

# **POLICE AND JUSTICE ACT 2006**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### *Commentary on Sections*

#### **Part 2: Powers of police etc**

#### *Section 15: Accreditation of weights and measures inspectors*

168. *Subsection (1)* inserts a new section 41A into the Police Reform Act 2002. *Subsection (2)* inserts a new Schedule 5A into the 2002 Act, which is set out at Schedule 7 to the Act. The new section 41A provides for the accreditation of weights and measures inspectors, commonly known as Trading Standards Officers (TSOs), and provides for arrangements similar to those for community safety accreditation schemes as set out in section 41 of the Police Reform Act 2002. Accredited TSOs will be able to issue penalty notices for disorderly behaviour under Chapter 1 of Part 1 of the Criminal Justice and Police Act 2001. The offences for which penalty notices for disorder may be issued are listed in Annex B.
169. Subsection (1) of new section 41A enables chief officers of police to accredit TSOs. An accredited TSO will be able to exercise such powers as the chief officer specifies from the list of powers in new Schedule 5A to the Police Reform Act 2002.
170. Subsection (2) of new section 41A provides that the powers given by accreditation may only be exercised in the accrediting chief officer's police area.
171. Subsections (4) and (5) of the new section provide that chief officers may only accredit suitable and adequately trained TSOs, and that they may charge a fee for considering applications for accreditation and for the renewal of accreditation and for granting the accreditation itself. Under subsection (7), the accreditation may specify a period for which accreditation will apply.
172. Subsection (6) of new section 41A specifies that accreditation does not enable a TSO to exercise the powers granted by accreditation other than in the course of his duty as a TSO, and that the accrediting chief officer may specify other restrictions and conditions when accrediting TSOs. As accreditation only enables TSOs to exercise the powers in the course of their duties, it follows that accreditation will cease to have effect if the accredited person ceases to be a TSO, as provided for by subsection (8).
173. *Paragraph 40* of *Schedule 14* amends the Police Reform Act 2002 to provide that persons accredited under new section 41A of that Act may not be appointed as the Chairman or a member of the IPCC. This brings them into line with people accredited under community safety schemes under section 41 of the 2002 Act.