



# Police (Northern Ireland) Act 2000

## 2000 CHAPTER 32

### PART VI

#### THE POLICE

##### *General*

#### **51 Notifiable memberships.**

- (1) For the purposes of this section, a police officer has a notifiable membership if membership of the organisation in question might reasonably be regarded as affecting the officer's ability to discharge his duties effectively and impartially.
- (2) The Chief Constable may give guidance to police officers in connection with notifiable memberships.
- (3) Before issuing any guidance under subsection (2), the Chief Constable shall consult—
  - (a) the Board;
  - (b) the [<sup>F1</sup>Department of Justice]; and
  - (c) the Northern Ireland Human Rights Commission.
- (4) The Chief Constable shall publish any guidance issued under subsection (2).
- (5) The Chief Constable shall require each police officer to inform him—
  - (a) of any notifiable membership which that police officer believes he has; or
  - (b) if he believes he has no notifiable memberships, of that belief.
- (6) In imposing a requirement on a police officer under subsection (5) the Chief Constable shall—
  - (a) draw the attention of that officer to the provisions of this section; and
  - (b) give a general explanation of the purposes for which the information required may lawfully be used.
- (7) The Chief Constable—

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*Changes to legislation: There are currently no known outstanding effects for the Police (Northern Ireland) Act 2000, Section 51. (See end of Document for details)*

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- (a) shall, subject to paragraphs (b) and (c), retain information received under this section for so long as the person to whom it relates remains a police officer;
  - (b) shall amend that information where the police officer to whom it relates informs the Chief Constable that there has been a change in his notifiable memberships; and
  - (c) shall destroy the information within one year from the date on which the person to whom it relates ceases to be a police officer.
- (8) No information received by the Chief Constable under this section is to be disclosed unless the person making the disclosure is a person to whom this subsection applies and the disclosure is made—
- (a) to the Ombudsman or an officer of the Ombudsman or to any other person in connection with the exercise of any function of the Ombudsman;
  - (b) as permitted by section 63 of the 1998 Act;
  - (c) to the Board in connection with the exercise of any of its functions;
  - (d) for the purposes of any criminal, civil or disciplinary proceedings;
  - (e) in the form of a summary or other general statement which does not identify any person to whom the information relates;
  - (f) to, or with the consent of, the person to whom the information relates; or
  - (g) to another person to whom this subsection applies.
- (9) Subsection (8) applies to—
- (a) the Chief Constable;
  - (b) a police officer engaged in carrying out on behalf of the Chief Constable his functions under this section;
  - (c) the Board, each of its members and the members of its staff; and
  - (d) a member of the police support staff engaged in carrying out on behalf of the Chief Constable his functions under this section.
- (10) Any person who discloses information in contravention of subsection (8) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (11) It is a defence for a person charged with an offence under subsection (10) to show that, before the disclosure was made, he obtained the information otherwise than in his capacity as a person to whom subsection (8) applies.
- (12) But subsection (11) does not provide a defence if it is shown that the person concerned used his position as a person to whom subsection (8) applies in order to obtain the information.
- (13) The annual report of the Chief Constable under section 58 shall contain statistical information on the notifiable memberships of police officers of which he has been informed under this section.
- (14) For the purposes of this section a person is a member of an organisation if he belongs to it by virtue of his admission to any sort of membership provided for by its constitution.

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#### **Textual Amendments**

**F1** Words in s. 51(3)(b) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 68** (with arts. 28-31)

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**Modifications etc. (not altering text)**

**C1** S. 51 applied (with modifications) (8.4.2003) by [Police \(Northern Ireland\) Act 2003 \(c. 6\), s. 36](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Police (Northern Ireland) Act 2000, Section 51.