

Changes to legislation: There are currently no known outstanding effects for the Police Act 1996,
Cross Heading: Powers of inspectors to obtain information etc. (See end of Document for details)

SCHEDULES

^{F2}[^{F1}SCHEDULE 4A U.K.]

FURTHER PROVISION ABOUT HER MAJESTY'S INSPECTORS OF CONSTABULARY

Textual Amendments

- F1** Sch. 4A inserted (1.4.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. **29(2)**, 53(1); S.I. 2007/709, art. 3(m) (with art. 6)
- F2** Sch. 4A paras. 6A-6F and cross-headings substituted for Sch. 4A paras. 6A, 6B and cross-headings (31.1.2017 for specified purposes, 2.5.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), ss. **36(1)**, 183(1)(5)(e); S.I. 2017/399, reg. 4(a)

Modifications etc. (not altering text)

- C1** Sch. 4A modified (temp.) (1.10.2008) by [The Health and Social Care Act 2008 \(Consequential Amendments and Transitory Provisions\) Order 2008 \(S.I. 2008/2250\)](#), arts. 1(1), **3(4)**

^{F2}*Powers of inspectors to obtain information etc]*

- 6A [An inspector may serve on a person a notice requiring the person—
- ^{F2}(1) (a) to provide the inspector with any information or documents that the inspector reasonably requires for the purposes of an inspection under section 54;
- (b) to produce or deliver up to the inspector any evidence or other things that the inspector reasonably requires for those purposes.

This is subject to sub-paragraphs (6) to (9).

- (2) A notice under this paragraph must—
- (a) specify or describe the information, documents, evidence or other things that are required by the inspector;
- (b) specify the period within which the information, documents, evidence or other things must be provided, produced or delivered up;
- (c) where the notice is served on a person who has a right of appeal under paragraph 6D, give details of that right of appeal.
- (3) In a case where a notice is served on a person who has a right of appeal under paragraph 6D, a period specified under sub-paragraph (2)(b) must not end before the end of the period within which the appeal could be brought.
- (4) A notice under this paragraph may specify the form and manner in which any information, documents, evidence or other things are to be provided, produced or delivered up.
- (5) An inspector may cancel a notice under this paragraph by written notice to the person on whom it was served.

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- (6) A notice under this paragraph must not be used to obtain information, or any document or other thing, from—
- (a) the Security Service,
 - (b) the Secret Intelligence Service,
 - (c) the Government Communications Headquarters,
 - (d) any part of Her Majesty's forces, or of the Ministry of Defence, which engages in intelligence activities,
 - (e) the Crown Prosecution Service,
 - (f) the Service Prosecuting Authority, or
 - (g) the Serious Fraud Office.
- (7) A notice under this paragraph must also not be used to obtain information, or any document or other thing, from any person if—
- (a) the information, or the document or other thing, was obtained by that person (directly or indirectly) from a body or other entity mentioned in sub-paragraph (6), or
 - (b) the information, or the document or other thing, relates to a body or other entity mentioned in that sub-paragraph.
- (8) A notice under this paragraph must not require a person—
- (a) to provide information that might incriminate the person;
 - (b) to provide an item subject to legal privilege within the meaning of the Police and Criminal Evidence Act 1984 (see section 10 of that Act);
 - (c) to make a disclosure that would be prohibited by any of Parts 1 to 7 or Chapter 1 of Part 9 of the Investigatory Powers Act 2016;
 - (d) to provide information that was provided to the person by, or by an agency of, the government of a country or territory outside the United Kingdom where that government does not consent to the disclosure of the information.
- (9) A notice under this paragraph must not require a postal or telecommunications operator to provide communications data.
- (10) In sub-paragraph (9), “communications data”, “postal operator” and “telecommunications operator” have the same meanings as in the Investigatory Powers Act 2016 (see sections 261 and 262 of that Act).
- (11) In this paragraph—
- “document” means anything in which information of any description is recorded;
- “inspector” means—
- (a) an inspector of constabulary,
 - (b) a person appointed under section 56 as an assistant inspector of constabulary or staff officer to the inspectors of constabulary, or
 - (c) a person authorised by an inspector of constabulary to act on behalf of the inspector for the purposes of this paragraph.]]

Modifications etc. (not altering text)

C1 Sch. 4A para. 6A applied (with modifications) (9.11.2015) by [The Children Act 2004 \(Joint Area Reviews\) Regulations 2015 \(S.I. 2015/1792\)](#), reg. 1(1), **Sch. para. 7**

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- C2** Sch. 4A para. 6A applied (9.11.2015) by The Children Act 2004 (Joint Area Reviews) Regulations 2015 (S.I. 2015/1792), reg. 1(1), **Sch. para. 6**
- C3** Sch. 4A para. 6A applied (with modifications) (9.11.2015) by The Children Act 2004 (Joint Area Reviews) Regulations 2015 (S.I. 2015/1792), reg. 1(1), **Sch. para. 8**
- C4** Sch. 4A para. 6A applied (1.11.2018) by The Police Super-complaints (Designation and Procedure) Regulations 2018 (S.I. 2018/748), regs. 1(2), **9(3)**
- C5** Sch. 4A paras. 6A, 6B applied (with modifications) (19.6.2023) by The Service Police (Complaints etc.) Regulations 2023 (S.I. 2023/624), regs. 1(1), **97(2)(3)(6)**

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