

*Status: Point in time view as at 22/08/1996.*

*Changes to legislation: There are currently no known outstanding effects for the Police and Magistrates' Courts Act 1994, Cross Heading: Police and Criminal Evidence Act 1984. (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*

- 24 In section 84 of the <sup>M1</sup>Police and Criminal Evidence Act 1984 (general provision relating to police complaints and discipline), in subsection (4)—
- (a) in the definition of “senior officer” for the words “chief superintendent” there shall be substituted the word “superintendent”, and
- <sup>F1</sup>(b) .....

##### Textual Amendments

- F1** Sch. 5 Pt. II para. 24(b) repealed (22.8.1996) by 1996 c. 16, ss. 103(3), 104(1), Sch. 9 Pt. I

##### Commencement Information

- II** Sch. 5 Pt. II para. 24 partly in force; Sch. 5 Pt. II para. 24 not in force at Royal Assent, see s. 94(1); Sch. 5 Pt. II para. 24(a) in force (1.4.1995) by S.I. 1994/3262, art. 4, Sch. (as amended (14.3.1995) by S.I. 1995/246, art. 2(3))

##### Marginal Citations

- M1** 1984 c. 60.

<sup>F2</sup>25 .....

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**Textual Amendments**

**F2** Sch. 5 Pt. II para. 25 repealed (22.8.1996) by 1996 c. 16, ss. 103(3), 104(1), Sch. 9 Pt. I

<sup>F3</sup>26 .....

**Textual Amendments**

**F3** Sch. 5 Pt. II para. 26 repealed (22.8.1996) by 1996 c. 16, ss. 103(3), 104(1), Sch. 9 Pt. I

<sup>F4</sup>27 .....

**Textual Amendments**

**F4** Sch. 5 Pt. II para. 27 repealed (22.8.1996) by 1996 c. 16, ss. 103(3), 104(1), Sch. 9 Pt. I

<sup>F5</sup>28 .....

**Textual Amendments**

**F5** Sch. 5 Pt. II para. 28 repealed (22.8.1996) by 1996 c. 16, ss. 103(3), 104(1), Sch. 9 Pt. I

29 In section 95 of that Act (manner of dealing with complaints etc.)—  
(a) for the words “adequate and efficient” there shall be substituted the words “efficient and effective”, and  
(b) after the word “efficiency” there shall be inserted the words “and effectiveness”.

30 In section 96 of that Act (constabularies maintained by authorities other than police authorities), in subsection (1) after the word “corresponding” there shall be inserted the words “or similar”.

<sup>F6</sup>31 .....

**Textual Amendments**

**F6** Sch. 5 Pt. II para. 31 repealed (22.8.1996) by 1996 c. 16, ss. 103(3), 104(1), Sch. 9 Pt. I

<sup>F7</sup>32 .....

**Textual Amendments**

**F7** Sch. 5 Pt. II para. 32 repealed (22.8.1996) by 1996 c. 16, ss. 103(3), 104(1), Sch. 9 Pt. I

<sup>F8</sup>33 .....

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**Textual Amendments**

**F8** Sch. 5 Pt. II para. 33 repealed (22.8.1996) by 1996 c. 16, ss. 103(3), 104(1), Sch. 9 Pt. I

<sup>F9</sup>34 .....

**Textual Amendments**

**F9** Sch. 5 Pt. II para. 34 repealed (22.8.1996) by 1996 c. 16, ss. 103(3), 104(1), Sch. 9 Pt. I

- 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”.
- 36 (1) Schedule 4 to that Act (Police Complaints Authority) shall be amended as follows.
- (2) For paragraph 1(6) (appointment of two deputy chairmen) there shall be substituted—
- “(6) The Secretary of State may appoint not more than two of the members of the Authority to be deputy chairmen.”
- (3) In paragraph 3(4) (grounds on which members can be removed) after paragraph (d) there shall be inserted—
- “(da) he has acted improperly in relation to his duties, or”.

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