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STATUTORY INSTRUMENTS

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**1997 No. 1377 (C. 50)**

**POLICE**

**The Police Act 1997 (Commencement No. 1 and Transitional Provisions) Order 1997**

<i>Made</i>	- - - -	<i>29th May 1997</i>
<i>Laid before Parliament</i>		<i>4th June 1997</i>
<i>Coming into force</i>	- -	<i>25th June 1997</i>

In exercise of the powers conferred upon him by section 135 of the Police Act 1997<sup>(1)</sup>, the Secretary of State hereby makes the following Order:

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as the Police Act 1997 (Commencement No. 1 and Transitional Provisions) Order 1997.

(2) This Order shall come into force on 25th June 1997.

(3) In this Order “the Act” means the Police Act 1997.

**Commencement on 25th June 1997**

**2.**—(1) The provisions of the Act which are listed in paragraph (2) below shall come into force on 25th June 1997.

(2) The provisions referred to in paragraph (1) above are—

- (a) section 17, except subsections (1) and (6), (power to issue levies);
- (b) section 44 (orders governing NCIS Service Authority);
- (c) section 45 (orders and regulations);
- (d) section 46 (interpretation of Part I);
- (e) section 62, except subsections (1) and (6), (power to issue levies);
- (f) section 89 (orders and regulations);
- (g) section 90 (interpretation of Part II);
- (h) section 128 (regulations for special constables and police cadets);

- (i) section 129, except paragraph (a), (change of name or description of certain police areas);
- (j) section 130 (members of RUC engaged on service outside their force);
- (k) section 131 (regulations requiring use of specified facilities or services); and
- (l) section 132 (expenditure by Secretary of State for police purposes).

**Commencement on 25th June 1997 for certain purposes only**

3.—(1) Subject to the modifications set out in paragraphs (3) and (4) below, the provisions of the Act which are listed in paragraph (2) below shall come into force on 25th June 1997 for the purposes of the appointment, as soon as possible thereafter, of members of the Service Authority for the National Criminal Intelligence Service and members of the Service Authority for the National Crime Squad.

(2) The provisions referred to in paragraph (1) are—

- (a) section 1 (the Service Authority for the National Criminal Intelligence Service);
- (b) section 47 (the Service Authority for the National Crime Squad);
- (c) Schedule 1 (appointment of members of Service Authorities); and
- (d) Schedule 2 (other provisions about members of Service Authorities).

(3) In paragraph 13 to Schedule 1 for the words “clerk to a Service Authority” there shall be substituted “Secretary of State”.

(4) Schedule 2 shall have effect as if there was inserted after paragraph 15 the following:

“15A.—(1) The first meeting of the Service Authority shall be—

- (a) held within 21 days after appointments to it have been made under Schedule 1; and
- (b) treated as being the annual meeting of the authority in the year in which it is held.

(2) The provisions of article 5 of the Police Act 1997 (Commencement No. 1 and Transitional Provisions) Order 1997 shall have effect in relation to the first meeting of a Service Authority.”.

**Commencement on 23rd July 1997**

4.—(1) The provisions of the Act which are listed in paragraph (2) below shall come into force on 23rd July 1997.

(2) The provisions referred to in paragraph (1) are—

- (a) sections 1 and 47 and Schedules 1 and 2, for the purposes for which they are not already in force;
- (b) section 6 (appointment of Director General);
- (c) section 13 (officers and employees);
- (d) section 14 (appointment of clerk);
- (e) section 15 (appointment of persons not employed by the NCIS Service Authority);
- (f) section 16 (NCIS Service Fund);
- (g) section 18 (initial financing of the NCIS Service Authority);
- (h) section 52 (appointment of Director General);
- (i) section 58 (officers and employees);
- (j) section 59 (appointment of clerk);

- (k) section 60 (appointment of persons not employed by the NCS Service Authority);
- (l) section 61 (NCS Service Fund);
- (m) section 63 (initial financing of NCS Service Authority);
- (n) section 88 (application to NCS Service Authority of local authority enactments), so far as it relates to paragraphs 3, 5 and 10 of Schedule 6;
- (o) section 134 (minor and consequential amendments) so far as it relates to paragraphs 27, 40 and 88 of Schedule 9;
- (p) paragraphs 27 and 41 of Schedule 9 (ineligibility for jury service of certain persons concerned with the administration of justice), so far as they relate to the members of the service authorities for the National Criminal Intelligence Service and the National Crime Squad;
- (q) paragraphs 28 and 40 of Schedule 9 (disqualification in certain cases of justices who are members of local authorities); and
- (r) paragraph 88 of Schedule 9 (right to time off for public duties).

#### **First meeting of Service Authorities**

5.—(1) The first meeting of a Service Authority shall be convened, and held at a time and place appointed by the Secretary of State.

(2) The regulation of the proceedings and the business of the meeting shall be determined by the chairman.

Home Office  
29th May 1997

*Alun Michael*  
Minister of State

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force for specified purposes various provisions of Parts I and II (which concern the National Criminal Intelligence Service and National Crime Squad) of the Police Act 1997. Article 2 of this Order also brings into force on 25th June 1997 section 128 (regulations for special constables and police cadets); section 129 (change of name or description of certain police areas); section 130 (members of RUC engaged on service outside their force); section 131 (regulations requiring use of specified facilities or services) and section 132 (expenditure by Secretary of State for police purposes). Article 3 brings into force on 25th June 1997 the provisions there listed for the purpose of the appointment of the members of the service authorities for the National Criminal Intelligence Service and National Crime Squad. Article 4 brings into force on 23rd July 1997 the provisions there listed which relate to the service authorities for NCIS and the National Crime Squad, its financing and the appointment of staff, officers and the Director Generals. Article 5 makes provision for the first meeting of the service authorities.