
STATUTORY INSTRUMENTS

2010 No. 782

**IMMIGRATION
REVENUE AND CUSTOMS**

**The UK Border Agency (Complaints
and Misconduct) Regulations 2010**

Made - - - - 15th March 2010

Laid before Parliament 17th March 2010

Coming into force 7th April 2010

**THE UK BORDER AGENCY (COMPLAINTS
AND MISCONDUCT) REGULATIONS 2010**

1. Citation and commencement
2. Interpretation
3. Application: general

PART 1

4. Application of the Police Reform Act 2002
5. (1) Paragraph 6 (staff) of Schedule 2 (the Independent Police...)
6. General functions of the IPCC
7. Reports to the Secretary of State
8. Complaints, matters and persons to which these Regulations apply
9. Direction and control matters
10. Co-operation, assistance and information
11. Payment for assistance with investigations

PART 2

ETC

12. Duties to preserve evidence relating to complaints
13. Initial handling and recording of complaints
14. Keeping of records
15. Failures to notify or record a complaint
16. Handling of complaints by the relevant appropriate authority
17. Conduct matters arising in civil proceedings

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

18. Recording etc. of conduct matters in other cases
19. Duties to preserve evidence relating to conduct matters

PART 3

IPCC

20. Recording and reference of conduct matters
21. Reference of complaints to the IPCC
22. Duties of the IPCC on references under regulation 21
23. Reference of conduct matters to the IPCC
24. Duties of the IPCC on references under regulation 23

PART 4

DSI

25. Duty to record DSI matters
26. Duty to preserve evidence relating to DSI matters
27. Reference of DSI matters to the IPCC
28. Duties of IPCC on references under regulation 27
29. Procedure where a conduct matter is revealed during investigation of a DSI matter

PART 5

30. Inspections of the Secretary of State's premises on behalf of the IPCC
31. Power of the IPCC to determine the form of an investigation
32. Appointment of persons to carry out investigations
33. Power of the IPCC to impose requirements in relation to an investigation which it is supervising
34. Combining and splitting investigations
35. Power of the IPCC to discontinue an investigation
36. Withdrawn and discontinued complaints
37. Investigations by the relevant appropriate authority on its own behalf
38. Investigation by a police force at the request of the relevant appropriate authority
39. Investigations supervised by the IPCC
40. Investigation by a police force under the management or under the supervision of the IPCC
41. Investigations managed by the IPCC
42. Investigations by the IPCC itself
43. Relinquishing the IPCC's supervision or management of an investigation
44. Circumstances in which an investigation or other procedure may be suspended
45. Resumption of investigation after criminal proceedings
46. Restrictions on proceedings pending the conclusion of an investigation

PART 6

47. Provision and use of information by the IPCC
48. Provision of information to the IPCC
49. Duty to keep the complainant informed
50. Duty to provide information for other persons

51. Duty to keep the relevant officer, relevant official of the Secretary of State, relevant contractor, official exercising customs revenue functions or customs revenue contractor informed
52. Duty to consider submissions from relevant officers, relevant officials of the Secretary of State, relevant contractors, officials exercising customs revenue functions and customs revenue contractors
53. Duty to provide certain information to the relevant appropriate authority
54. Manner in which duties to provide information to the complainant are to be performed
55. Exceptions to the duty to keep the complainant informed and to provide information for other persons
56. Notification of complaints etc.
57. Notification of actions and decisions
58. Information for complainant about disciplinary recommendations
59. Register to be kept by the IPCC
60. Manner and time limits of notifications

PART 7

61. Action by a police force on completion of an investigation report
62. Final reports on investigations: complaints, conduct matters and certain DSI matters
63. Action by the IPCC in response to an investigation report under regulation 62
64. Action by the relevant appropriate authority in response to an investigation report under regulation 62
65. Final reports on investigations: DSI matters
66. Action by the IPCC in response to an investigation report under regulation 65
67. Duties with respect to disciplinary proceedings
68. Complaints against a person whose identity is not ascertained

PART 8

69. Appeals to the IPCC: failures to notify or record a complaint
70. Appeals to the IPCC with respect to an investigation
71. Reviews and re-investigations following an appeal

PART 9

72. Revocation of the 2009 Regulations, saving and transitional provisions
Signature
Explanatory Note