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DRAFT STATUTORY INSTRUMENTS

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**2023 No.**

**The Service Police (Complaints etc.) Regulations 2023**

**PART 3**

**Complaints etc.**

**CHAPTER 5**

**Investigations and Subsequent Proceedings etc.**

**Action by the Commissioner in relation to an investigation report under regulation 60**

**61.**—(1) If the Commissioner determines under regulation 60(6) that the report indicates that a member of a service police force may have—

(a) committed a service offence; or

(b) behaved in a manner that would justify the initiation of administrative action procedures, the Commissioner must notify the appropriate authority in relation to the person whose conduct is in question of the Commissioner's determination and, if it appears that that authority has not already been sent a copy of the report, send a copy of the report to that authority.

(2) Paragraph (5) of regulation 60 applies for the purposes of paragraph (1) as it applies for the purposes of paragraph (2)(b) of that regulation.

(3) Where the appropriate authority in relation to the person whose conduct is in question is notified of a determination by the Commissioner under paragraph (1), it must record the matter under regulation 22 as a conduct matter.

(4) Where a DSI matter is recorded under regulation 22 as a conduct matter by virtue of paragraph (3)—

(a) the person investigating the DSI matter must (subject to any determination made by the Commissioner under regulation 32(9) or (10)) investigate the conduct matter as if appointed or designated to do so; and

(b) the other provisions of this Part apply in relation to that matter accordingly.