
STATUTORY INSTRUMENTS

2010 No. 782

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

PART 5

INVESTIGATIONS

Investigations supervised by the IPCC

39.—(1) This regulation applies where the IPCC has determined that it should supervise the investigation by the relevant appropriate authority of any complaint or recordable conduct matter or DSI matter.

(2) On being given notice of that determination, the relevant appropriate authority shall, if it has not already done so, appoint a person to investigate the complaint or matter.

(3) The IPCC may require that no appointment is made under paragraph (2) unless it has given notice to the relevant appropriate authority that it approves the person whom that authority proposes to appoint.

(4) Where a person has already been appointed to investigate the complaint or matter, or is selected under this paragraph for appointment, and the IPCC is not satisfied with that person, the IPCC may require the relevant appropriate authority, as soon as reasonably practicable after being required to do so—

- (a) to select another person falling within paragraph (2) to investigate the complaint or matter; and
- (b) to notify the IPCC of the person selected.

(5) Where a selection made in pursuance of a requirement under paragraph (4) has been notified to the IPCC, the relevant appropriate authority shall appoint that person to investigate the complaint or matter if, but only if, the IPCC notifies the authority that it approves the appointment of that person.

(6) The person appointed to investigate the complaint or matter shall comply with all such requirements in relation to the carrying out of that investigation as may be imposed by the IPCC in relation to that investigation.