SCHEDULE 1

Article 25

EXTENSION OF MODIFICATIONS OF ENACTMENTS MADE BY 2012 ACT

Pensions (Increase) Act 1971

1. In paragraph 44 of Schedule 2 to the Pensions (Increase) Act 1971(**1**) (official pensions), for "a relevant authority (as defined in section 6 of the Fire (Scotland) Act 2005 (asp 5))" substitute "the Scottish Fire and Rescue Service".

Health and Safety at Work etc. Act 1974

2. In section 51A of the Health and Safety at Work etc. Act 1974 (application of Part to police)(**2**)—

(a) in subsection (2E), for paragraph (a) substitute—

"(a) section 24 of the Police and Fire Reform (Scotland) Act 2012 (asp 8);"; and

(b) in subsection (3)(b), for "each chief officer of police in Scotland" substitute "the chief constable of the Police Service of Scotland".

Road Traffic Regulation Act 1984

3. In section 87(1) of the Road Traffic Regulation Act 1984 (exemption of fire brigade, ambulance and police vehicles from speed limits)(**3**), for "a relevant authority (as defined in section 6 of the Fire (Scotland) Act 2005 (asp 5))" substitute "the Scottish Fire and Rescue Service".

Criminal Justice and Public Order Act 1994

4.—(1) The Criminal Justice and Public Order Act 1994(**4**) is amended as follows.

(2) In section 102(5) (arrangements for the provision of prisoner escorts)(**5**), for "prescribed under section 9(1A)(b) of the Police (Scotland) Act 1967 (c.77)" substitute "under section 28 of the Police and Fire Reform (Scotland) Act 2012 (asp 8)".

(3) In section 163 (local authority powers to provide closed-circuit television)(**6**)—

(a) in subsection (3), after 'area' insert "or, in Scotland, the local commander designated for the local authority's area"; and

(b) in subsection (4)—

(i) omit the definition of "chief officer of police"; and

(ii) after the definition of "local authority" insert—

""local commander" has the meaning given by section 44 of the Police and Fire Reform (Scotland) Act 2012 (asp 8);".

(**1**) 1971 c.56. Paragraph 44 was amended by the Fire and Rescue Services Act 2004 (c.21), Schedule 1, paragraph 35(3), S.I. 2005/2060, Schedule 1, paragraph 1 and the 2012 Act, schedule 7, paragraph 48.

(**2**) 1974 c.37. Section 51A was inserted by the Police (Health and Safety) Act 1997 (c.42), section 1 and was relevantly amended by the Police and Justice Act 2006 (c.48), Schedule 1, paragraph 54 and Schedule 15, paragraph 1 and the 2012 Act, schedule 7, paragraph 2(a) and (b).

(**3**) 1984 c.27. Section 87(1) was amended by the Fire (Scotland) Act 2005 (asp 5), Schedule 3, paragraph 12 and the 2012 Act, schedule 7, paragraph 54.

(**4**) 1994 c.33.

(**5**) Section 102(5) was amended by the Criminal Justice (Scotland) Act 2003 (asp 7), section 76(10) and the 2012 Act, schedule 7, paragraph 9(2).

(**6**) Section 163 was amended by the Communications Act 2003 (c.21), Schedule 17, paragraph 130 and the 2012 Act, schedule 7, paragraph 9(3).

Police Act 1996

5.—(1) The Police Act 1996(**7**) is amended as follows.

(2) In section 59(2) (police federations)(**8**), for "section 26(2A) of the Police (Scotland) Act 1967" substitute "under section 48 of the Police and Fire Reform (Scotland) Act 2012 in so far as relating to the matters described in section 52 of that Act,".

(3) In section 60(2) (regulations for police federations)(**9**)—

(a) in paragraph (c), for "police authorities" substitute "the Scottish Police Authority";

(b) in paragraph (d), for "police authorities" substitute "the Scottish Police Authority"; and

(c) in paragraph (e), for "26 of the Police (Scotland) Act 1967" substitute "48 of the Police and Fire Reform (Scotland) Act 2012".

(4) Omit section 61(6).

(5) In section 62(1A)(a) (functions of the Board with respect to regulations)(**10**), for "26 or 27 of the Police (Scotland) Act 1967" substitute "48 of the Police and Fire Reform (Scotland) Act 2012".

(6) In section 62(3) (functions of the Board with respect to regulations)(**11**), omit ", section 27 of the Police (Scotland) Act 1967".

(7) In section 63 (Police Advisory Boards for England and Wales and for Scotland)—

(a) in subsection (1)—

(i) omit "and a Police Advisory Board for Scotland"; and

(ii) omit "in those countries respectively"; and

(b) in subsection (2)(**12**), for "each of the Police Advisory Boards" substitute "the Police Advisory Board for England and Wales".

(8) Omit section 64(4E) and (4F)(**13**).

(9) In section 99(1) (jurisdiction of metropolitan police officers)(**14**), for "a police force maintained under the Police (Scotland) Act 1967" substitute "the Police Service of Scotland".

Police Act 1997

6.—(1) The Police Act 1997(**15**) is amended as follows.

(2) In section 93 (authorisations to deal with property etc.)—

(a) in subsection (3)(**16**)—

(i) after paragraph (za)(**17**) insert—

(**7**) 1996 c.16.
(**8**) Section 59(2) was amended by Schedule 8, paragraph 11(2)(a) of that Act and the 2012 Act, Schedule 7, paragraph 13(2).
(**9**) Section 60(2) was amended by the Police Reform and Social Responsibility Act 2011 (c.13), Schedule 16, paragraph 37 and the 2012 Act, Schedule 7, paragraph 13(3).
(**10**) Section 62(1A) was inserted by the Police Act 1997 (c.50), Schedule 9, paragraph 82 and amended by the Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp 10), schedule 6, paragraph 5(4) and the 2012 Act, schedule 7, paragraph 13(4).
(**11**) Section 62(3) was amended by the Police (Northern Ireland) Act 1998 (c.32), section 34(2).
(**12**) Section 63(2) was amended by the Police Reform and Social Responsibility Act 2011 (c.13), Schedule 16, paragraph 39.
(**13**) Section 64(4E) and (4F) were inserted by the Police, Public Order and Criminal Justice (Scotland) Act 2006 (Consequential Provisions and Modifications) Order 2007 (S.I. 2007/1098), Schedule 1, Part 1, paragraph 3(2).
(**14**) Section 99(1) was amended by the 2012 Act, schedule 7, Part 1, paragraph 13(5).
(**15**) 1997 c.50.
(**16**) Section 93(3) is amended by the 2012 Act, schedule 7, paragraph 14(2)(a). There are other amendments to section 93(3) not relevant to this Order.
(**17**) Section 93(3)(za) was inserted by the Policing and Crime Act 2009 (c.26), section 6(2). New paragraph (zb) is inserted by the 2012 Act, schedule 7, paragraph 14(2)(a)(i).

"(zb) if the authorising officer is within subsection (5)(d), by a constable of the Police Service of Scotland;";

(ii) in paragraph (a)(**18**), for "(5)(d) to" substitute "(5)(e),";

(iii) after paragraph (e)(**19**) insert—

"(ea) if the authorising officer is within subsection (5)(ia), by a staff officer of the Police Investigations and Review Commissioner.";

(b) after subsection (3A)(**20**) insert—

"(3ZA) An authorisation under this section may be given by the authorising officer within subsection (5)(ia) only where it relates to the taking of action in pursuance of paragraph (b)(i) of section 33A of the Police, Public Order and Criminal Justice (Scotland) Act 2006.";

(c) in subsection (5)(**21**)—

(i) for paragraph (d) substitute—

"(d) the chief constable of the Police Service of Scotland, or any deputy chief constable or assistant chief constable of the Police Service of Scotland who is designated for the purposes of this paragraph by the chief constable;";

(ii) after paragraph (i) insert—

"(ia) the Police Investigations and Review Commissioner;"; and

(d) in subsection (6)(b)(**22**), for the words from "of" to "maintained" substitute "or (ia) of subsection (5), means Scotland".

(3) In section 94 (authorisations given in absence of authorising officer)—

(a) in subsection (1)(b(**23**)), for ", (c) or (d)" substitute "or (c)";

(b) in subsection (2)(**24**), after paragraph (g) insert—

"(ga) where the authorising officer is within paragraph (ia) of that subsection, by a staff officer of the Police Investigations and Review Commissioner who is designated by the Commissioner for the purposes of this section.".

(4) In section 95 (authorisations: form and duration etc.)(**25**), in subsection (6), for "or (e)," substitute ", (d), (e)".

(5) In section 105(3) (appeals)(**26**), for ", (c) or (d)" substitute "or (c)".

(6) In section 107(4) (supplementary provisions relating to Commissioners)—

(**18**) Section 93(3)(a) was amended by the Policing and Crime Act 2009 (c.26), section 6(3), the Regulation of Investigatory Powers Act 2000 (c.23), Schedule 4, paragraph 8(2)(a) and the 2012 Act, schedule 7, paragraph 14(2)(a)(ii).

(**19**) Section 93(3)(e) was inserted by the Enterprise Act 2002 (c.40), section 200(2)(c). New paragraph (ea) is inserted by the 2012 Act, schedule 7, paragraph 14(2)(a)(iii).

(**20**) Section 93(3A) was inserted by the Policing and Crime Act 2009 (c.26), section 6(4). New section 93(3ZA) is inserted by the 2012 Act, schedule 7, paragraph 14(2)(b).

(**21**) Section 93(5) is amended by the 2012 Act, schedule 7, paragraph 14(2)(c). There are other amendments to section 93(5) not relevant to this Order.

(**22**) Section 93(6)(b) was amended by the Policing and Crime Act 2009 (c.26), section 6(5)(c) and the 2012 Act, schedule 7, paragraph 14(2)(d).

(**23**) Section 94(1)(b) was amended by the Serious Organised Crime and Police Act 2005 (c.15), Schedule 4, paragraph 98(2)(c), and Schedule 17, paragraph 1 and by the 2012 Act, schedule 7, paragraph 14(3)(a).

(**24**) Section 94(2)(g) was inserted by the Enterprise Act 2002 (c.40), section 200(3) and new paragraph (ga) was inserted by the 2012 Act, schedule 7, paragraph 14(3)(b). There are other amendments to section 94(2) not relevant to this Order.

(**25**) Section 95(6) was amended by the Serious Organised Crime and Police Act 2005 (c.15), Schedule 4, paragraph 99(2) and the 2012 Act, schedule 7, paragraph 14(4)(a).

(**26**) Section 105(3) was amended by the Serious Organised Crime and Police Act 2005 (c.15), Schedule 4, paragraph 101 and the 2012 Act, schedule 7, paragraph 14(5).

(a) in paragraph (a)(**27**), for "police authority" substitute "the Scottish Police Authority";

(b) after paragraph (b)(**28**) insert—

"(bza) the functions of the Police Investigations and Review Commissioner under section 33A(b)(i) of the Police, Public Order and Criminal Justice (Scotland) Act 2006,".

(7) In section 126 (interpretation of Part 5)—

(a) in the definition of "chief officer"(**29**), for sub-paragraph (ii) substitute—

"(ii) the chief constable of the Police Service of Scotland, and";

(b) in the definition of "police authority"(**30**), for sub-paragraph (i) substitute—

"(i) the Scottish Police Authority, and".

Fire and Rescue Services Act 2004

7.—(1) The Fire and Rescue Services Act 2004(**31**) is amended as follows.

(2) For subsection (10) of section 34 (pensions etc.)(**32**) substitute—

"(10) In this section "Scottish fire authority"—

(a) means the Scottish Fire and Rescue Service, and

(b) except in subsections (2)(e) and (h), includes a relevant authority as defined in section 6 of the Fire (Scotland) Act 2005 (asp 5) (despite the repeal of that section by the Police and Fire Reform (Scotland) Act 2012 (asp 8)).".

(3) In subsection (6) of section 35(**33**) (definitions for purpose of information in connection with pensions etc.), after the definition of "prescribed" add—

""Scottish fire authority"—

(a) means the Scottish Fire and Rescue Service, and

(b) in subsection (5) includes a relevant authority as defined in section 6 of the Fire (Scotland) Act 2005 (asp 5) (despite the repeal of that section by the Police and Fire Reform (Scotland) Act 2012 (asp 8)).".

Gambling Act 2005

8. In section 157 of the Gambling Act 2005 (responsible authorities in relation to premises)(**34**), for paragraph (f) substitute—

(**27**) Section 107(4) was amended by the Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc.) Order 1999/1747 (S.I. 1999/1747), Schedule 6, paragraph 2(5)(c), the Regulation of Investigatory Powers Act 2000 (c.23), Schedule 4, paragraph 8(10)(b), the Serious Organised Crime and Police Act 2005 (c.15), Schedule 4, paragraph 102, the Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp 10), schedule 6, paragraph 6(5), the Serious Crime Act 2007 (c.27), Schedule 12, paragraph 3, the Police Reform and Social Responsibility Act 2011 (c.13), Schedule 16, paragraph 222 and the 2012 Act, schedule 7, paragraph 14(6)(a).

(**28**) New paragraph (bza) is inserted by the 2012 Act, schedule 7, paragraph 14(6)(b).

(**29**) In section 126(1) the definition of "chief officer" was amended by the Police (Northern Ireland) Act 2000 (c.32), Schedule 6, paragraph 20(2)(b) and the 2012 Act, schedule 7, paragraph 14(8)(a).

(**30**) In section 126(1) the definition of "police authority" was amended by the Police (Northern Ireland) Act 2000 (c.32), Schedule 6, paragraph 20(3), the Police Reform and Social Responsibility Act 2011 (c.13), Schedule 16(3), paragraph 224 and the 2012 Act, schedule 7, paragraph 14(8)(b).

(**31**) 2004 c.21.

(**32**) Section 34(10) was amended by the Fire (Scotland) Act 2005 (asp 5), schedule 3, paragraph 24 and the 2012 Act, schedule 14, paragraph 66(z).

(**33**) Section 35(6) is amended by the 2012 Act, schedule 7, paragraph 66(3).

(**34**) 2005 c.19. Section 157(f) was amended by the Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 (S.S.I. 2006/475), schedule 1, paragraph 16(2) and the 2012 Act, schedule 7, paragraph 69.

"(f) the Scottish Fire and Rescue Service,".

Corporate Manslaughter and Corporate Homicide Act 2007

9. In section 6(2) of the Corporate Manslaughter and Corporate Homicide Act 2007 (duty of care for certain organisations in emergencies)(**35**), for paragraph (b) substitute—

"(b) the Scottish Fire and Rescue Service;".

(**35**) 2007 c.19. Section 6(2) is amended by the 2012 Act, schedule 7, paragraph 71.