

SCHEDULES

SCHEDULE 14

POLICE: COMPLAINTS

Disapplication of requirements of Schedule 3 to 2002 Act

- 10 (1) Schedule 3 (handling of complaints and conduct matters) is amended in accordance with this paragraph.
- (2) In the italic heading that precedes paragraph 7 (dispensation by the Commission from requirements of Schedule 3 to 2002 Act), for “*Dispensation by the Commission from*” substitute “*Disapplication of*”.
- (3) Paragraph 7 is amended in accordance with the following provisions of this paragraph.
- (4) In sub-paragraph (1), omit “apply to the Commission, in accordance with the regulations, for permission to”.
- (5) After sub-paragraph (1) insert—
- “(1A) But, in a case where paragraph 6 applies by virtue of paragraph 6(2)(a) or (b), the appropriate authority may not handle the complaint in whatever manner (if any) the authority thinks fit unless—
- (a) the authority applies to the Commission, in accordance with the regulations, for permission to so handle the complaint, and
- (b) the Commission gives permission.”.
- (6) For sub-paragraph (2) substitute—
- “(2) The appropriate authority shall notify the complainant—
- (a) that the appropriate authority has decided to handle the complaint as permitted by sub-paragraph (1) (in a case where the appropriate authority is not required to apply for permission under sub-paragraph (1A) to so handle the complaint); or
- (b) about the making of the application under sub-paragraph (1A) (in a case where the appropriate authority makes such an application).”.
- (7) In sub-paragraph (5)—
- (a) for the words before paragraph (a) substitute—
- “(5) Where the complaint is to be handled in whatever manner (if any) the authority thinks fit (whether or not the Commission’s permission is needed), the authority—”;
- (b) in sub-paragraph (b), for “but for the permission” substitute “if it were not proceeding in accordance with this paragraph”.

Status: This is the original version (as it was originally enacted).

(8) In sub-paragraph (6)—

- (a) after “Where” insert “the appropriate authority applies to the Commission under sub-paragraph (1A) and”;
- (b) omit “under this paragraph”.