

Police and Fire Reform (Scotland) Act 2012

PART 1

POLICE REFORM

CHAPTER 2

THE POLICE SERVICE OF SCOTLAND

Police staff

26 Police staff

- (1) The Authority may appoint police staffto assist in the carrying out of police functions.
- (2) Police staffappointed under subsection (1) may be—
 - (a) employed by the Authority, or
 - (b) provided to the Authority under arrangements between the Authority and a third party.
- (3) The chief constable has power to make appointments under subsection (1) on behalf of the Authority.

Commencement Information

I1 S. 26 in force at 1.10.2012 by S.S.I. 2012/253, art. 2, Sch.

27 Terms and conditions of police staff

(1) Police staff may be employed on terms and conditions determined by the Authority.

Changes to legislation: Police and Fire Reform (Scotland) Act 2012, Cross Heading: Police staff is up to date with all changes known to be in force on or before 09 June 2024. 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

- (2) The Authority may pay or make arrangements for the payment of pensions, allowances or gratuities (including by way of compensation for loss of employment) to, or in respect of, any person who has ceased to be employed as a member of police staff.
- (3) The arrangements mentioned in subsection (2) may include—
 - (a) the making of contributions or payments towards provision for pensions, allowances or gratuities mentioned there, and
 - (b) the establishment and administration of pension schemes.

Commencement Information

I2 S. 27 in force at 1.10.2012 by S.S.I. 2012/253, art. 2, Sch.

28 Police custody and security officers

- (1) The chief constable may certify a member of the police staff appointed under section 26(1) as having been authorised to carry out functions in relation to custody and security.
- (2) An individual so certified is to be known as a "police custody and security officer".
- (3) A police custody and security officer has—
 - (a) for the purposes of the functions which the officer is authorised to carry out, the powers and duties set out in schedule 2, and
 - (b) all other functions conferred on police custody and security officers by virtue of this or any other enactment or by rule of law.
- (4) A police custody and security officer is to be regarded as acting in accordance with the officer's powers and duties only if the officer is readily identifiable as such an officer when so acting (whether or not by means of a uniform or badge worn).
- (5) Sections 22(3) and (4),23and 92apply in relation to a police custody and security officer as they apply in relation to a constable (and when so applied, a reference to a constable is to be read as a reference to such an officer).

Commencement Information

I3 S. 28 in force at 1.4.2013 by S.S.I. 2013/51, art. 2

29 Certification of police custody and security officers

- (1) The chief constable may issue a certificate under section 28(1) only if satisfied that the member of the police staff concerned—
 - (a) is a fit and proper person to carry out a police custody and security officer's functions, and
 - (b) has received training to such standard as the chief constable considers appropriate for the carrying out of those functions.
- (2) The chief constable may revoke a certificate if the certified person appears to the chief constable not to be a fit and proper person to carry out a police custody and security officer's functions.

CHAPTER 2 – The Police Service of Scotland

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- (3) The chief constable may (pending consideration of whether to revoke a certificate) suspend the certificate where it appears to the chief constable that the certified person may not be a fit and proper person to carry out a police custody and security officer's functions.
- (4) A certificate is otherwise to continue in force until such date or occurrence as it may specify.

Commencement Information

I4 S. 29 in force at 1.4.2013 by S.S.I. 2013/51, art. 2

30 False statements in relation to certification

- (1) It is an offence for a person to provide information for the purpose of enabling or assisting the person or any other person to be certified as a police custody and security officer if the person knows that, or is reckless as to whether, the information is false or misleading in a material respect.
- (2) A person guilty of such an offence is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Commencement Information

I5 S. 30 in force at 1.4.2013 by S.S.I. 2013/51, art. 2

Changes to legislation:

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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

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- Ch. 12A inserted by 2017 asp 4 s. 1(1)
- s. 17(2)(h) inserted by 2017 asp 4 s. 2(a)(ii)
- s. 17(4)(b)(iv) inserted by 2017 asp 4 s. 2(b)(ii)
- s. 20A inserted by 2017 asp 4 s. 3