



Police (Northern Ireland) Act 2000

2000 CHAPTER 32

PART VI

THE POLICE

General

50 Service by members of the Police Service of Northern Ireland Reserve with other police services.

In section 27 of the 1998 Act (engagement on other police service) at the end there shall be added—

- “(9) The preceding provisions of this section apply to a police officer serving in the Police Service of Northern Ireland Reserve as they apply to a police officer serving in the Police Service of Northern Ireland, but with the substitution—
- (a) for references to the Police Service of Northern Ireland of references to the Police Service of Northern Ireland Reserve;
 - (b) for the references in subsection (3) to section 25 of references to section 26; and
 - (c) for the reference in subsection (5) to section 25(3) of a reference to section 26(3).”

51 Notifiable memberships.

- (1) For the purposes of this section, a police officer has a notifiable membership if membership of the organisation in question might reasonably be regarded as affecting the officer’s ability to discharge his duties effectively and impartially.
- (2) The Chief Constable may give guidance to police officers in connection with notifiable memberships.
- (3) Before issuing any guidance under subsection (2), the Chief Constable shall consult—
 - (a) the Board;

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- (b) the [F1Department of Justice]; and
 - (c) the Northern Ireland Human Rights Commission.
- (4) The Chief Constable shall publish any guidance issued under subsection (2).
- (5) The Chief Constable shall require each police officer to inform him—
- (a) of any notifiable membership which that police officer believes he has; or
 - (b) if he believes he has no notifiable memberships, of that belief.
- (6) In imposing a requirement on a police officer under subsection (5) the Chief Constable shall—
- (a) draw the attention of that officer to the provisions of this section; and
 - (b) give a general explanation of the purposes for which the information required may lawfully be used.
- (7) The Chief Constable—
- (a) shall, subject to paragraphs (b) and (c), retain information received under this section for so long as the person to whom it relates remains a police officer;
 - (b) shall amend that information where the police officer to whom it relates informs the Chief Constable that there has been a change in his notifiable memberships; and
 - (c) shall destroy the information within one year from the date on which the person to whom it relates ceases to be a police officer.
- (8) No information received by the Chief Constable under this section is to be disclosed unless the person making the disclosure is a person to whom this subsection applies and the disclosure is made—
- (a) to the Ombudsman or an officer of the Ombudsman or to any other person in connection with the exercise of any function of the Ombudsman;
 - (b) as permitted by section 63 of the 1998 Act;
 - (c) to the Board in connection with the exercise of any of its functions;
 - (d) for the purposes of any criminal, civil or disciplinary proceedings;
 - (e) in the form of a summary or other general statement which does not identify any person to whom the information relates;
 - (f) to, or with the consent of, the person to whom the information relates; or
 - (g) to another person to whom this subsection applies.
- (9) Subsection (8) applies to—
- (a) the Chief Constable;
 - (b) a police officer engaged in carrying out on behalf of the Chief Constable his functions under this section;
 - (c) the Board, each of its members and the members of its staff; and
 - (d) a member of the police support staff engaged in carrying out on behalf of the Chief Constable his functions under this section.
- (10) Any person who discloses information in contravention of subsection (8) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (11) It is a defence for a person charged with an offence under subsection (10) to show that, before the disclosure was made, he obtained the information otherwise than in his capacity as a person to whom subsection (8) applies.

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- (12) But subsection (11) does not provide a defence if it is shown that the person concerned used his position as a person to whom subsection (8) applies in order to obtain the information.
- (13) The annual report of the Chief Constable under section 58 shall contain statistical information on the notifiable memberships of police officers of which he has been informed under this section.
- (14) For the purposes of this section a person is a member of an organisation if he belongs to it by virtue of his admission to any sort of membership provided for by its constitution.

Textual Amendments

F1 Words in s. 51(3)(b) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 68** (with arts. 28-31)

Modifications etc. (not altering text)

C1 S. 51 applied (with modifications) (8.4.2003) by [Police \(Northern Ireland\) Act 2003 \(c. 6\)](#), **s. 36**

52 Code of ethics.

- (1) The Board shall issue, and may from time to time revise, a code of ethics for the purpose of—
- (a) laying down standards of conduct and practice for police officers;
 - (b) making police officers aware of the rights and obligations arising out of the Convention rights (within the meaning of the Human Rights Act 1998).
- (2) In preparing the code, the Chief Constable and the Board shall have regard to the terms of the declaration set out in section 38(1).
- [^{F2}(2A) In revising the code the Chief Constable and the Board shall also have regard to any guidance for the time being in operation under section 8 of the Justice (Northern Ireland) Act 2004.]
- (3) A draft of the code shall be submitted by the Chief Constable to the Board for it to consider.
- (4) The Board may adopt the draft code—
- (a) as submitted by the Chief Constable; or
 - (b) with such amendments as the Board may determine, after consultation with the Chief Constable.
- (5) Before issuing or revising the code the Board shall consult—
- (a) the Police Association;
 - (b) the [^{F3}Department of Justice];
 - (c) the Ombudsman;
 - (d) the Northern Ireland Human Rights Commission;
 - (e) the Equality Commission for Northern Ireland; and
 - (f) any other person or body appearing to the Board to have an interest in the matter.

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- (6) After consulting under subsection (5), the Board may make such further amendments to the draft code as it may determine, after consultation with the Chief Constable.
- (7) The Board shall publish any code of ethics issued or revised under this section in such manner as it thinks appropriate.
- (8) The Chief Constable shall take such steps as he considers necessary to ensure—
- (a) that all police officers have read and understood the code as currently in force; and
 - (b) that a record is made and kept of the steps taken in relation to each officer.
- (9) In order to enable it to carry out its function under section 3(3)(d)(iv), the Board shall keep under review the steps taken by the Chief Constable under subsection (8).
- (10) The [^{F4}Department of Justice] shall, so far as practicable, ensure that the provisions of the code currently in force under this section are reflected in the regulations relating to conduct or discipline made under section 25 or 26 of the 1998 Act.
- [^{F5}(10A) The Director General of the National Crime Agency shall take such steps as the Director General considers necessary to ensure—
- (a) that all National Crime Agency officers exercising functions in Northern Ireland have read and understood the code as currently in force; and
 - (b) that a record is made and kept of the steps taken in relation to each officer.
- (10B) The Director General of the National Crime Agency shall, so far as practicable, ensure that the provisions of the code currently in force under this section are reflected in the disciplinary procedures applicable to National Crime Agency officers in relation to their exercise of functions in Northern Ireland.]

Textual Amendments

- F2** S. 52(2A) inserted (1.2.2006) by Justice (Northern Ireland) Act 2004 (c. 4), ss. 8(6), 19(1) (with s. 8(8)); S.R. 2005/282, art. 5
- F3** Words in s. 52(5)(b) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 69(a)** (with arts. 28-31)
- F4** Words in s. 52(10) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 69(b)** (with arts. 28-31)
- F5** S. 52(10A)(10B) inserted (19.5.2015) by The Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015 (S.I. 2015/798), art. 1(3), **Sch. 2 para. 5**

53 Guidance as to use of equipment for maintaining or restoring public order.

- (1) The [^{F6}Department of Justice] may issue, and from time to time revise, guidance on the use by police officers of equipment designed for use in maintaining or restoring public order.
- (2) Before issuing or revising any guidance under this section, the [^{F7}Department of Justice] shall consult—
- (a) the Board;
 - (b) the Chief Constable;
 - (c) the Ombudsman; and
 - (d) the Police Association.

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- (3) The [F8Department of Justice] shall publish any guidance issued or revised under this section in such manner as [F9it] thinks appropriate.

Textual Amendments

- F6** Words in s. 53(1) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 70(a)** (with arts. 28-31)
- F7** Words in s. 53(2) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 70(b)** (with arts. 28-31)
- F8** Words in s. 53(3) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 70(c)(i)** (with arts. 28-31)
- F9** Word in s. 53(3) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 70(c)(ii)** (with arts. 28-31)

54 Regulations as to emblems and flags.

- (1) The [F10Department of Justice] may make regulations—
- prescribing the design of an emblem for the police; and
 - regulating the use of that or any other emblem—
 - on equipment or property used for the purposes of the police; or
 - otherwise in connection with the police.
- (2) The [F11Department of Justice] may make regulations—
- prescribing the design of a flag for the police; and
 - regulating the flying or carrying of that or any other flag—
 - on land or buildings used for the purposes of the police; or
 - otherwise in connection with the police.
- (3) Before making any regulations under this section the [F12Department of Justice] shall consult—
- the Board;
 - the Chief Constable;
 - the Police Association; and
 - any other person or body appearing to [F13the Department of Justice] to have an interest in the matter.

Textual Amendments

- F10** Words in s. 54(1) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 71(a)** (with arts. 28-31)
- F11** Words in s. 54(2) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 71(b)** (with arts. 28-31)
- F12** Words in s. 54(3) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 71(c)** (with arts. 28-31)
- F13** Words in s. 54(3)(d) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 71(d)** (with arts. 28-31)

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55 Identification of police officers.

- (1) The Chief Constable shall make arrangements for each police officer to be assigned a serial number.
- (2) The Chief Constable shall ensure that, as far as practicable, the number assigned under this section to a police officer is so displayed on his uniform as to be clearly visible at all times when he is on duty and in uniform.

56 Co-operation with Garda Síochána.

The Board and the Chief Constable shall implement any arrangements made in pursuance of an agreement between the Government of the United Kingdom and the Government of Ireland dealing with co-operation on policing matters between the police and the Garda Síochána.

Changes to legislation:

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