

POLICE (NORTHERN IRELAND) ACT 2003

EXPLANATORY NOTES

THE NORTHERN IRELAND POLICING BOARD

Section 3: Board's policing objectives

9. This section amends section 25 of the 2000 Act. The previous requirement under section 25 was that the Board frame its policing objectives so as to be consistent with the Secretary of State's long term policing objectives for Northern Ireland set under section 24 of the 2000 Act. The effect of the amendment is that, in determining its objectives for the policing of Northern Ireland, the Board must take account of, rather than be consistent with, the Secretary of State's long term objectives under section 24 of the 2000 Act.

Section 4: Public meetings of the Board

10. This section amends Schedule 1 to the 2000 Act. Its effect is that the Board must hold eight public meetings a year, rather than 10 as previously required by paragraph 19(2) of Schedule 1 to the 2000 Act. The section also removes the previous requirement (paragraph 19(3) of Schedule 1 to the 2000 Act) that the meetings of the Board should be held at least 28 days apart.

Section 5: Contracts relating to detention and escort services

11. **Section 5** amends the 2000 Act. It enables the Board to enter into a contract for the provision of services relating to the detention or escort of persons who have been arrested or are otherwise in custody. The Chief Constable will then be in a position to designate a suitable person who is an employee of the contractor, as either a detention officer or an escort officer (see notes on section 31 below).

Section 6: Funding for pension purposes

12. This section amends sections 9, 10, 27 and 77 of the 2000 Act. The object of the amendment is to split off funding which relates to the Police Service of Northern Ireland Pension Scheme from other Board funding. This is a necessary first step if the Board is to be required to draw up separate accounts for pension funding and for other police funding (see notes on section 7 below). If separate pension funding accounts are prepared, the requirements of the new accounting standard FRS 17 *Retirement Benefits* (which obliges pension scheme accounts to set out in full the scheme's assets and liabilities) will apply only to the pension funding accounts, and not to the accounts relating to general police funding. The objective is to prevent the detail required by FRS 17 from overshadowing and drawing attention away from the record of the police's core financial performance.
13. **Subsection (2)** amends section 9 of the 2000 Act to provide that separate grants will be made to the Board by the Secretary of State for pension purposes and for all other purposes. **Subsections (8) and (9)** oblige the Board to place the amounts of each grant, plus any other relevant amounts received by it, at the disposal of the Chief Constable.

*These notes refer to the Police (Northern Ireland) Act
2003 (c.6) which received Royal Assent on 8 April 2003*

14. *Subsections (3), (5) to (7) and (10)* make consequential amendments to the 2000 Act. *Subsection (11)* inserts a definition of “pension purposes”.
15. *Subsection (12)* provides that the new arrangements will have effect from the financial year 2003/04.

Section 7: Accounts and audit

16. This section amends section 12 of the 2000 Act, relating to accounts and audit.
17. The amendments require the Board to draw up separate accounts for each of the amounts placed at the Chief Constable’s disposal for pension and non-pension purposes, and for any amount the Board pays into the Police Service of Northern Ireland Fund (provided for in section 28 of the 1998 Act) and into the Police Property Fund (established by the Police (Disposal of Property) Regulations (Northern Ireland) 1974, made under section 2 of the Police (Property) Act 1897).
18. *Subsection (8)* provides that the new arrangements will have effect from the financial year 2003/04.

Section 8: Performance summaries

19. This section amends section 28 of the 2000 Act, to provide the Board with two options for publishing its assessment of the police performance against efficiency targets. Previously, the 2000 Act provided that the Board must publish three documents:
 - a policing plan (s.26(1));
 - a performance plan (s.28(4)), containing efficiency targets for the year ahead and a retrospective summary of performance against the previous year’s targets; and
 - an annual report (s.57(1)).
20. *Subsection (2)* amends section 28(5)(c) of the 2000 Act so as to remove the previous requirement that the retrospective summary of performance against targets (to be known as the “performance summary”) form part of the performance plan. Instead, *subsection (3)* gives the Board discretion to publish the performance summary with the annual report, or with the performance plan.
21. *Subsections (4) and (5)* make consequential amendments. *Subsection (6)* provides that the new arrangements will have effect from the financial year 2003/04.

Section 9: Performance summaries: supplementary

22. This section makes consequential amendments to sections 29 and 31 of the 2000 Act, relating to audit and reporting arrangements, and arising from the amendments set out in section 8. The effect of the amendments is that the arrangements that currently apply to the audit of a performance summary comprised in a performance plan, and to any report on a performance summary, will continue to apply to a performance summary even though it will not necessarily be published with a performance plan. *Subsection (9)* provides that the new arrangements will have effect from the financial year 2003/04.