



Police, Public Order and Criminal Justice (Scotland) Act 2006

2006 asp 10

PART 1

POLICE

CHAPTER 2

COMPLAINTS AND MISCONDUCT

[^{F1}Investigations]

[^{F1}41C Investigation of matters in the public interest

- (1) The Commissioner may investigate any relevant police matter where the Commissioner considers that it would be in the public interest to do so.
- (2) A relevant police matter is any incident in relation to which there is an indication that the Authority, the Police Service or a person serving with the police has been involved other than—
 - (a) a matter—
 - (i) which the Commissioner is investigating in pursuance of paragraph (b)(i) of section 33A; or
 - (ii) in respect of which criminal proceedings have been brought following such an investigation by the Commissioner;
 - (b) a matter which is being, or has been, investigated—
 - (i) by the Commissioner in pursuance of paragraph (b)(ii) of section 33A; or
 - (ii) by any other person under section 1 of the [^{F2}Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016]; or
 - (c) a matter which is being, or has been, investigated by the Commissioner by virtue of paragraph (c) of section 33A.]

Changes to legislation: *Police, Public Order and Criminal Justice (Scotland) Act 2006, Section 41C is up to date with all changes known to be in force on or before 31 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

- F1** S. 41C inserted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), **ss. 65**, 129(2) (with [s. 100](#)); [S.S.I. 2013/51](#), **art. 2** (with transitional provisions and savings in [S.S.I. 2013/121](#), arts. 1(1), 11)
- F2** Words in s. 41C(2)(b)(ii) substituted (15.6.2017) by [Inquiries into Fatal Accidents and Sudden Deaths etc. \(Scotland\) Act 2016 \(asp 2\)](#), s. 42(2), **sch. 2 para. 11(4)**; [S.S.I. 2017/155](#), reg. 2 (with regs. 4(2)5)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 47A inserted by [2023 c. 41 s. 45\(3\)](#)