

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

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 subsection—
- “(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 " .
- (4) The following section shall be inserted after section 200—
- “200A False statements in computer record certificates.**
- (1) Any person who in a certificate tendered under paragraph 8 of Schedule 3 to the Police and Criminal Evidence Act 1984 (computer records) in evidence before a court-martial makes a statement which he knows to be false or does not believe to be true shall be guilty of an offence and liable—

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- (a) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or to both;
- (b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both.

(2) In this section "statutory maximum" has the meaning given by section 74 of the Criminal Justice Act 1982."

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 subsection—

“(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" .

(4) The following section shall be inserted after section 200—

“200A False statements in computer record certificates.

(1) Any person who in a certificate tendered under paragraph 8 of Schedule 3 to the Police and Criminal Evidence Act 1984 (computer records) in evidence before a court-martial makes a statement which he knows to be false or does not believe to be true shall be guilty of an offence and liable—

- (a) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or to both ;
- (b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both.

(2) In this section "statutory maximum" has the meaning given by section 74 of the Criminal Justice Act 1982.”.

Status: This is the original version (as it was originally enacted).

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 " .
- 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)

- 34 (1) The following section shall be inserted after section 37 of the Courts-Martial (Appeals) Act 1968—

“37A False statements in computer record certificates.

- (1) Any person who in a certificate tendered under paragraph 8 of Schedule 3 to the Police and Criminal Evidence Act 1984 (computer records) in evidence before the Appeal Court makes a statement which he knows to be false or does not believe to be true shall be guilty of an offence and liable—
- (a) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or to both;
 - (b) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both.
- (2) Proceedings for an offence under this section committed outside the United Kingdom may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in the United Kingdom.
- (3) In this section " statutory maximum " has the meaning given by section 74 of the Criminal Justice Act 1982.”.

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 JJ 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”.

Status: This is the original version (as it was originally enacted).

Armed Forces Act 1976 (c. 52)

36 The following paragraph shall be inserted after paragraph 17 of Schedule 3 to the Armed Forces Act 1976 (Standing Civilian Courts)—

“17A Section 200A of that Act (false statements in computer record certificates) shall have effect as if the reference to a court-martial in subsection (1) included a reference to a Standing Civilian Court.”.

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 " .

Betting and Gaming Duties Act 1981 (c. 63)

39 In the following provisions of the Betting and Gaming Duties Act 1981, namely—

- (a) section 15(2);
- (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 " .

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)

41 In Schedule 7 to the Value-Added Tax Act 1983—

- (a) the following sub-paragraph shall be substituted for paragraph 7(5)—

“(5) A statement contained in a document produced by a computer shall not by virtue of sub-paragraph (3) of this paragraph be admissible in evidence—

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- (a) in civil proceedings in England and Wales, except in accordance with sections 5 and 6 of the Civil Evidence Act 1968 ;
 - (b) in criminal proceedings in England and Wales except in accordance with sections 68 to 70 of the Police and Criminal Evidence Act 1984 ;
 - (c) in civil proceedings in Scotland, except in accordance with sections 13 and 14 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1968 ;
 - (d) in criminal proceedings in Scotland, except in accordance with the said sections 13 and 14, which shall, for the purposes of this paragraph, apply with the necessary modifications to such proceedings;
 - (e) in civil proceedings in Northern Ireland, except in accordance with sections 2 and 3 of the Civil Evidence Act (Northern Ireland) 1971; and
 - (f) in criminal proceedings in Northern Ireland, except in accordance with the said sections 2 and 3, which shall, for the purposes of this paragraph, apply with the necessary modifications to such proceedings.”;
- (b) in paragraph 7(6), for the words from " under the corresponding " to the end of the sub-paragraph there shall be substituted the words " section 13(4) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1968 or section 2(4) of the Civil Evidence Act (Northern Ireland) 1971 " ; and
 - (c) in paragraph 10(3), for the words " 14 days" there shall be substituted the words " one month " .