



Police (Northern Ireland) Act 2003

2003 CHAPTER 6

PART 1

POLICING

The Northern Ireland Policing Board

3 Board's policing objectives

- (1) Section 25 of the Police (Northern Ireland) Act 2000 (Board's policing objectives) is amended as follows.
- (2) In subsection (2) omit the words from "but" to the end.
- (3) In subsection (3) before paragraph (a) insert—
 “(aa) take account of any objectives under section 24;”.

4 Public meetings of the Board

- (1) In paragraph 19(2) of Schedule 1 to the Police (Northern Ireland) Act 2000 (public meetings of the Board) for “ten” substitute “eight”.
- (2) Paragraph 19(3) of Schedule 1 to that Act shall cease to have effect.
- (3) Subsection (1) has effect in relation to years ending on or after the day on which this Act is passed.

5 Contracts relating to detention and escort services

After section 5 of the Police (Northern Ireland) Act 2000 insert—

“5A Contracts relating to detention and escort services

- (1) The Board may enter into a contract with another person for the provision of services relating to the detention or escort of persons who have been arrested or are otherwise in custody.
- (2) The powers of the Board under this section shall be exercised, on behalf of and in the name of the Board, by the Chief Constable.
- (3) The power conferred by this section is subject to any regulations under section 40 of the 1998 Act.”

6 Funding for pension purposes

- (1) The Police (Northern Ireland) Act 2000 (c. 32) is amended as set out in subsections (2) to (11).
- (2) In section 9(1) (grants to the Board) for “a grant for police purposes” substitute—
 - “—
 - (a) a grant for pension purposes;
 - (b) a grant for other police purposes.”
- (3) In section 9(2) for “A grant” substitute “Grants”.
- (4) In section 10 (funding for police purposes: ancillary provisions) for subsection (1) substitute—
 - “(1) The Board shall prepare and submit to the Secretary of State, at such times and in such form as the Secretary of State may direct—
 - (a) estimates of the receipts and payments of the Board for pension purposes during such period as may be specified in the direction;
 - (b) estimates of the receipts and payments of the Board for other police purposes during such period as may be specified in the direction.
 - (1A) The Board shall submit to the Secretary of State such other information relating to the estimates submitted under subsection (1) as he may require.”
- (5) In section 10(2)—
 - (a) for “A draft” substitute “Drafts”;
 - (b) after “payments for” insert “pension purposes and other”.
- (6) In section 10(3)(a) for “draft” substitute “drafts”.
- (7) In section 10(4) after “police purposes” insert “other than pension purposes”.
- (8) In section 10 after subsection (4) insert—
 - “(4A) The Board shall in each financial year put at the disposal of the Chief Constable for pension purposes—
 - (a) an amount equal to the amount of the grant for pension purposes received in that year by the Board under section 9(1)(a);

- (b) any amount received by the Board in that year which is required to be applied for pension purposes by directions under subsection (4) or by any other statutory provision.”
- (9) In section 10 for subsection (5) substitute—
 - “(5) The Board shall in each financial year put at the disposal of the Chief Constable for other police purposes—
 - (a) an amount equal to the amount of the grant for other police purposes received in that year by the Board under section 9(1)(b);
 - (b) any amount received by the Board in that year which is required to be applied for other police purposes by subsection (4) or directions under that subsection or by any other statutory provision.”
- (10) In section 27(1)(b) (codes of practice on exercise of functions by Chief Constable) for “section 10(5)” substitute “section 10(4A) or (5)”.
- (11) In section 77(1) (interpretation) after the definition of “the Ombudsman” insert—
 - ““pension purposes” means the purposes of the pension scheme established by regulations under section 25 of the Police (Northern Ireland) Act 1998;”.
- (12) Subsections (1) to (11) have effect in relation to financial years ending on or after 31st March 2004.

7 Accounts and audit

- (1) Section 12 of the Police (Northern Ireland) Act 2000 (c. 32) (accounts and audit) is amended as set out in subsections (2) to (7).
- (2) In subsection (1) for “all amounts put at the Chief Constable’s disposal under section 10(5)” substitute “each of the amounts specified in subsection (1A)”.
- (3) After subsection (1) insert—
 - “(1A) The amounts are—
 - (a) the amounts put at the Chief Constable’s disposal under section 10(4A);
 - (b) any amount received by the Board and paid into the Police Fund in accordance with regulations under section 28(1) of the Police (Northern Ireland) Act 1998;
 - (c) any amount received by the Board and paid into the Police Property Fund in accordance with regulations under section 31(4) of that Act;
 - (d) the other amounts put at the Chief Constable’s disposal under section 10(5) of this Act.”
- (4) In subsection (3) for “The statement of accounts” substitute “Each statement of accounts required under subsection (1)”.
- (5) In subsection (4) for “the statement” substitute “each statement” and for “they” substitute “the accounts”.
- (6) In subsection (5) for “the statement” substitute “each statement”.
- (7) In subsection (6)(b) for “the statement” substitute “each statement” and after “his report” insert “on it”.

- (8) Subsections (1) to (7) have effect in relation to financial years ending on or after 31st March 2004.

8 Performance summaries

- (1) Section 28 of the Police (Northern Ireland) Act 2000 (arrangements relating to economy, efficiency and effectiveness) is amended as set out in subsections (2) to (5).

- (2) In subsection (5) omit paragraph (c) and the word “and” immediately preceding it.

- (3) After subsection (5) insert—

“(5A) The Board shall prepare and publish for each financial year a summary (its “performance summary”) of the Board’s assessment of—

- (a) its and the Chief Constable’s performance in the year measured by reference to performance indicators;
- (b) the extent to which any performance standard which applied at any time during that year was met.

(5B) The performance summary for a financial year may be published—

- (a) with a report issued under section 57(1) for the year, or
- (b) with the performance plan for the following year.”

- (4) In subsection (6) after “performance plan” insert “or publishing its performance summary”.

- (5) In subsection (7) at the end insert—

“; and

“performance summary” means a summary prepared by the Board under subsection (5A)”.

- (6) Subsections (1) to (5) have effect in relation to financial years ending on or after 31st March 2004.

9 Performance summaries: supplementary

- (1) Part 5 of the Police (Northern Ireland) Act 2000 (c. 32) (economy, efficiency and effectiveness) is amended as set out in subsections (2) to (8).

- (2) In section 29 (audit of performance plans) in subsection (1) after “performance plan” insert “and a performance summary”.

- (3) In section 29(2) after “performance plan” insert “or a performance summary” and after “the plan” insert “or summary”.

- (4) In section 29 after subsection (4) insert—

“(4A) In relation to a performance summary, the Comptroller and Auditor General shall issue a report—

- (a) certifying that he has audited the summary;
- (b) stating whether he believes that it was prepared and published in accordance with the requirements of section 28;

- (c) if appropriate, recommending how it should be amended so as to accord with the requirements of section 28;
 - (d) recommending whether the Secretary of State should give a direction under section 31(2)(a).”
- (5) In section 29(6) after “performance plan” insert “or a performance summary”.
- (6) In section 29(7) after “subsection (4)” insert “or paragraph (c) or (d) of subsection (4A)”.
- (7) In section 31 (enforcement of duties under section 28) in subsection (1) after “section 29(4)” insert “or (4A)”.
- (8) In section 31 for subsection (3) substitute—
 - “(3) The Secretary of State shall have regard to any relevant statement before—
 - (a) giving a direction under subsection (2)(a) or (b) following a recommendation contained in a report by virtue of section 29(4)(c), (d) or (e);
 - (b) giving a direction under subsection (2)(a) following a recommendation contained in a report by virtue of section 29(4A)(c) or (d).
 - (4) A relevant statement is a statement submitted to the Secretary of State under section 29(10) before the end of the period mentioned in section 29(8).”
- (9) Subsections (1) to (8) have effect in relation to financial years ending on or after 31st March 2004.