



# Policing and Crime Act 2017

## 2017 CHAPTER 3

### PART 2

#### POLICE COMPLAINTS, DISCIPLINE AND INSPECTION

### CHAPTER 1

#### POLICE COMPLAINTS

#### **13 Local policing bodies: functions in relation to complaints**

In Part 2 of the Police Reform Act 2002 (complaints and misconduct), after section 13 insert—

#### **“13A Local policing bodies: functions in relation to complaints**

- (1) The local policing body that maintains a police force may give notice to the chief officer of the police force that it (rather than the chief officer) is to exercise the functions conferred on the chief officer by the provisions specified in subsection (2) or subsections (2) and (3).
- (2) The provisions specified in this subsection are—
  - (a) paragraph 2(6) to (6D) of Schedule 3, and
  - (b) paragraph 2(9) and (10) of Schedule 3 in so far as relating to a determination made for the purposes of paragraph 2(6) to (6C) of that Schedule.
- (3) The provisions specified in this subsection are—
  - (a) section 20, and
  - (b) section 21 in so far as that section relates to complaints.

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**Changes to legislation:** *Policing and Crime Act 2017, Section 13 is up to date with all changes known to be in force on or before 15 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (4) In relation to any complaint in respect of which the chief officer is the appropriate authority that is made on or after the day on which a notice under subsection (1) is given—
- (a) the functions of the chief officer to which the notice relates become functions of the local policing body,
  - (b) references to the chief officer, including in the chief officer's capacity as an appropriate authority, in the provisions specified in subsection (2) or (as the case may be) subsections (2) and (3) are to be read as references to the local policing body, and
  - (c) for the purpose of paragraph 6(1) of Schedule 3, the complaint is to be treated as having been recorded by the chief officer.
- (5) Where the notice under subsection (1) relates to the functions conferred on the chief officer by the provisions specified in subsections (2) and (3), subsection (4)(b) does not apply to the references to an appropriate authority in sections 20(2)(a) and (3A)(a) and 21(7)(a) and (8A)(a).
- (6) The Secretary of State may by regulations make provision in connection with the giving of notices under subsection (1) and their withdrawal.
- (7) Regulations under subsection (6) may (amongst other things) make provision about—
- (a) the steps that a local policing body must take before giving a notice;
  - (b) the circumstances in which a notice may be withdrawn.”

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**Commencement Information**

- I1** S. 13 in force for specified purposes at Royal Assent, see s. 183
- I2** S. 13 in force at 1.2.2020 in so far as not already in force by S.I. 2020/5, reg. 2(a) (with reg. 3(1)(2)(4))

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2017/1139, reg. 2 by [S.I. 2017/1162 reg. 2](#)