



Police, Public Order and Criminal Justice (Scotland) Act 2006

2006 asp 10

PART 1

POLICE

CHAPTER 2

COMPLAINTS AND MISCONDUCT

Supervision of complaints

41 Appropriate authority in relation to a complaint

(1) For the purposes of sections 34 to 40, the appropriate authority in relation to a complaint is—

[^{F1}(a) the Authority in cases where the complaint is about an act or omission by—

- (i) the Authority;
- (ii) a senior officer of the Police Service; or
- (iii) a member of the Authority's staff; and

(b) the chief constable in cases where the complaint is about an act or omission by—

- (i) the Police Service;
- (ii) a constable of the Police Service who is not a senior officer; or
- (iii) a member of the police staff.]

^{F2}(2)

^{F2}(3)

^{F2}(4)

^{F2}(5)

Changes to legislation: *Police, Public Order and Criminal Justice (Scotland) Act 2006, Section 41 is up to date with all changes known to be in force on or before 16 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

- F1** S. 41(1)(a)(b) substituted for s. 41(1)(a)-(j) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 33\(6\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121, arts. 1(1), 11)
- F2** S. 41(2)-(5) repealed (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 8 Pt. 1](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121, arts. 1(1), 11)

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 47A inserted by [2023 c. 41 s. 45\(3\)](#)