



Criminal Appeal Act 1995

1995 CHAPTER 35

PART II

THE CRIMINAL CASES REVIEW COMMISSION

Supplementary powers

22 Meaning of “public body” etc.

- (1) In sections 17, 19 and 20 and this section “public body” means—
- (a) any police force,
 - (b) any government department, local authority or other body constituted for purposes of the public service, local government or the administration of justice, or
 - (c) any other body whose members are appointed by Her Majesty, any Minister or any government department or whose revenues consist wholly or mainly of money provided by Parliament or appropriated by Measure of the Northern Ireland Assembly.
- (2) In sections 19 and 20 and this section—
- (a) “police force” includes the Royal Ulster Constabulary and the Royal Ulster Constabulary Reserve [^{F1}, the National Crime Squad] and any body of constables maintained otherwise than by a police authority,
 - [^{F2}(b) references to the chief officer of police—
 - (i) in relation to the [^{F3}Police Service of Northern Ireland] and the [^{F3}Police Service of Northern Ireland Reserve], are to the Chief Constable of the Constabulary,
 - (ii) in relation to the National Crime Squad, are to the Director General of the Squad, and
 - (iii) in relation to any other police force maintained otherwise than by a police authority, are to the chief constable,]

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Changes to legislation: There are currently no known outstanding effects for the Criminal Appeal Act 1995, Section 22. (See end of Document for details)

- (c) references to an England and Wales police force are to a police force maintained under [^{F4}section 2 of the Police Act 1996], the metropolitan police force [^{F5}, the City of London police force or the National Crime Squad].
- [^{F6}(d) “police authority” includes the Service Authority for the National Crime Squad, and
- (e) references to a person serving in a police force or to a member of a police force, in relation to the National Crime Squad, mean a police member of that Squad appointed under section 55(1)(b) of the Police Act 1997.]
- (3) In section 18 and this section—
- (a) references to a government department include a Northern Ireland department and the Office of the Director of Public Prosecutions for Northern Ireland, and
- (b) “Minister” means a Minister of the Crown as defined by section 8 of the Ministers of the ^{MI}Crown Act 1975 but also includes the head of a Northern Ireland department.
- (4) In sections 17, 19 and 20 “the appropriate person” means—
- (a) in relation to a police force, the chief officer of police,
- [^{F7}(aa) in relation to the National Criminal Intelligence Service, the Director General of that Service,]
- (b) in relation to the Crown Prosecution Service, the Director of Public Prosecutions,
- (c) in relation to the Office of the Director of Public Prosecutions for Northern Ireland, that Director,
- (d) in relation to the Serious Fraud Office, the Director of the Serious Fraud Office,
- (e) in relation to the Inland Revenue, the Commissioners of Inland Revenue,
- (f) in relation to the Customs and Excise, the Commissioners of Customs and Excise,
- (g) in relation to any government department not within any of the preceding paragraphs, the Minister in charge of the department, and
- (h) in relation to any public body not within any of the preceding paragraphs, the public body itself (if it is a body corporate) or the person in charge of the public body (if it is not).
- (5) For the purposes of sections 17, 19 and 20—
- (a) a justices’ chief executive or justices’ clerk appointed by, or a member of the staff of, a magistrates’ courts committee shall be treated as serving in the committee, ^{F8} . . .
- (b) ^{F8}
- [^{F9}and
- (c) a person authorised under Article 49 of the Proceeds of Crime (Northern Ireland) Order 1996 to exercise the powers conferred by Schedule 2 to that Order shall be treated as if he were the appropriate person in relation to the body.]

Textual Amendments

F1 Words in s. 22(2)(a) inserted (1.4.1998) by 1997 c. 50, s. 134(1), **Sch. 9 para. 71(2)(a)**; S.I. 1998/354, **art. 2(1)(2)(ay)**

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- F2** S. 22(2)(b) substituted (1.4.1998) by 1997 c. 50, s. 134(1), **Sch. 9 para. 71(2)(b)**; S.I. 1998/354, **art. 2(1)(2)(ay)**
- F3** Words in s. 22(2)(b)(i) substituted (4.11.2001) by 1997 c. 50, s. 134(1), **Sch. 9 para. 71(2)(b)** (as amended by 2000 c. 32, ss. 79(1), 78, **Sch. 6 para. 20(2)(a)(b)**; S.R. 2001/396, art. 2, **Sch.**)
- F4** Words in s. 22(2)(c) substituted (22.8.1996) by 1996 c. 16, ss. 103, 104(1), **Sch. 7 Pt. II**, para. 47
- F5** Words in s. 22(2)(c) substituted (1.4.1998) by 1997 c. 50, s. 134(1), **Sch. 9 para. 71(2)(c)**; S.I. 1998/354, **art. 2(1)(2)(ay)**
- F6** S. 22(2)(d)(e) added (1.4.1998) by 1997 c. 50, s. 134(1), **Sch. 9 para. 71(2)(d)**; S.I. 1998/354, **art. 2(1)(2)(ay)**
- F7** S. 22(4)(aa) inserted (1.4.1998) by 1997 c. 50, s. 134(1), **Sch. 9 para. 71(3)**; S.I. 1998/354, **art. 2(1)(2)(ay)**
- F8** S. 22(5)(b) and preceding word "and" repealed (25.8.1996) by 1996 c. 22, ss. 63(7), **Sch. 7 Pt. 1**
- F9** S. 22(5)(c) and preceding word "and" added (25.8.1996) by S.I. 1996/1299 (N.I. 9), art. 57(1), **Sch. 3**, para. 19 (with art. 1(2))

Marginal Citations

- M1** 1975 c. 26.

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