

Changes to legislation: There are currently no known outstanding effects for the Police and Justice Act 2006, SCHEDULE 5. (See end of Document for details)

SCHEDULES

SCHEDULE 5

Section 9

EXERCISE OF POLICE POWERS BY CIVILIANS

1 The Police Reform Act 2002 (c. 30) is amended as follows.

Commencement Information

I1 Sch. 5 para. 1 in force at 1.12.2007 by S.I. 2007/3203, art. 2(c)

2 (1) Section 38 (police powers for police authority employees) is amended as follows.

(2) In subsection (4)(c) (person not to be designated unless adequately trained), after “conferred” there is inserted “ or imposed ”.

^{F1}(3)

^{F1}(4)

Textual Amendments

F1 Sch. 5 para. 2(3)(4) omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 12 para. 21(4); S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

Commencement Information

I2 Sch. 5 para. 2 in force at 1.12.2007 by S.I. 2007/3203, art. 2(c)

^{F2}3

Textual Amendments

F2 Sch. 5 para. 3 omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 12 para. 21(4); S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

4 In section 105 (orders and regulations), in subsection (3)(b), after “section 19(3)” there is inserted “, 38A(4)”.

Commencement Information

I3 Sch. 5 para. 4 in force at 1.4.2007 by S.I. 2007/709, art. 3(h) (with arts. 6, 7)

5 (1) Schedule 4 (powers exercisable by police civilians) is amended as follows.

^{F3}(2)

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F3(3)

F3(4)

F3(5)

F3(6)

F3(7)

F3(8)

F3(9)

(10) In paragraphs 34(2) and 35(4) (escort officer's powers to carry out non-intimate searches of persons), for “designation under” there is substituted “ application of ”.

F4(11)

(12) In paragraph 36(1)(a) (meaning of “the relevant police area”), for “designation” there is substituted “ person designated ”.

(13) In paragraph 36, for sub-paragraphs (2) and (3) there is substituted—

“(2) In Part 1 of this Schedule “a designation” means—

- (a) a designation under section 38, or
- (b) an order under section 38A(1) (and, accordingly, the power to make such an order—
 - (i) is extended by paragraphs 1(3)(b), 1A(2) and (7), 2(6) and 4(1)(b), but
 - (ii) is subject to paragraphs 2(2), 4(2) and 11B(5)).

(2A) In Parts 2 and 4A of this Schedule “a designation” means a designation under section 38.

(3) In Parts 3 and 4 of this Schedule “a designation” means a designation under section 38 or 39.”

Textual Amendments

F3 Sch. 5 para. 5(2)-(9) omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 21\(4\)](#); [S.I. 2017/1139](#), reg. 2(k) (as amended by [S.I. 2017/1162](#), reg. 2)

F4 Sch. 5 para. 5(11) repealed (12.1.2009) by [Policing and Crime Act 2009 \(c. 26\)](#), s. 116(6)(b), [Sch. 8 Pt. 13](#)

Commencement Information

I4 Sch. 5 para. 5(1) (2)(b) (3)-(10) (12) (13) in force at 1.12.2007 by [S.I. 2007/3203](#), [art. 2\(c\)](#)

6 (1) Paragraph 1 of Schedule 5 (power of accredited persons to issue fixed penalty notices) is amended as follows.

(2) In sub-paragraph (2) (powers conferred on a person when paragraph 1 is applied to him), in the words before paragraph (a) (which refer to a relevant offence), after “relevant” there is inserted “ fixed penalty ”.

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(3) In sub-paragraph (3)(a) (meaning of “relevant fixed penalty offence” in paragraph 1), for “(c)” there is substituted “(d)”.

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Commencement Information

I5 Sch. 5 para. 6 in force at 1.12.2007 by S.I. 2007/3203, art. 2(c)

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