

SCHEDULE 3

Article 6(1)

Modifications in the application of the Police and Criminal Evidence (Northern Ireland) Order 1989 to designated persons

1. Except where the contrary intention appears, in the Police and Criminal Evidence (Northern Ireland) Order 1989 any reference to a police officer or officer (in the context of a police officer) is to be read as, or including, a reference to a designated person.
2. In article 2 (general interpretation), in paragraph (2)—
 - (a) before the definition of “designated police station” insert—

““designated person” means an NCA officer designated as a person having the powers and privileges of a constable under section 10(1)(a) of CCA 2013;”;
 - (b) after the definition of “items subject to legal privilege” insert—

““NCA office” means a place for the time being occupied by the National Crime Agency;”.
3. In article 4 (provisions relating to search under article 3 and other powers)—
 - (a) for paragraph (2)(i) substitute—

“(i) documentary evidence that he is a designated person; and”;
 - (b) in paragraph (2)(ii) omit “whether he is in uniform or not,”;
 - (c) in paragraphs (4)(a) and (7)(b)—
 - (i) for “police number” substitute “staff number”;
 - (ii) for “of the police station” substitute “and location of the NCA office”;
 - (d) in paragraph (7)(c) for “police station” substitute “NCA office”.
4. In article 5 (duty to make records concerning searches), in paragraph (6)(b) for “police number” substitute “staff number”.
5. Omit article 6 (road checks).
6. In article 18 (execution of warrants)—
 - (a) in paragraphs (3A) and (3B) for “police officer of at least the rank of inspector” substitute “designated person of at least grade 3”;
 - (b) in paragraph (5)(a) for “, if not in uniform, shall produce to him documentary evidence that he is a constable” substitute “shall produce to him documentary evidence that he is a designated person”.
7. In article 20 (entry and search after arrest)—
 - (a) in paragraphs (4) and (6) for “an officer of the rank of inspector or above” substitute “a designated person of at least grade 3”;
 - (b) in paragraph (5A) for “police station” substitute “NCA office”.
8. In article 23 (access and copying), in paragraph (3)(b) for “police” substitute “National Crime Agency”.
9. In article 24 (retention), in paragraph (6) for “police” substitute “National Crime Agency”.
10. In article 29 (fingerprinting of certain offenders)—
 - (a) in paragraph (1)(c)(i) for “police” substitute “National Crime Agency”;
 - (b) in the words after sub-paragraph (c)(ii) for “police station” substitute “NCA office”.

11. In article 44 (warrants of further detention), in paragraphs (7)(b) and (13)(c) for “police” substitute “National Crime Agency”.
12. In article 60 (tape-recording of interviews), in paragraph (1)(a) after “police stations” insert “or NCA offices”.
13. In article 60A (visual recording of interviews), in sub-paragraph (a) after “police stations” insert “or NCA offices”.
14. In article 61 (fingerprinting)—
 - (a) in paragraphs (3)(b), (4)(b), (4A) and (6C) for “police” substitute “National Crime Agency”;
 - (b) in paragraph (4AA) for “an officer of at least the rank of inspector” substitute “a designated person of at least grade 3”.
15. In article 61A (impressions of footwear), in paragraphs (3)(b) and (4) for “police” substitute “National Crime Agency”.
16. In article 62 (intimate samples), in paragraphs (1)(a) and (1A) for “a police officer of at least the rank of inspector” substitute “a designated person of at least grade 3”.
17. In article 63 (other samples)—
 - (a) in paragraphs (2A)(b), (3)(a) and (3A) for “police” substitute “National Crime Agency”;
 - (b) in paragraph (3)(b) for “an officer of at least the rank of inspector” substitute “a designated person of at least grade 3”.
18. In article 63A (fingerprints and samples: supplementary provisions)—
 - (a) in paragraphs (4) and (5) after “police station” insert “or NCA office”;
 - (b) in paragraph (4)(a) for “police” substitute “National Crime Agency”;
 - (c) in paragraph (8), for sub-paragraph (b) substitute—
 - “(b) in the case of a person falling within paragraph (4)(b), a designated person of at least grade 3.”
19. In article 64 (destruction of fingerprints and samples), in paragraphs (5)(b) and (7) for “Chief Constable” substitute “Director General of the National Crime Agency”.