



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 9

MISCELLANEOUS POWERS

89 Extension of powers of community support officers etc.

- (1) The Police Reform Act 2002 (c. 30) is amended as follows.
- (2) In section 105 (powers of Secretary of State to make orders and regulations) in subsection (3)(b) after “99(6)” insert “ or paragraph 15A(2) of Schedule 4 or paragraph 9A(2) of Schedule 5 ”.
- ^{F1}(3)
- ^{F1}(4)
- (5) In paragraph 1(2) of Schedule 5 (powers of accredited persons to issue fixed penalty notices) after paragraph (a) insert—
 - “(aa) the powers of a constable in uniform to give a penalty notice under Chapter 1 of Part 1 of the Criminal Justice and Police Act 2001 (fixed penalty notices in respect of offences of disorder) except in respect of an offence under section 12 of the Licensing Act 1872 or section 91 of the Criminal Justice Act 1967;”.
- (6) After paragraph 8 of that Schedule insert—

“Power to stop cycles

- 8A (1) Subject to sub-paragraph (2), a person whose accreditation specifies that this paragraph applies to him shall, within the relevant police area, have the power of a constable in uniform under section 163(2) of the Road Traffic Act 1988 to stop a cycle.
- (2) The power mentioned in sub-paragraph (1) may only be exercised by that person in relation to a person who he has reason to believe has

Changes to legislation: There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 89. (See end of Document for details)

committed an offence under section 72 of the Highway Act 1835 (riding on a footway) by cycling.”

(7) After paragraph 9 of that Schedule insert—

“Power to modify paragraph 1(2)(aa)

9A (1) The Secretary of State may by order provide that paragraph 1(2)(aa) is to have effect as if the reference to the powers there mentioned did not include those powers so far as they relate to an offence under any provision for the time being mentioned in the first column of the Table in section 1(1) of the Criminal Justice and Police Act 2001 which is specified in the order.

(2) The Secretary of State shall not make an order containing (with or without any other provision) any provision authorised by this paragraph unless a draft of that order has been laid before Parliament and approved by a resolution of each House.”

Textual Amendments

F1 S. 89(3)(4) omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 15\(c\)](#); S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

Commencement Information

I1 S. 89(1)-(4) (6) (7) in force at 20.1.2004 by S.I. 2003/3300, [art. 2\(f\)\(iv\)](#)

I2 S. 89(5) in force at 31.3.2004 in so far as not already in force by S.I. 2004/690, [art. 2\(b\)\(iv\)](#)

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