



# Police Act 1997

## 1997 CHAPTER 50

### PART VI

#### MISCELLANEOUS

##### *Amendments of Police Act 1996*

#### **128 Regulations for special constables and police cadets**

- (1) In section 51 of the Police Act 1996 (regulations for special constables), after subsection (3) there shall be inserted—

“(3A) In relation to any matter as to which provision may be made by regulations under this section, the regulations may—

- (a) authorise or require provision to be made by, or confer discretionary powers on, the Secretary of State, police authorities, chief officers of police or other persons, or
- (b) authorise or require the delegation by any person of functions conferred on that person by or under the regulations.”.

- (2) In section 52 of that Act (regulations for police cadets) after subsection (1) there shall be inserted—

“(1A) In relation to any matter as to which provision may be made by regulations under this section, the regulations may—

- (a) authorise or require provision to be made by, or confer discretionary powers on, the Secretary of State, police authorities, chief officers of police or other persons, or
- (b) authorise or require the delegation by any person of functions conferred on that person by or under the regulations.”.

## 129 Change of name or description of certain police areas

In Schedule 1 to the Police Act 1996 (police areas for England and Wales except London)—

- (a) in the entry in the first column for “Humberside” there shall be substituted “Humber”;
- (b) in the entry in the second column opposite the name of the Dyfed Powys police area for “Cardiganshire” there shall be substituted “Ceredigion”;
- (c) for the entry in that column opposite the name of the North Wales police area there shall be substituted—

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“The counties of the Isle of Anglesey, Gwynedd, Denbighshire and Flintshire and the county boroughs of Conwy and Wrexham.”;

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- (d) in the entry in that column opposite the name of the South Wales police area for “Neath and Port Talbot” there shall be substituted “Neath Port Talbot”.

### *Amendments of Police Act (Northern Ireland) 1970*

## 130 Members of RUC engaged on service outside their force

For section 21 of the Police Act (Northern Ireland) 1970 there shall be substituted—

### **“21 Members of RUC engaged on service outside their force**

- (1) For the purposes of this section “relevant service” means—
  - (a) service in a police force in England and Wales or a police force in Scotland on which a member of the Royal Ulster Constabulary (other than the Chief Constable) is engaged with the consent of the Secretary of State and the Chief Constable;
  - (b) temporary service with the National Criminal Intelligence Service on which a member of the Royal Ulster Constabulary (other than the Chief Constable) is engaged with the consent of the Chief Constable; or
  - (c) temporary service with the Police Information Technology Organisation on which a member of the Royal Ulster Constabulary (other than the Chief Constable) is engaged with the consent of the Chief Constable.
- (2) Subject to the following provisions of this section, a member of the Royal Ulster Constabulary engaged on relevant service shall be treated as if he were not a member of that Constabulary during that service; but, except where a pension, allowance or gratuity becomes payable to him by virtue of regulations under section 25—
  - (a) he shall be entitled at the end of the period of relevant service to revert to that Constabulary in the rank in which he was serving immediately before that period began; and
  - (b) he shall be treated as if he had been serving in that Constabulary during the period of relevant service for the purpose of any scale prescribed by or under regulations made under section 25 fixing his rate of pay by reference to his length of service.

- (3) A member of the Royal Ulster Constabulary may, when engaged on relevant service, be promoted in that Constabulary, as if he were serving in it; and in any such case—
- (a) the reference in paragraph (a) of subsection (2) to the rank in which he was serving immediately before the period of relevant service began shall be construed as a reference to the rank to which he is promoted; and
  - (b) for the purposes mentioned in paragraph (b) of that subsection he shall be treated as having served in that rank from the time of his promotion.
- (4) A member of the Royal Ulster Constabulary who—
- (a) while engaged on relevant service within subsection (1)(a), is dismissed from that service or is required to resign as an alternative to dismissal, or
  - (b) has completed a period of relevant service within subsection (1)(b) or (c),
- may be dealt with under regulations under section 25(3) for anything done or omitted while he was engaged on that service as if that service had been service in the Royal Ulster Constabulary.
- (5) For the purposes of subsection (4)(a), a certificate certifying that a person has been dismissed, or required to resign as an alternative to dismissal, shall be evidence of the fact so certified if it is given by or on behalf of the chief officer of the police force in which that person was engaged in relevant service.
- (6) A member of the Royal Ulster Constabulary engaged on relevant service within subsection (1)(b) or (c)—
- (a) shall continue to be a constable; and
  - (b) shall be treated for the purposes of—
    - (i) section 17 of this Act; and
    - (ii) sections 2 and 8 of the Constabulary and Police (Ireland) Act 1919,as if he were a member of that Constabulary.”.

### **131 Regulations requiring use of specified facilities or services**

In the Police Act (Northern Ireland) 1970 at the end of section 27 (regulations as to standards of equipment) (which becomes subsection (1)) there shall be added—

- “(2) The Secretary of State may by regulations make provision for requiring the police force to use specified facilities or services, or facilities or services of a specified description, if he considers that it would be in the interests of the efficiency and effectiveness of the police force for it to do so.
- (3) The Secretary of State shall consult the Police Information Technology Organisation before making regulations under this section relating to information technology.
- (4) In subsection (3) “information technology” includes any computer or other technology by means of which information or other matter may be recorded or communicated without being reduced to documentary form.”.

## **132 Expenditure by Secretary of State for police purposes**

After section 31 of the Police Act (Northern Ireland) 1970 there shall be inserted—

### **“31A Expenditure by Secretary of State for police purposes**

The Secretary of State may—

(a) make such contribution to the provision or maintenance of such organisations, facilities and services; and

(b) make such other payments,

as he thinks necessary or expedient for promoting the efficiency and effectiveness of the police force.”.

### *Rehabilitation of Offenders*

## **133 Rehabilitation of Offenders**

The following provisions (which restrict the effect of the Rehabilitation of Offenders Act 1974 and the Rehabilitation of Offenders (Northern Ireland) Order 1978) shall cease to have effect—

- (a) section 189 of, and Schedule 14 to, the Financial Services Act 1986;
- (b) section 95 of the Banking Act 1987;
- (c) section 39 of the Osteopaths Act 1993;
- (d) section 19 of the National Lottery etc. Act 1993;
- (e) section 40 of the Chiropractors Act 1994.