

Draft Order laid before Parliament under section 373(3) of the Armed Forces Act 2006, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2007 No. XXX

DEFENCE

The Armed Forces (Service Police Amendments) Order 2007

Made - - - - - *xxxx 2007*
Coming into force - - - - - *xxxx 2007*

The Secretary of State makes the following Order in exercise of the powers conferred upon him by sections 379(1)(b) of the Armed Forces Act 2006(1).

In accordance with section 373(3)(a) of the Armed Forces Act 2006 a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

1. This Order may be cited as the Armed Forces (Service Police Amendments) Order 2007 and shall come into force on the day after that on which it is made.
2. The Schedule to this Order shall have effect.

Date

Under Secretary of State
Ministry of Defence

SCHEDULE

Article 2

Modification of certain Statutory Instruments

Amendment of the Criminal Justice and Public Order Act 1994 (Application to the Armed Forces) Order 1997

1. In the definition of “service policeman” in column 2 of the Schedule to the Criminal Justice and Public Order Act 1994 (Application to the Armed Forces) Order 1997(2), in relation to subsection (1) of section 38 of the Criminal Justice and Public Order Act 1994(3), for “Royal Navy Regulating Branch” substitute “Royal Navy Police”.

Amendment of the Crime and Disorder Strategies (Prescribed Descriptions) Order 1998

2. In Article 3(4) of the Crime and Disorder Strategies (Prescribed Descriptions) Order 1998(4) for “Royal Navy Regulating Branch” substitute “Royal Navy Police”.

Amendment of the Armed Forces (Entry, Search and Seizure) Order 2003

3. In Article 13(8)(a) of the Armed Forces (Entry, Search and Seizure) Order 2003(5) for “Royal Naval Regulating Branch” substitute “Royal Navy Police”.

Amendment of the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2003

4. In the seventh entry in column 1 of Part I of the Schedule to the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2003(6) for “Royal Navy Regulating Branch” substitute “Royal Navy Police”.

Amendment of the Regulation of Investigatory Powers (Communications Data) Order 2003

5. In the seventh entry under the heading “police force” in column 1 of Schedule 1 to the Regulation of Investigatory Powers (Communications Data) Order 2003(7) for “Royal Navy Regulating Branch” substitute “Royal Navy Police”.

Amendment of the Crime and Disorder Strategies (Prescribed Descriptions) (England) Order 2004

6. In Article 3(4) of the Crime and Disorder Strategies (Prescribed Descriptions) (England) Order 2004(8) for “Royal Navy Regulating Branch” substitute “Royal Navy Police”.

Amendment of the Summary Appeal Courts (Warrant Officers) Order 2004

7. In the definition of “service policeman” in Article 2 of the Summary Appeal Courts (Warrant Officers) Order 2004(9) for “Royal Navy Regulating Branch” substitute “Royal Navy Police”.

(2) S.I. 1997/16
(3) 1994 c.33
(4) S.I. 1998/2452
(5) S.I. 2003/2273
(6) S.I. 2003/3171
(7) S.I. 2003/3172
(8) S.I. 2004/118
(9) S.I. 2004/1937

Amendment of the Police and Criminal Evidence Act 1984 (Application to the Armed Forces) Order 2006

8. In the Police and Criminal Evidence Act 1984 (Application to the Armed Forces) Order 2006⁽¹⁰⁾ for “Royal Navy Regulating Branch” substitute “Royal Navy Police” in each of the following places—

- (a) Article 2(2);
- (b) in the definition of “service policeman” provided for in column 2 of Schedule 1 to that Order in relation to subsection (1) of section 65 of the Police and Criminal Evidence Act 1984⁽¹¹⁾; and
- (c) sections 63A(1B) and 65 of the Police and Criminal Evidence Act 1984, as set out with modifications in Schedule 3 to that Order.

Amendment of the Criminal Justice and Public Order Act 1994 (Application to the Armed Forces) Order 2006

9. In the definition of “service policeman” in subsection (1) of section 38 of the Criminal Justice and Public Order Act 1994⁽¹²⁾ as set out with modifications in Schedule 2 to the Criminal Justice and Public Order Act 1994 (Application to the Armed Forces) Order 2006⁽¹³⁾, for “Royal Navy Regulating Branch” substitute “Royal Navy Police”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes minor changes to nine statutory instruments. The amendments provide for consequential changes in the legislation following the change of title of the Royal Navy Regulating Branch (sometimes referred to as the Royal Naval Regulating Branch) to that of the Royal Navy Police. Various amendments in Schedule 16 to the Armed Forces Act 2006 that provide for the change of name from the Royal Navy Regulating Branch to that of the Royal Navy Police in primary legislation have already been commenced, and this Order supplements those changes by changing the name in the subordinate legislation.

⁽¹⁰⁾ S.I. 2006/2015

⁽¹¹⁾ 1984 c.60

⁽¹²⁾ 1994 c.33

⁽¹³⁾ S.I. 2006/2326