
Changes to legislation: There are currently no known outstanding effects for the Police, Public Order and Criminal Justice (Scotland) Act 2006, Cross Heading: The Serious Organised Crime and Police Act 2005 (c. 15). (See end of Document for details)

SCHEDULE 6 MODIFICATIONS OF ENACTMENTS

PART 1

ACTS

The Serious Organised Crime and Police Act 2005 (c. 15)

- 13 (1) The Serious Organised Crime and Police Act 2005 is modified as follows.
- (2) In section 3(5)(d) (meaning of “special police force”), for “Scottish Drug Enforcement Agency” there is substituted “Scottish Crime and Drug Enforcement Agency”.
- (3) In section 23 (mutual assistance between SOCA and law enforcement agencies: voluntary arrangements)—
- (a) for subsection (5) there is substituted—
- “(5) In subsection (4)(a), “constables or members of staff” in relation to the Scottish Crime and Drug Enforcement Agency means police members or support staff members of that Agency.”;
- (b) in subsection (7), for paragraph (b) there is substituted—
- “(b) a police member or support staff member of the Scottish Crime and Drug Enforcement Agency.”;
- (c) in subsection (10)(b) for “Scottish Drug Enforcement Agency” there is substituted “Scottish Crime and Drug Enforcement Agency”; and
- (d) in subsection (11)—
- (i) after the definition of “police force” there is inserted—
- ““police member”, in relation to the Scottish Crime and Drug Enforcement Agency, means a person appointed as such a member in accordance with paragraph 7 of schedule 2 to the Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp 10).”;
- (ii) in paragraph (f) of the definition of “relevant police authority”, for “Scottish Drug Enforcement Agency” there is substituted “Scottish Crime and Drug Enforcement Agency”; and
- (iii) after the definition of “relevant police authority” there is inserted—
- ““support staff member”, in relation to the Scottish Crime and Drug Enforcement Agency, means a person appointed as such a member in accordance with paragraph 8 of schedule 2 to the Police, Public Order and Criminal Justice (Scotland) Act 2006.”.
- (4) In section 24(2)(b) (bodies to which section 24 applies), for “Scottish Drug Enforcement Agency” there is substituted “Scottish Crime and Drug Enforcement Agency”.
- (5) In section 25 (directed arrangements: Scotland)—
- (a) in subsection (2)(b), for “Scottish Drug Enforcement Agency” there is substituted “Scottish Crime and Drug Enforcement Agency”
- (b) in subsection (3)(b)—

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- (i) for “Director of the Scottish Drug Enforcement Agency” there is substituted “ “Director General of the Scottish Crime and Drug Enforcement Agency ”; and
- (ii) for “constables or other persons” there is substituted “ “police members or support staff members ”
- (c) in subsection (4), in both paragraphs (a) and (b), for “Scottish Drug Enforcement Agency” there is substituted “ “Scottish Crime and Drug Enforcement Agency ”; and
- (d) after subsection (4), there is inserted—
 - “(5) In this section, “police member” and “support staff member” have the same meaning as in section 23.”.
- (6) In section 31(5)(d) (meaning of “relevant authority” in section 31), for “Scottish Drug Enforcement Agency, means” there is substituted “ “Scottish Crime and Drug Enforcement Agency, means the Director General of ”.
- (7) In section 42 (interpretation)—
 - (a) in subsection (1), for paragraph (g) of the definition of “chief officer” there is substituted—
 - “(g) in relation to the Scottish Crime and Drug Enforcement Agency, the Director General of that Agency”; and
 - (b) subsection (2) is repealed.
- (8) In section 47 (person having powers of constable: exercise of such powers in Scotland and Northern Ireland)—
 - (a) in subsection (3)(a), for “Director of the Scottish Drug Enforcement Agency” there is substituted “ “Director General of the Scottish Crime and Drug Enforcement Agency ”
 - (b) in subsection (4)(a), for “Deputy Director” there is substituted “ “Deputy Director General ”; and
 - (c) in subsection (7), the definition of “the Scottish Drug Enforcement Agency” and “the Director” is repealed.
- (9) In section 82(5) (persons who are protection providers), for paragraph (f), there is substituted—
 - “(f) the Director General of the Scottish Crime and Drug Enforcement Agency;”
- (10) In section 94 (interpretation of Chapter 4), subsection (9) is repealed.
- (11) In Schedule 5—
 - (a) in paragraph 20—
 - (i) in sub-paragraph (1), the words “is or” are repealed and for “Scottish Drug Enforcement Agency” there is substituted “ “organisation known as the Scottish Drug Enforcement Agency and established under section 36(1)(a)(ii) of the Police (Scotland) Act 1967 (c. 77), that is to say a person who was engaged on central service (as defined by section 38(5) of that Act) and was appointed by the Scottish Ministers to exercise control in relation to the activities carried out in exercise of that organisation's functions ”; and
 - (ii) in sub-paragraph (2), the words “is or” are repealed; and
 - (b) after paragraph 20 there is inserted—

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“20A(1) A person who is or has been the Director General of the Scottish Crime and Drug Enforcement Agency.

(2) A person who is or has been under the direction and control of the Director General of the Scottish Crime and Drug Enforcement Agency.”.

Changes to legislation:

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