



Police and Fire Reform (Scotland) Act 2012

2012 asp 8

PART 1

POLICE REFORM

CHAPTER 2

THE POLICE SERVICE OF SCOTLAND

Police staff

26 Police staff

- (1) The Authority may appoint police staff to assist in the carrying out of police functions.
- (2) Police staff appointed under subsection (1) may be—
 - (a) employed by the Authority, or
 - (b) provided to the Authority under arrangements between the Authority and a third party.
- (3) The chief constable has power to make appointments under subsection (1) on behalf of the Authority.

27 Terms and conditions of police staff

- (1) Police staff may be employed on terms and conditions determined by the Authority.
- (2) The Authority may pay or make arrangements for the payment of pensions, allowances or gratuities (including by way of compensation for loss of employment) to, or in respect of, any person who has ceased to be employed as a member of police staff.
- (3) The arrangements mentioned in subsection (2) may include—

Status: This is the original version (as it was originally enacted).

- (a) the making of contributions or payments towards provision for pensions, allowances or gratuities mentioned there, and
- (b) the establishment and administration of pension schemes.

28 Police custody and security officers

- (1) The chief constable may certify a member of the police staff appointed under section 26(1) as having been authorised to carry out functions in relation to custody and security.
- (2) An individual so certified is to be known as a “police custody and security officer”.
- (3) A police custody and security officer has—
 - (a) for the purposes of the functions which the officer is authorised to carry out, the powers and duties set out in schedule 2, and
 - (b) all other functions conferred on police custody and security officers by virtue of this or any other enactment or by rule of law.
- (4) A police custody and security officer is to be regarded as acting in accordance with the officer’s powers and duties only if the officer is readily identifiable as such an officer when so acting (whether or not by means of a uniform or badge worn).
- (5) Sections 22(3) and (4), 23 and 92 apply in relation to a police custody and security officer as they apply in relation to a constable (and when so applied, a reference to a constable is to be read as a reference to such an officer).

29 Certification of police custody and security officers

- (1) The chief constable may issue a certificate under section 28(1) only if satisfied that the member of the police staff concerned—
 - (a) is a fit and proper person to carry out a police custody and security officer’s functions, and
 - (b) has received training to such standard as the chief constable considers appropriate for the carrying out of those functions.
- (2) The chief constable may revoke a certificate if the certified person appears to the chief constable not to be a fit and proper person to carry out a police custody and security officer’s functions.
- (3) The chief constable may (pending consideration of whether to revoke a certificate) suspend the certificate where it appears to the chief constable that the certified person may not be a fit and proper person to carry out a police custody and security officer’s functions.
- (4) A certificate is otherwise to continue in force until such date or occurrence as it may specify.

30 False statements in relation to certification

- (1) It is an offence for a person to provide information for the purpose of enabling or assisting the person or any other person to be certified as a police custody and security officer if the person knows that, or is reckless as to whether, the information is false or misleading in a material respect.

- (2) A person guilty of such an offence is liable on summary conviction to a fine not exceeding level 4 on the standard scale.