

2007 No. 1170

POLICE, ENGLAND AND WALES

Her Majesty's Inspectors of Constabulary (Specified Organisations) Order 2007

<i>Made</i> - - - -	<i>3rd April 2007</i>
<i>Laid before Parliament</i>	<i>10th April 2007</i>
<i>Coming into force</i> - -	<i>1st May 2007</i>

The Secretary of State makes the following Order in exercise of the powers conferred by paragraph 3(4) of Schedule 4A to the Police Act 1996(a).

Citation, commencement and interpretation

1.—(1) This Order may be cited as Her Majesty's Inspectors of Constabulary (Specified Organisations) Order 2007 and shall come into force on 1st May 2007.

(2) In this Order "the 1996 Act" means the Police Act 1996.

Specified organisations

2. The following bodies are specified as organisations for the purposes of paragraph 3(4) of Schedule 4A to the 1996 Act (inspections by other inspectors of organisations within remit of inspectors of constabulary)—

- (a) a police force(b);
- (b) a police authority(c);
- (c) the Serious Organised Crime Agency;
- (d) the National Policing Improvement Agency;
- (e) the Ministry of Defence Police;
- (f) the British Transport Police Force; and
- (g) the Civil Nuclear Constabulary.

Home Office
3rd April 2007

Tony McNulty
Minister of State

(a) 1996 c. 16. Schedule 4A was inserted into the 1996 Act by section 29(2) of the Police and Justice Act 2006 (c. 48).
(b) The term "police force" has the meaning given in section 101(1) of the 1996 Act by virtue of Schedule 1 to the Interpretation Act 1978 (c. 30). The definition given to "other expressions relating to the police" in Schedule 1 to the 1978 Act, which applies to the expression "police force", has been amended by section 103 of, and paragraph 32 of Schedule 7 to, the 1996 Act.
(c) The term "police authority" has the meaning given in section 101(1) of the 1996 Act by virtue of Schedule 1 to the Interpretation Act 1978. The definition given to "police authority" in Schedule 1 to the 1978 Act has been amended by section 103 of, and paragraph 32 of Schedule 7 to, the 1996 Act.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies certain bodies as “organisations” for the purposes of paragraph 3(4) of Schedule 4A to the Police Act 1996, which was inserted by section 29 of the Police and Justice Act 2006. Paragraph 3 of Schedule 4A imposes a duty on Her Majesty’s Chief Inspector of Constabulary to prevent or limit certain proposed inspections of specified organisations in order to prevent an unreasonable burden being imposed on those organisations. The specified organisations are the bodies listed in article 2 of this Order.

The specification has an effect if a person or body falling within paragraph 3(2) of Schedule 4A proposes to inspect one of the specified organisations. The persons or bodies in paragraph 3(2) are: Her Majesty’s Chief Inspector of Prisons; Her Majesty’s Chief Inspector of the Crown Prosecution Service; Her Majesty’s Inspectorate of the National Probation Service for England and Wales; the Commission for Healthcare Audit and Inspection; and the Audit Commission for Local Government and the National Health Service in England and Wales.

If Her Majesty’s Chief Inspector of Constabulary considers that the proposed inspection by one of these persons or bodies would impose an unreasonable burden on one of the specified organisations, listed in article 2, Her Majesty’s Chief Inspector of Constabulary must give notice to that person or body not to carry out the proposed inspection or not to carry it out in a particular manner.

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