

2007 No. 700

POLICE, ENGLAND AND WALES

**The Police Act 1997 (Criminal Records) (Amendment)
Regulations 2007**

<i>Made</i> - - - -	<i>6th March 2007</i>
<i>Laid before Parliament</i>	<i>9th March 2007</i>
<i>Coming into force</i> - -	<i>1st April 2007</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 113A(6) of the Police Act 1997(a), having regard to section 125(1) of that Act:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Police Act 1997 (Criminal Records) (Amendment) Regulations 2007 and shall come into force on 1st April 2007.

(2) These Regulations extend to England and Wales.

Amendment of the 2002 Regulations

2. For regulation 9 (central records: prescribed details) of the Police Act 1997 (Criminal Records) Regulations 2002(b) substitute—

“Central records: prescribed details

9. Information in any form relating to convictions, cautions, reprimands and warnings(c) on a names database held by the National Policing Improvement Agency for the use of constables is prescribed as “central records” for the purposes of section 113A(6) of the Police Act 1997 (including that provision as applied by sections 114(3)(d) and 116(3)(e)).”.

Home Office
6th March 2007

Joan Ryan
Parliamentary Under Secretary of State

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- (a) 1997 c.50. Section 113A of the Police Act 1997 was inserted by the Serious Organised Crime and Police Act 2005 (c.15), section 163(2).
- (b) S.I. 2002/233, which has been amended by S.I. 2003/137, S.I. 2003/520, S.I. 2003/1418, S.I. 2004/1759, S.I. 2006/748 and S.I. 2006/2181.
- (c) Under section 65 of the Crime and Disorder Act 1998 (c.37) references to cautions in earlier Acts should be construed as including references to young persons or children receiving reprimands or warnings.
- (d) Section 114(3) of the Police Act 1997 has been amended by Schedule 14 to the Serious Organised Crime and Police Act 2005 and by section 63(1) of the Safeguarding Vulnerable Groups Act 2006 (c.47), though this amendment is not yet in force.
- (e) Section 116(3) of the Police Act 1997 has been amended by Schedule 14 to the Serious Organised Crime and Police Act 2005 and by section 63(1) of the Safeguarding Vulnerable Groups Act 2006, though this amendment is not yet in force.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 1st April 2007, amend the Police Act 1997 (Criminal Records) Regulations 2002 (“the 2002 Regulations”).

Regulation 2 substitutes Regulation 9 of the 2002 Regulations in order to replace the reference to the Police Information Technology Organisation with a reference to the National Policing Improvement Agency. The National Policing Improvement Agency takes over the function of running the Police National Computer from 1st April 2007 and it is that names database of convictions, cautions, reprimands and warnings which is prescribed as “central records” for the purpose of section 113A(6) of the Police Act 1997.

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