

STATUTORY INSTRUMENTS

2018 No. 1119

The Ministry of Defence Police (Conduct and Appeals Tribunals) (Amendment) Regulations 2018

PART 1

General

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Ministry of Defence Police (Conduct and Appeals Tribunals) (Amendment) Regulations 2018 and come into force on 1st December 2018.

(2) In these Regulations—

“the 1987 Act” means the Ministry of Defence Police Act 1987;

“the 2009 Regulations” means the Ministry of Defence Police Appeals Tribunals Regulations 2009 ^{M1};

“the Conduct Regulations” means the Ministry of Defence Police (Conduct etc.) Regulations 2015 ^{M2}.

Marginal Citations

M1 [S.I. 2009/3070](#), amended by [S.I. 2017/84](#).

M2 [S.I. 2015/25](#), amended by [S.I. 2017/84](#).

PART 2

Amendment of the Conduct Regulations

Amendment of the Conduct Regulations

^{F1}**2.**

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 3 (interpretation)

^{F1}**3.**

Changes to legislation: There are currently no known outstanding effects for the The Ministry of Defence Police (Conduct and Appeals Tribunals) (Amendment) Regulations 2018. (See end of Document for details)

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 4 (the harm test)

^{F1}**4.**

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 9 (application)

^{F1}**5.**

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 11 (legal and other representation for the relevant authority)

^{F1}**6.**

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 15 (application of Part 3)

^{F1}**7.**

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 24A (national security: power to give directions in relation to misconduct hearings)

^{F1}**8.**

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 33 (participation of Director General or Ombudsman and investigator at misconduct proceedings)

F19.

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 35 (attendance of others at misconduct proceedings)

F110.

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 38 (senior officers: further meeting or further hearing of MOD Police Committee to consider disciplinary action)

F111.

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 39 (outcome of misconduct proceedings)

F112.

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 45A (national security: power to give directions in relation to special case hearings)

F113.

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Substitution of regulation 46 (notice of referral to special case hearing)

^{F1}**14.**

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 48 (notice of special case hearing)

^{F1}**15.**

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 49 (procedure on receipt of notice of special case hearing)

^{F1}**16.**

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 52 (documents to be supplied)

^{F1}**17.**

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 54 (participation of Director General or the Ombudsman and investigator at special case hearing)

^{F1}**18.**

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 56 (attendance of others at special case hearing)

F119.

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 57 (procedure at special case hearing)

F120.

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

Amendment of regulation 58 (senior officers: further hearing of MOD Police Committee to consider disciplinary action)

F121.

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

New Schedule

F122.

Textual Amendments

F1 Regs. 2-22 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(1)(c)** (with reg. 6(2))

PART 3

Amendment of the 2009 Regulations

Amendment of the 2009 Regulations

^{F2}23.

Textual Amendments

F2 Regs. 23-34 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(5)(c)** (with reg. 6(6))

Amendment of regulation 3 (interpretation)

^{F2}24.

Textual Amendments

F2 Regs. 23-34 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(5)(c)** (with reg. 6(6))

New regulation 4B

^{F2}25.

Textual Amendments

F2 Regs. 23-34 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(5)(c)** (with reg. 6(6))

Amendment of regulation 5 (appointment and composition of police appeals tribunal)

^{F2}26.

Textual Amendments

F2 Regs. 23-34 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(5)(c)** (with reg. 6(6))

Amendment of regulation 6 (notice of appeal)

^{F2}27.

Textual Amendments

F2 Regs. 23-34 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(5)(c)** (with reg. 6(6))

Amendment of regulation 7

F228.

Textual Amendments

F2 Regs. 23-34 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, [6\(5\)\(c\)](#) (with reg. 6(6))

Amendment of regulation 8 (the respondent)

F229.

Textual Amendments

F2 Regs. 23-34 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, [6\(5\)\(c\)](#) (with reg. 6(6))

Amendment of regulation 9 (procedure on notice of appeal)

F230.

Textual Amendments

F2 Regs. 23-34 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, [6\(5\)\(c\)](#) (with reg. 6(6))

Amendment of regulation 14 (notice of the hearing)

F231.

Textual Amendments

F2 Regs. 23-34 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, [6\(5\)\(c\)](#) (with reg. 6(6))

Amendment of regulation 15 (legal and other representation)

F232.

Textual Amendments

F2 Regs. 23-34 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, [6\(5\)\(c\)](#) (with reg. 6(6))

Amendment of regulation 18 (attendance at hearing)

F233.

Changes to legislation: There are currently no known outstanding effects for the The Ministry of Defence Police (Conduct and Appeals Tribunals) (Amendment) Regulations 2018. (See end of Document for details)

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Textual Amendments

F2 Regs. 23-34 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(5)(c)** (with reg. 6(6))

Amendment of regulation 22 (tribunal's determination)

^{F2}**34.**

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Textual Amendments

F2 Regs. 23-34 revoked (2.11.2020) by [The Ministry of Defence Police \(Conduct, Performance and Appeals Tribunals\) Regulations 2020 \(S.I. 2020/1087\)](#), regs. 1, **6(5)(c)** (with reg. 6(6))

Ministry of Defence

Tobias Ellwood
Parliamentary Under Secretary of State

Changes to legislation:

There are currently no known outstanding effects for the The Ministry of Defence Police (Conduct and Appeals Tribunals) (Amendment) Regulations 2018.