

*Changes to legislation: There are currently no known outstanding effects for the Police and Magistrates' Courts Act 1994, Paragraph 35. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 5

#### POLICE: MINOR AND CONSEQUENTIAL AMENDMENTS

##### Extent Information

- E1** The provisions of Sch. 5 have the same extent as the enactments they amend, see s. 96(1)-(3)

##### Commencement Information

- II** Sch. 5 partly in force; Sch. 5 not in force at Royal Assent, see s. 94(1); Sch. 5 Pt. I paras. 5, 15 in force for certain purposes (8.8.1994) by S.I. 1994/2025, art. 4(1)(2)(g)(3)-(6); Sch. 5 Pt. I para. 10(1)(3) in force (1.10.1994) by S.I. 1994/2025, art. 5(1)(2)(j); Sch. 5 paras. 1, 8 in force (31.12.1994) by S.I. 1994/3262, art. 3(1)(a) (with transitional provisions in art. 3(2)) (as amended (14.3.1995) by S.I. 1995/246, art. 2(3)); Sch. 5 Pt. I paras. 11 (only so far as extending to Scotland), 39 (the opening words and 39(b)), 40(1)(3) in force (1.8.1996) by S.I. 1996/1646, art. 2, Sch. (with savings in art. 3)

### PART II

#### AMENDMENT OF OTHER ENACTMENTS

##### *Police and Criminal Evidence Act 1984*

- 35 (1) Section 107 of that Act (police officers performing duties of higher rank) shall be amended as follows.
- (2) In subsection (1) for the words “he has been” onwards there shall be substituted—
- “(a) he has been authorised by an officer holding a rank above the rank of superintendent to exercise the power or, as the case may be, to give his authority for its exercise, or
  - (b) he is acting during the absence of an officer holding the rank of superintendent who has authorised him, for the duration of that absence, to exercise the power or, as the case may be, to give his authority for its exercise.”
- (3) In subsection (2) for the words “chief superintendent” there shall be substituted the word “superintendent”.

**Changes to legislation:**

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