# CHAPTER cxxvii.

An Act for providing a scale of Pensions and Gratuities in the Police Force of the City of London and for other purposes. [12th August 1889.]

A.D. 1889.

WHEREAS in 1839 an Act was passed "for regulating the police in the city of London" (in this Act referred to as the City Police Act 1839): 2 & 3 Vict. c. xciv.

And whereas by section 11 of such Act provision was made for the formation of a fund called the City Police Superannuation Fund for the benefit of constables of the City Police Force:

And whereas by section 12 of such Act certain yearly allowances subject to the conditions in such section contained were by order of the mayor aldermen and commons of the city of London in Common Council assembled (in this Act called the Common Council) on the recommendation of the Commissioner of the Police Force of the city of London and the liberties thereof (in this Act called "the Commissioner") to be paid out of such City Police Superannuation Fund to any constables who might be superannuated or disabled:

And whereas by the City of London Police Act 1874 it was provided that if the City Police Superannuation Fund were at any time insufficient for payment of the allowances payable thereout there should be paid to that fund under order of the Common Council such sum as should for the time being be requisite to make good the deficiency: 37 Vict. c. ii.

And whereas by section 3 of such last-recited Act power was given to the Common Council to grant yearly allowances not exceeding the amounts therein mentioned on retirement to the Commissioner or surgeon or any officer of the City Police Force or to any clerk or person employed in or in connexion with that force such allowances to be considered as part of the expenses of the police force:

And whereas the Common Council desire that the scale or amounts of allowances in section 12 of the City Police Act 1839 and in

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section 3 of the City of London Police Act 1874 shall be amended and that no order of the Common Council shall in future be necessary for any payment out of the City Police Superannuation Fund or out of moneys raised for the expenses of the police force in respect of any pension or gratuity to which the Commissioner or surgeon or receiver or any officer or constable of the City Police Force or any clerk or person employed in or in connexion with that force shall in future respectively be entitled under the provisions of this Act:

And whereas the objects aforesaid cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and 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:—

Short title.

**1.** This Act may be cited as the City of London Police Superannuation Act 1889 and its provisions shall be substituted for the enactments herein-after repealed.

Repeal of section 12 of City Police Act 1839.

**2.** Section 12 of the City Police Act 1839 save as herein-after excepted is hereby repealed.

Repeal of section 3 of City of London Police Act 1874.

**3.** Section 3 of the City of London Police Act 1874 save as herein-after excepted is hereby repealed.

Pensions to retiring constables.

**4.** Subject to the provisions of this Act every constable in the City Police Force may retire and shall receive a pension for life:—

(A) If he is certified by the Commissioner to have completed not less than twenty-five years of approved service and is not less than fifty years of age and has given such written notice of his desire to retire as may from time to time be required by the Commissioner:

(B) If he is certified by the Commissioner to have completed not less than fifteen years of approved service and is incapacitated for performance of his duty by infirmity of mind or body and the surgeon of the force certifies that such infirmity has not been caused by vice or intemperance:

Provided that if any constable is incapacitated for the performance of his duty by infirmity of mind or body occasioned by any wound or injury received in the actual execution of his duty without his own default it shall be lawful for the Common Council to grant him such yearly allowance as a pension for life not exceeding his annual pay at the time of retirement as may be recommended by the Commissioner:

Provided also that a constable who receives a pension under this section before he has by service and age acquired a right to retire shall be liable until he reach fifty years of age to be recalled to service on recovery from mental or physical incapacity unless he relinquish his right to the payment of any pension and if such constable be recalled to service the provisions of this Act shall apply as if he had not previously retired save that his pension shall not be less than that granted on his previous retirement and he shall not reckon as service time elapsed between his retirement and recall to service:

For the purposes of this Act "approved service" shall mean such service as may be certified by the Commissioner to have been diligent and faithful service.

Scale of pensions.

**5.** The said pensions shall be payable out of the City Police Superannuation Fund and shall be in accordance with the pension scale contained in the schedule to this Act.

Gratuities to constables in certain cases.

**6.** If any constable be proved to the satisfaction of the Commissioner to be incapacitated for the performance of his duty by infirmity of mind or body before completing fifteen years of approved service he shall be entitled to a gratuity on discharge if the surgeon of the force certifies that such infirmity has not been caused by vice or intemperance and such gratuity shall be calculated at the rate of one month's pay for each completed year of service and shall be payable out of the City Police Superannuation Fund.

Service in other police forces to be reckoned.

**7.** In reckoning the service of a constable service in any other police force in which he has served for not less than three years and from which he has directly removed with the consent of the chief officer of such force to the City Police Force shall be reckoned as service in the City Police Force.

Pensions to be forfeited in certain cases.

**8.** A pension under this Act is granted only upon condition that it may by order of the Common Council become forfeited and be withdrawn in any of the following cases:—

(A) If the grantee is convicted of any indictable offence:

(B) If the grantee be reported by the Commissioner to be knowingly associating with thieves or suspected persons:

(C) If the grantee be reported by the Commissioner to have refused to give all information and assistance in his power for the detection of crime or for the apprehension of criminals or for the suppression of any disturbance of the public peace: or

(D) If the grantee is guilty of any conduct which is in the opinion of the Common Council on report of the Commissioner disgraceful.

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Right of appeal on dismissal after fifteen years service.

**9.** Where any constable having served not less than fifteen years and to whom this Act applies is dismissed from his employment and feels aggrieved at such dismissal he may by notice in writing within fourteen days after such dismissal appeal to the court of Common Council and such court shall entertain his application and may confirm or reverse the decision appealed against:

Save as aforesaid nothing in this Act contained shall be construed to prevent any constable being dismissed on account of misconduct or of negligence in or unfitness for the discharge of his duties or other reasonable cause and on such dismissal he shall forfeit all right to a pension or gratuity.

Provisions of Act extended to Commissioner &c.

**10.** The provisions of this Act shall apply to the Commissioner surgeon receiver and officers of the City Police Force and to any clerk or person employed in or in connexion with such force in like manner as nearly as circumstances admit as they apply to any constable of such force save that all moneys from time to time required for payment to them of any pension or gratuity under this Act shall when in excess of the sum of money (if any) standing to the separate account in the City Police Superannuation Fund created as herein-after provided by this Act by deductions from the pay of Commissioners surgeons receivers and other officers of and clerks and persons employed in or in connexion with such police force be provided by and in like means and proportions as money required for defraying the expenses of the City Police Force is provided under the City Police Act 1839 but nothing in this Act shall authorise the levying of city police rates in any year to an amount exceeding that limited by the City Police Act 1839:

Provided that in reckoning the service of any clerk or person employed in or in connexion with such City Police Force for the purpose of pension or gratuity his previous service (if any) as a constable shall be included.

Notice of Act to be given to members of force and others.

**11.** Within two months from the passing of this Act notice of its provisions shall be given to all existing members of the City Police Force (including the Commissioner surgeon receiver and officers) and to all clerks or persons employed in or in connexion with that force and all such members clerks or persons as wish to avail themselves of the provisions of this Act in substitution for the provisions contained in the City Police Act 1839 and the City of London Police Act 1874 shall on or before the first day of January one thousand eight hundred and ninety notify their desire by notice

in writing to the Common Council and shall thenceforth on their retirement only be entitled to the pensions and gratuities herein provided: A.D. 1889.

Provided that for the first five years after the first of January one thousand eight hundred and ninety not more than fifteen constables in each year in order of seniority or in such order as shall be determined by the Commissioner by a list to be prepared before the thirty-first day of October one thousand eight hundred and eighty-nine shall be entitled unless incapacitated to retire on a pension for life as by this Act provided.

Provisions of existing Acts to remain in force in certain cases.

**12.** The provisions contained in section 12 of the City Police Act 1839 and in section 3 of the City of London Police Act 1874 shall as regards such existing members clerks or persons of or connected with the City Police Force as shall not notify their desire as in the above section provided be and remain valid and existing but save as aforesaid shall be repealed.

Act to apply to all future members.

**13.** The provisions of this Act shall apply to all persons joining the City Police Force or connected therewith in any capacity whatsoever after the passing of this Act.

Deductions from pay of Commissioner &c.

**14.** There shall be deducted from the pay of every Commissioner surgeon receiver and other officer of the City Police Force and of every clerk or person employed in or in connexion with such force who may avail himself of the provisions of this Act or who shall be appointed to or employed in or in connexion with the City Police Force after the passing of this Act a sum being the same proportional sum as shall for the time being be deducted from the pay of every constable belonging to the said force not exceeding two pounds ten shillings in a hundred pounds and such sum shall be carried to a separate account in the City Police Superannuation Fund and be accumulated and applied as the Common Council shall direct towards the payment under this Act of the pensions and gratuities of Commissioners surgeons receivers and officers of and clerks or persons employed in or in connexion with such police force.

Costs of Act.

**15.** The costs charges and expenses preliminary to and of and incidental to the preparation of and the obtaining and passing of this Act shall be paid by the corporation as part of the expenses of the City Police Force.

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# The SCHEDULE referred to in the foregoing Act.

The pension to a constable on retirement shall be according to the following scale (that is to say):—

(A) If he has completed less than twenty years approved service an annual sum of one fiftieth of his annual pay at the time of retirement for every completed year of service:

(B) If he has completed twenty years but less than twenty-five years approved service an annual sum of one fiftieth of his annual pay at the time of retirement for every completed year of service up to twenty years and two fiftieths for each completed year of service after such twenty years service:

(C) If he has completed over twenty-five years approved service an annual sum of one fiftieth of his annual pay at the time of his retirement for every completed year of service up to twenty years and of two fiftieths of such annual pay for each completed year of service from twenty to twenty-five years and of one fiftieth of such annual pay for each completed year's service after such twenty-five years service but such annual sum shall in no case exceed two thirds of his annual pay at the time of retirement.

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