

*Status: Point in time view as at 05/04/2004.*

**Changes to legislation:** Police and Criminal Evidence Act 1984, Part II is up to date with all changes known to be in force on or before 03 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)

## SCHEDULES

### SCHEDULE 6

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### Modifications etc. (not altering text)

- C1** Sch. 6 incorporated (16.5.2008) by [The London Gateway Port Harbour Empowerment Order 2008 \(S.I. 2008/1261\)](#), [art. 52](#)

#### PART II

##### OTHER AMENDMENTS

##### *Army Act 1955 (c. 18)*

- 28 (1) The Army Act 1955 shall be amended as follows.
- (2) In section 99—
- (a) in subsection (1), after the word “below” there shall be inserted the words “and to service modifications”; and
- (b) the following subsections shall be inserted after that sub-section—
- “(1A) In this section “service modifications” means such modifications as the Secretary of State may by regulations made by statutory instrument prescribe, being modifications which appear to him to be necessary or proper for the purposes of proceedings before a court-martial; and it is hereby declared that in this section—
- “rules” includes rules contained in or made by virtue of an enactment; and
- “enactment” includes an enactment contained in an Act passed after this Act.
- (1B) Regulations under subsection (1A) above may not modify section 99A below.
- (1C) Regulations under subsection (1A) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.”.
- (3) In section 99A(1) for the word “Section” there shall be substituted the words “Without prejudice to section 99 above, section”.
- <sup>F1</sup>(4) .....

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**Textual Amendments**

**F1** Sch. 6 para. 28(4) repealed (11.5.2001) by 2001 c. 19, s. 38, Sch. 7 Pt. 5

*Air Force Act 1955 (c. 19)*

- 29 (1) The Air Force Act 1955 shall be amended as follows.
- (2) In section 99—
  - (a) in subsection (1), after the word “below” there shall be inserted the words “and to service modifications”; and
  - (b) the following subsections shall be inserted after that sub-section—
    - “(1A) In this section “service modifications” means such modifications as the Secretary of State may by regulations made by statutory instrument prescribe, being modifications which appear to him to be necessary or proper for the purposes of proceedings before a court-martial; and it is hereby declared that in this section—
      - “rules” includes rules contained in or made by virtue of an enactment; and
      - “enactment” includes an enactment contained in an Act passed after this Act.
    - (1B) Regulations under subsection (1A) above may not modify section 99A below.
    - (1C) Regulations under subsection (1A) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.”.
- (3) In section 99A(1) for the word “Section” there shall be substituted the words “Without prejudice to section 99 above, section”.
- <sup>F2</sup>(4) .....

**Textual Amendments**

**F2** Sch. 6 para. 29(4) repealed (11.5.2001) by 2001 c. 19, S. 38, Sch. 7 Pt. 5

*Police (Scotland) Act 1967 (c. 77)*

- 30 In section 6(2) of the Police (Scotland) Act 1967 (constables below rank of assistant chief constable) for the words “an assistant chief constable or a constable holding the office of deputy chief constable” there shall be substituted the words “a deputy chief constable or an assistant chief constable”.
- 31 In section 7(1) of that Act (ranks) after the words “chief constable,” there shall be inserted the words “deputy chief constable,”.
- 32 In section 26(7) of that Act (disciplinary authority) immediately before the words “deputy chief constable” there shall be inserted the word “any”.

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- 33 In section 31(2) of that Act (compulsory retirement of chief constable etc.) for the words “the deputy or an assistant chief constable” there shall be substituted the words “a deputy or assistant chief constable”.

*Courts-Martial (Appeals) Act 1968 (c. 20)*

F<sup>3</sup>34 .....

**Textual Amendments**

F3 Sch. 6 para. 34 repealed (11.5.2001) by 2001 c. 19, s. 38, Sch. 7 Pt. 5

*House of Commons Disqualification Act 1975 (c. 24) Northern  
Ireland Assembly Disqualification Act 1975 (c. 25)*

- 35 In Part II of Schedule 1 to the House of Commons Disqualification Act 1975 and Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies of which all members are disqualified under those Acts) there shall be inserted at the appropriate place in alphabetical order—

“The Police Complaints Authority”.

*Armed Forces Act 1976 (c. 52)*

F<sup>4</sup>36 .....

**Textual Amendments**

F4 Sch. 6 para. 36 repealed (11.5.2001) by 2001 c. 19 s. 38, Sch. 7 Pt. 5

*Customs and Excise Management Act 1979 (c. 2)*

- 37 The following subsection shall be substituted for section 138(4) of the Customs and Excise Management Act 1979—

“(4) Where any person has been arrested by a person who is not an officer—

- (a) by virtue of this section; or
- (b) by virtue of section 24 of the Police and Criminal Evidence Act 1984 in its application to offences under the customs and excise Acts,

the person arresting him shall give notice of the arrest to an officer at the nearest convenient office of customs and excise.”.

- 38 In section 161 of that Act—

- (a) in subsection (3), for the words from “that officer” to the end of the subsection there shall be substituted the words “any officer and any person accompanying an officer to enter and search the building or place named in the warrant within one month from that day”; and
- (b) in subsection (4), for the words “person named in a warrant under subsection (3) above” there shall be substituted the words “other person so authorised”.

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*Betting and Gaming Duties Act 1981 (c. 63)*

- 39 In the following provisions of the Betting and Gaming Duties Act 1981, namely—
- <sup>F5</sup>(a) .....
  - (b) paragraph 16(1) of Schedule 1;
  - (c) paragraph 17(1) of Schedule 3; and
  - (d) paragraph 17(1) of Schedule 4,
- for the words “fourteen days” there shall be substituted the words “one month”.

**Textual Amendments**

**F5** Sch. 6 para. 39(a) repealed (19.3.1997), having effect in relation to any gaming on or after 1.10.1997, by 1997 c. 16, s. 113, Sch. 18, Pt.11, note 1.

*Car Tax Act 1983 (c. 53)*

- 40 In paragraph 7(3) of Schedule 1 to the Car Tax Act 1983 for the words “fourteen days” there shall be substituted the words “one month”.

*Value Added Tax Act 1983 (c. 55)*

<sup>F6</sup>41 .....

**Textual Amendments**

**F6** Sch. 6 para. 41 repealed (1.9.1994) by 1994 c. 23, ss. 100(2), 101(1), Sch. 15

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