

SCHEDULE 6 MODIFICATIONS OF ENACTMENTS

PART 1

ACTS

The Police Act 1997 (c. 50)

- 6 (1) The Police Act 1997 is modified as follows.
- (2) In section 93 (authorisations to interfere with property)—
- (a) in subsection (3), after paragraph (e) there is inserted—
 - “(f) if the authorising officer is within subsection (5)(j), by a police member of the Scottish Crime and Drug Enforcement Agency appointed in accordance with paragraph 7 of schedule 2 to the Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp 10).”;
 - (b) in subsection (5), after paragraph (i) there is inserted—
 - “(j) the Director General of the Scottish Crime and Drug Enforcement Agency.”; and
 - (c) in subsection (6), after paragraph (cb) there is inserted—
 - “(cc) in relation to the Director General of the Scottish Crime and Drug Enforcement Agency, means Scotland.”.
- (3) In section 94 (authorisations given in absence of authorising officer)—
- (a) in subsection (2), after paragraph (g) there is inserted—
 - “(h) where the authorising officer is within paragraph (j) of that subsection, by a person mentioned in subsection (5).”;
 - (b) in subsection (4)—
 - (i) in paragraph (a), the words “or (d)” and “or, as the case may be, section 5(4) of the Police (Scotland) Act 1967” are repealed; and
 - (ii) after that paragraph there is inserted—
 - “(aa) in the case of an authorising officer within paragraph (d) of section 93(5), means the person holding the rank of—
 - (i) deputy chief constable and, where there is more than one person in a police force who holds that rank, who is designated as the officer having the powers and duties conferred on a deputy chief constable by section 5A(1) of the Police (Scotland) Act 1967; or
 - (ii) assistant chief constable who is designated to act under section 5A(2) of that Act.”; and
 - (c) after subsection (4) there is inserted—
 - “(5) The person referred to in subsection (2)(h) is—

Status: This is the original version (as it was originally enacted).

- (a) the chief constable whose relevant area (within the meaning of section 93(6)(b)) is the area to which the application for authorisation relates; or
 - (b) his designated deputy (within the meaning of subsection (4)(aa)); or
 - (c) where it is not reasonably practicable for the chief constable or his designated deputy to consider the application, a person holding the rank of assistant chief constable in the chief constable's police force.”.
- (4) In section 95(7) (designated deputy permitted to exercise authorising officer's powers), for “or (d)” there is substituted “(d) or (j)”.
- (5) In section 107(4) (power of Prime Minister to exclude matters from a report), after paragraph (b) there is inserted—
- “(ba) the functions of the Scottish Crime and Drug Enforcement Agency;”.