



# Criminal Justice and Police Act 2001

## 2001 CHAPTER 16

### PART 5

#### POLICE ORGANISATION

##### *Constitution of the Service Authorities for NCIS and NCS*

#### **108 Number and appointment of members**

- (1) In section 1 of the 1997 Act (establishment of the Service Authority for the National Criminal Intelligence Service), in each of subsections (2) and (3) (which make provision about the number of members of the Authority), for “nineteen” there shall be substituted “eleven”.
- (2) In section 47 of the 1997 Act (establishment of the Service Authority for the National Crime Squad), in each of subsections (2) and (3) (which make provision about the number of members of the Authority), for “seventeen” there shall be substituted “eleven”.
- (3) Schedule 5 (which amends the provision made for the appointment of members of the Service Authorities in Schedule 1 to the 1997 Act) shall have effect.

#### **109 Transitional provision relating to section 108 etc**

- (1) An order under section 138(2) bringing into force section 108 and Schedule 5 may include such transitional provision as appears to the Secretary of State to be necessary or expedient.
- (2) In particular, such an order may—
  - (a) provide that the persons who are members of one or both of the Service Authorities, immediately before the relevant provisions come into force, shall be treated as having resigned, in accordance with Schedule 2 to the 1997 Act, at that time;

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*Status: This is the original version (as it was originally enacted).*

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- (b) make provision to ensure that members (“the new members”) are appointed to the Service Authorities in accordance with the 1997 Act, as amended by this Act, with effect from the time the relevant provisions come into force; and
  - (c) provide that (notwithstanding the coming into force of the relevant provisions and the appointment of the new members) for such purposes and in respect of such period as may be specified in the order—
    - (i) Parts 1 and 2 of the 1997 Act shall continue to have effect as if sections 108 and 128 of, and Schedules 5 and 6 to, this Act had not been enacted, and
    - (ii) any provision made under paragraph (a) shall not apply.
- (3) For the purposes of subsection (2)—
- “the relevant provisions” means section 108 and Schedule 5; and
  - “the Service Authorities” means the Service Authority for the National Criminal Intelligence Service and the Service Authority for the National Crime Squad.
- (4) In relation to any time before the coming into force of section 2(3) of the Police (Northern Ireland) Act 2000 (c. 32), the references to the Northern Ireland Policing Board in paragraph 7B of Schedule 1 to the 1997 Act (inserted by Schedule 5 to this Act) shall be construed as references to the Police Authority for Northern Ireland.