



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

2006 asp 10

PART 1

POLICE

CHAPTER 2

COMPLAINTS AND MISCONDUCT

[^{F1}Investigations]

[^{F1}41D Investigations: procedure etc.

- (1) The Scottish Ministers may by regulations make such provision about investigations by the Commissioner in pursuance of paragraph (c) or (d) of section 33A as they consider appropriate.
- (2) Regulations may, in particular, make provision—
 - (a) requiring the chief constable or the Authority to refer matters to the Commissioner;
 - (b) about circumstances in which the Commissioner—
 - (i) must, must not or need not carry out an investigation; or
 - (ii) may discontinue an investigation;
 - (c) about the form and procedure of an investigation;
 - (d) imposing restrictions on the extent of any investigation;
 - (e) setting time limits within which matters must be investigated;
 - (f) requiring the chief constable, the Authority or other persons to assist and co-operate with the Commissioner when carrying out an investigation (by providing evidence, attending hearings or otherwise);
 - (g) for the delegation of functions to the Commissioner.
- (3) Before making regulations under this section, the Scottish Ministers must consult—

Changes to legislation: *Police, Public Order and Criminal Justice (Scotland) Act 2006, Section 41D 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*

- (a) the Commissioner;
- (b) the Authority;
- (c) the chief constable;
- (d) such persons as appear to them to be representatives of senior officers;
- (e) such persons as appear to them to be representatives of superintendents (including chief superintendents);
- (f) the joint central committee of the Police Federation for Scotland; and
- (g) such other persons as they think appropriate.]

Textual Amendments

- F1** S. 41D inserted (1.10.2012) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), **ss. 66**, 129(2) (with s. 100); [S.S.I. 2012/253](#), **art. 2**, Sch. (with art. 6)

Changes to legislation:

Police, Public Order and Criminal Justice (Scotland) Act 2006, Section 41D 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.

[View outstanding changes](#)

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\(3\)](#)