SUPPLIED FOR THE PUBLIC SERVICE



CHAPTER 17.

An Act to provide for the maintenance of British civil police forces in certain countries and territories outside the United Kingdom; for the discipline and pensions of members of such forces; and for purposes connected therewith. [20th December 1945.]

BE it enacted by the King'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 :—

Maintenance of British civil police forces overseas.

1.—(1) There shall be paid out of moneys provided by Parliament any expenses incurred by a Secretary of State, to such amount as may be sanctioned by the Treasury, in respect of persons engaged under his control in the performance of police duties in any foreign country for the time being in the occupation of His Majesty, or in the performance of police duties on behalf of the government of any country or territory outside the United Kingdom.

(2) The Secretary of State may make regulations with respect to the government and discipline of any persons engaged as aforesaid ; and may, with the approval of the Treasury, make regulations providing for the payment out of moneys provided by Parliament of pensions, allowances and gratuities to or in respect of such persons.

(3) Without prejudice to the generality of the last foregoing subsection, regulations made thereunder for the payment of pensions, allowances and gratuities may direct that, subject to such adaptations and modifications as may be prescribed by the

11 & 12 Geo. 5. c. 31. regulations, the provisions of the Police Pensions Act, 1921, shall apply—

(*a*) in relation to persons engaged as aforesaid under the control of the Secretary of State ; and

(*b*) in relation to persons who, after being so engaged, serve in a home police force or in any such other capacity as is mentioned in section ten of the said Act (which relates to persons who serve successively in home police forces and in certain other capacities, including that of a civil servant),

as if, while so engaged, they were serving in a home police force and as if the Secretary of State were the police authority for that force.

(4) Any sums received by a Secretary of State under the Police Pensions Act, 1921, as applied by regulations made under this section, either by way of rateable deductions from the pay of persons engaged as aforesaid under his control, or by way of contributions from any other police authority towards the cost of any pension, allowance or gratuity payable under the regulations, shall be paid into the Exchequer.

(5) Any regulations made under this section shall be laid before Parliament as soon as may be after they are made, and if either House within the period of forty days after the regulations have been so laid resolves that the regulations be annulled, they shall thenceforth be void, but without prejudice to the making of new regulations.

In reckoning any such period of forty days, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

56 & 57 Vict. c. 66. (6) Section one of the Rules Publication Act, 1893, shall not apply to any regulations made under this section.

Special provisions as to members of home police forces.

2.—(1) Subject to the provisions of this section, any member of a home police force who, whether before or after the commencement of this Act, has engaged, with the consent of the appropriate authority and of the Secretary of State, for a period of overseas service shall during that period be treated as if he were not a member of his home police force ; but, except where a pension, allowance or gratuity becomes payable to him out of moneys provided by Parliament by virtue of regulations made under this Act, he shall be entitled at the end of his period of overseas service to revert to his home police force in the rank in which he was serving immediately before he engaged as aforesaid, and subject to the provisions of any regulations made under section one of this Act, he shall be treated for the purposes of the Police Pensions Act, 1921, and of any scale

prescribed by or under the Police Regulations fixing his rate of pay by reference to his length of service, as if he had been serving in that force during that period.

(2) Notwithstanding anything in the last foregoing subsection, if any member of a home police force who has engaged as aforesaid is dismissed from his overseas service by the disciplinary authority established by regulations made under section one of this Act, or is required by that authority to resign as an alternative to dismissal, he shall be deemed for the purposes of the Police Regulations to have committed, as a member of his home police force, an offence against discipline, and may be dealt with under those Regulations accordingly; and for the purposes of this subsection a certificate of a disciplinary authority established under regulations made under section one of this Act, certifying that any person has been so dismissed or required to resign as aforesaid, shall be evidence of the fact so certified.

(3) Where, whether before or after the commencement of this Act, a person to whom section one of the Police and Firemen (War Service) Act, 1939, applies, being a person who ceased to serve as a constable in order to serve in His Majesty's forces, upon ceasing to serve in those forces has engaged, with the consent of the appropriate authority for his home police force, for a period of overseas service, he shall be deemed for the purposes of the said Act to have resumed service as a constable, and the foregoing provisions of this section shall apply to him as if he had engaged for a period of overseas service from his home police force. 2 & 3 Geo. 6. c. 103.

3.—(1) In this Act the following expressions have the meanings hereby respectively assigned to them, that is to say:— Interpretation, short title and extent.

"Appropriate authority", in relation to a member of a home police force, means the chief officer of police acting with the consent of the police authority, or, in the case of a member of a police force being the chief officer of police, means the police authority;

"Home police force" means a police force within the meaning of the Police Pensions Act, 1921, and in relation to a person to whom section one of the Police and Firemen (War Service) Act, 1939, applies, means the force in which he was serving immediately before he ceased to serve as a constable;

"Overseas service" means police service performed in any country or territory outside the United Kingdom, being service the expenses of which are payable under subsection (1) of section one of this Act;

"Police Regulations" means the regulations made under the Police Act, 1919. 9 & 10 Geo. 5. c. 46.

(2) References in this Act to any enactment shall be construed as references to that enactment as amended by any subsequent enactment.

(3) This Act may be cited as the Police (Overseas Service) Act, 1945.

(4) This Act shall not extend to Northern Ireland.

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