CHAPTER 7.

An Act to amend the Law relating to the Superannuation of Constables. [22nd June 1906.]

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:

Pensions to constables continuing to serve after qualification for pension. 53 & 54 Vict. c. 45.

1.—(1) Where a constable in a police force to which the Police Act, 1890, applies is entitled to retire on a pension without a medical certificate, but continues to serve in the force, the police authority may, if they think fit, direct that he shall be entitled, on retiring at any time thereafter, to receive a pension not less in amount than that to which he would have been entitled if he had retired instead of continuing in the force, and in such case the right to receive on retirement such pension shall not, while the constable continues to serve in the force, be liable to forfeiture, except in the cases in which a pension when granted is liable to forfeiture under section eight of that Act.

(2) Before giving any such direction, and every year thereafter, the police authority shall cause the constable to be examined by some duly qualified medical practitioner, and, if on any such examination it is found that the constable is not physically fit for further service, the police authority shall not permit him to continue to serve in the force.

(3) Where such a direction is given, any extra pay which may be granted to the constable in consideration of his continuing to serve after becoming entitled to retire on pension shall not be reckoned in the calculation of the amount of pension or gratuity awarded under the Police Act, 1890, and the Police Act, 1893, and no rateable deductions shall be made from such extra pay under section fifteen of the Police Act, 1890. 56 Vict. c. 10.

Reckoning of discontinuous service as approved service for pension.

2.—(1) Where a constable, who has retired without a pension from a police force to which the Police Act, 1890, applies, subsequently rejoins that force after the passing of this Act, or has so rejoined the force before that date, the police authority shall allow him to reckon in his approved service the period of the approved service which he was entitled to reckon at the end of his previous service, if the constable repays to the police authority the amount of any gratuity which may have been granted to him, or of any rateable deductions from his pay which may have been paid to him, by the police authority in respect of his previous service.

(2) The repayment shall be effected by means of deductions from pay or otherwise as the police authority may determine, and all sums so repaid shall be carried to the pension fund.

Reckoning of approved service in different forces.

3.—(1) Where a constable, who has retired without a pension from a police force to which the Police Act, 1890, applies, subsequently joins some other such police force after the passing of this Act or has so joined such other force before that date, the police authority of that other force may, if they think fit, allow him to reckon in his approved service the period of approved service, not being less than three completed years, which he was entitled to reckon at the end of his service in the first-mentioned force if the constable pays to the police authority of that other force the amount of any gratuity which may have been granted to him or of any rateable deduction from his pay which may have been paid to him in respect of his service in the first-mentioned force; but nothing in this provision shall affect a constable's rights under subsection four of section four of the Police Act, 1890; and subsection two of section fifteen of that Act shall not apply.

(2) The payments by the constable shall be effected by means of deductions from pay, or otherwise as the police authority may determine, and all sums so paid shall be carried to the pension fund.

Approved service in case of Naval and Army Reservists.

4.—(1) Where a constable of a police force to which the Police Act, 1890, applies has, in pursuance of a Royal proclamation, been called into actual service as a member of any Royal Naval Reserve force, or been called out for permanent service as a member of the Army Reserve, his period of service under that proclamation may, if the police authority think fit, be reckoned in the computation of approved service.

(2) Subsection (5) of section four of the Police Act, 1890 (which relates to the computation of approved service of constables who belong to the Army Reserve), shall extend to constables who belong to any Royal Naval Reserve force, with the substitution of "required for training or called into actual service" for "called out for training or for permanent service."

2 Edw. 7. c. 10.

(3) The Police Reservists Act, 1902, is, as respects England, hereby repealed.

Amendment of 53 & 54 Vict. c. 45. s. 8 as to forfeiture of pensions.

5. After paragraph (*d*) of section eight of the Police Act, 1890 (which specifies the cases in which a pension or an allowance under that Act becomes liable to be forfeited wholly or in part and permanently or temporarily), there shall be added the following new paragraphs:—

"or—

"(*e*) if the grantee supplies to any person or publishes in a manner which the police authority consider to be discreditable or improper any information of a confidential nature which he may have obtained in the course of his employment in the police; or

"(*f*) if the grantee solicits, or, without the consent of the police authority, accepts directly or indirectly any testimonial or gift of a pecuniary value on his retirement from the police; or

"(*g*) if the grantee enters into or continues in any business occupation or employment as a private detective, after being prohibited to do so by the police authority on any reasonable grounds:

Provided that the decision of a police authority other than the Secretary of State as to forfeiture on any of the grounds aforesaid shall be subject to confirmation by the Secretary of State, but such confirmation shall not affect the right of appeal to quarter sessions conferred by section eleven of the Police Act, 1890."

Age of compulsory retirement.

6.—(1) In a police force to which the Police Act, 1890, applies, retirement shall be compulsory for every constable above the rank of inspector on his attaining sixty-five years of age, except that in special cases the police authority may extend any such constable's service for a further period, in no case exceeding five years, on being satisfied that the constable's retirement at sixty-five would be detrimental to the interests of the police force; but nothing in this section shall be construed as in anywise affecting the retirement of a constable holding a rank above that of inspector before the passing of this Act.

(2) Where a constable is compelled to retire under this section, and is not entitled without a medical certificate to retire and receive a pension, he shall be entitled to receive such a pension or may be granted such a gratuity as he would have been entitled to receive or as might have been granted to him had he then retired on a medical certificate.

Amendment of Police Act, 1890, s. 4.

7. In subsection (1) of section four of the Police Act, 1890, after the words "constable belongs" there shall be inserted the words "not exceeding the period of the sickness, misconduct, or neglect of duty, or the period during which he is suspended from duty on account thereof."

Short title.

8. This Act may be cited as the Police (Superannuation) Act, 1906, and this Act may be cited with the Police Acts, 1839 to 1893.

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CHAPTER 8.

An Act to grant certain duties of Customs and Inland Revenue, to alter other duties, and to amend the Law relating to Customs and Inland Revenue and the National Debt, and to make other provisions for the financial arrangements of the year. [22nd June 1906.]