 Geo. 6. c. 62.	In section 78 for the words " that Act " there shall be substituted the words " the Police Pensions Act 1948 ".

Enactment	*Amendment*
The Police Pensions Act 1948. 11 & 12 Geo. 6. c. 24.	In section 1(4), after the words "who transfers" there shall be inserted the words "or has transferred".
	In section 8(1), in the definition of "police authority", for the words "has the same meaning as in section 30 of the Police Pensions Act 1921" there shall be substituted the words "means any police authority within the meaning of the Police (Scotland) Act 1956 or the Police Act 1964"; and, in the definition of "police force", for the words from "maintained for any police area" to "Police (Scotland) Act 1946" there shall be substituted the words "within the meaning of the Police (Scotland) Act 1956 or the Police Act 1964".

PART IV

REPEALS TAKING EFFECT ON 1ST AUGUST 1964

Chapter	Short Title	Extent of Repeal
4 & 5 Geo. 5. c. 44.	The Metropolitan Police (Employment in Scotland) Act 1914.	The whole Act except as applied by the Special Constables Act 1923.
11 & 12 Geo. 5. c. 31.	The Police Pensions Act 1921.	The whole Act except sections 10 and 30 and Schedule 3.
17 & 18 Geo. 5. c. 19.	The Police (Appeals) Act 1927.	The whole Act except in relation to any punishment imposed before 1st August 1964.
6 & 7 Geo. 6. c. 8.	The Police (Appeals) Act 1943.	The whole Act except in relation to any punishment imposed before 1st August 1964.
15 & 16 Geo. 6 & 1 Eliz. 2. c. 61.	The Prisons (Scotland) Act 1952.	Section 13.
4 & 5 Eliz. 2. c. 26.	The Police (Scotland) Act 1956.	In section 1, subsections (2), (3), (4) and (7). Section 10(3).

SCHEDULE 2

PROVISIONS COMING INTO FORCE ON 1ST APRIL 1965

PART I

Section 44 (Police Federations).

Section 45 (Police Council for Great Britain).

Section 46 (Police Advisory Boards for England and Wales and for Scotland).

Section 47 (Membership of trade unions).

Section 59 (Amendments of Police (Scotland) Act 1956) so far as it relates to the amendments set out in Part II of this Schedule.

Section 64(3) (Interpretation, repeals and transitional provisions) so far as it relates to repeals set out in Part III of this Schedule.

PART II

AMENDMENTS TAKING EFFECT ON 1ST APRIL 1965

Provision of Schedule 7 to the Police Act 1964	*Effect on Police (Scotland) Act* 1956
Paragraph 7	Insertion of section 10A (Police cadets).
Paragraph 8	Amendment of section 11 (Regulations as to government and administration of police forces).
Paragraph 9 so far as it relates to section 11A.	Insertion of section 11A (Regulations for police cadets).

PART III

REPEALS TAKING EFFECT ON 1ST APRIL 1965

Chapter	Short Title	Extent of Repeal
9 & 10 Geo. 5. c. 46.	The Police Act 1919.	The whole Act.
13 & 14 Geo. 5. c. 11.	The Special Constables Act 1923.	In section 5 the words from "and the" to the end.
7 & 8 Eliz. 2. c. 38.	The Police Federation Act 1959.	The whole Act.
9 & 10 Eliz. 2. c. 51.	The Police Federation Act 1961.	The whole Act.
10 & 11 Eliz. 2. c. 25.	The Police Federations Act 1962.	The whole Act.

EXPLANATORY NOTE

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

This Order brings into force for Scotland those provisions of the Police Act 1964 which are set out in the Schedules to the Order. The provisions in Schedule 1 are brought into force on 1st August 1964 and those in Schedule 2 on 1st April 1965.