



# Police (Northern Ireland) Act 1998

## 1998 CHAPTER 32

### PART V

#### FUNCTIONS OF SECRETARY OF STATE [<sup>F1</sup>AND DEPARTMENT OF JUSTICE]

##### Textual Amendments

- F1** Words in Pt. 5 heading inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 19](#) (with arts. 28-31)

<sup>F2</sup>**36** .....

##### Textual Amendments

- F2** S. 36 repealed (4.11.2001) by [2000 c. 32, s. 78\(1\)](#), [Sch. 8](#); S. R. 2001/396, art. 2, Sch.

<sup>F3</sup>**37** .....

##### Textual Amendments

- F3** S. 37 repealed (4.11.2001) by [2000 c. 32, s. 78\(1\)\(4\)](#), [Sch. 6 para. 23\(4\)\(a\)](#), [Sch. 8](#); S.R. 2001/396, art. 2, [Sch.](#)

<sup>F4</sup>**38** .....

*Changes to legislation: Police (Northern Ireland) Act 1998, Part V is up to date with all changes known to be in force on or before 15 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**Textual Amendments**  
**F4** S. 38 repealed (4.11.2001) by 2000 c. 32, s. 78(4), **Sch. 8**; S.R. 2001/396, art. 2, **Sch.**

**F5**39 .....

**Textual Amendments**  
**F5** S. 39 repealed (4.11.2001) by 2000 c. 32, s. 78(1)(4), Sch. 6 para. 23(4)(a), **Sch. 8**; S.R. 2001/396, art. 2, **Sch.**

**40 Power to require use by police of specified facilities, equipment or services.**

- (1) The [<sup>F6</sup>Department of Justice] may by regulations make provision for requiring the police force to use specified facilities, equipment or services, or facilities, equipment or services of a specified description, if [<sup>F7</sup>the Department of Justice] considers that it would be in the interests of the efficiency or effectiveness of the police force for it to do so.
- (2) Before making any regulations under this section, the [<sup>F8</sup>Department of Justice] shall consult—
  - (a) the [<sup>F9</sup>Board];
  - (b) the Chief Constable; and
  - (c) the Police Association.

<sup>F10</sup>(3) .....

<sup>F10</sup>(4) .....

**Textual Amendments**

**F6** Words in s. 40(1) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 20(a)(i)** (with arts. 28-31)

**F7** Words in s. 40(1) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 20(a)(ii)** (with arts. 28-31)

**F8** Words in s. 40(2) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 3 para. 20(b)** (with arts. 28-31)

**F9** Word in s. 40(2)(a) substituted (4.11.2001) by 2000 c. 32, s. 78(1), **Sch. 6 para. 23(4)(b)**; S.R. 2001/396, art. 2, **Sch.**

**F10** S. 40(3)(4) repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(A)**; S.I. 2007/709, art. 3(q) (with art. 6); S.I. 2007/709, art. 3(q) (with art. 6)

**Commencement Information**

**I1** S. 40 partly in force; s. 40 not in force at Royal Assent see s. 75(1); s. 40(1)(2) in force at 1.4.1999 by S.R. 1999/176, **art. 3** (with art. 4)

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#### 41 Appointment of inspectors of constabulary.

- (1) The [<sup>F11</sup>Department of Justice] may appoint from among Her Majesty’s Inspectors of Constabulary appointed under section 54 of the <sup>M1</sup>Police Act 1996 such number of inspectors of constabulary for Northern Ireland as [<sup>F12</sup>the Department of Justice] may determine.
- (2) The inspectors shall at least once in every year inspect and report to the [<sup>F13</sup>Department of Justice] on the efficiency and effectiveness of [<sup>F14</sup>—
- (a) the Police Service of Northern Ireland;
  - (b) the Police Service of Northern Ireland Reserve;
  - (c) the police support staff; and
  - (d) traffic wardens.]
- [<sup>F15</sup>][<sup>F16</sup>(3A) The [<sup>F17</sup>appropriate authority] may at any time require the inspectors to carry out an inspection under this section of the Police Service of Northern Ireland; and a requirement under this subsection may include a requirement for the inspection to be confined to a particular part of the Service, to particular matters or to particular activities of the Service.]
- (3B) Where the inspectors carry out an inspection under subsection (3A), they shall send a report on that inspection to the [<sup>F18</sup>appropriate authority].]
- [<sup>F19</sup>(3C) In subsections (3A) and (3B) “the appropriate authority” means, in relation to any inspection—
- (a) the Secretary of State, if the inspection relates (in whole or in part other than incidentally) to an excepted matter or reserved matter or to a matter in respect of which a function is conferred or imposed on the Secretary of State by or under a statutory provision;
  - (b) otherwise, the Department of Justice;
- and in paragraph (a) “excepted matter” and “reserved matter” have the meanings given by section 4 of the Northern Ireland Act 1998.]
- [<sup>F20</sup>(4) The inspectors shall—
- (a) if the [<sup>F21</sup>Department of Justice] so directs, carry out an inspection of the Board’s compliance with the requirements of section 28 of the Police (Northern Ireland) Act 2000;
  - (b) carry out such other duties for the purpose of furthering the efficiency and effectiveness of the police, the police support staff and traffic wardens as the [<sup>F21</sup>Department of Justice] may from time to time direct;
  - (c) make such reports as the [<sup>F21</sup>Department of Justice] may from time to time direct.]
- (5) Any expenditure incurred for the purposes of or in connection with an inspection under this section shall be defrayed by the [<sup>F22</sup>Department of Justice].

#### Textual Amendments

- F11** Words in s. 41(1) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 21(a)(i)** (with arts. 28-31)
- F12** Words in s. 41(1) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 21(a)(ii)** (with arts. 28-31)

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- F13** Words in s. 41(2) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 21(b)** (with arts. 28-31)
- F14** S. 41(2)(a)-(d) and “-” immediately preceding them substituted (4.11.2001) by [2000 c. 32, ss. 8\(1\), Sch. 6 para. 23\(4\)\(c\)](#); [S.R. 2001/396](#), art. 2, **Sch.**
- F15** S. 41(3A) substituted for s. 41(3)(3A) (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), **Sch. 4 para. 116**; [S.I. 2006/378](#), art. 4(1), Sch. para. 10
- F16** S. 41(3A)(3B) inserted (1.10.2002) by [2002 c. 30, s. 3\(2\)](#); [S.I. 2002/2306](#), **art. 2(a)**
- F17** Words in s. 41(3A) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 21(c)** (with arts. 28-31)
- F18** Words in s. 41(3B) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 21(c)** (with arts. 28-31)
- F19** S. 41(3C) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 21(d)** (with arts. 28-31)
- F20** S. 41(4) substituted (28.2.2003) by [Police \(Northern Ireland\) Act 2000 \(c. 32\)](#), **ss. 30(9)**, 79(1); [S.R. 2003/66](#), art. 3
- F21** Words in s. 41(4) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 21(b)** (with arts. 28-31)
- F22** Words in s. 41(5) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 21(b)** (with arts. 28-31)

**Modifications etc. (not altering text)**

- C1** S. 41 power to apply conferred (7.4.2005) by [Commissioners for Revenue and Customs Act 2005 \(c. 11\)](#), **ss. 27(2)(a)(ii)**, 53(1); [S.I. 2005/1126](#), art. 2(1)
- C2** S. 41 power to apply conferred (21.7.2009) by [Borders, Citizenship and Immigration Act 2009 \(c. 11\)](#), **ss. 29(2)(c)**, 58(1) (with s. 36(4))

**Marginal Citations**

- M1** [1996 c. 16](#).

**[<sup>F23</sup>41A Powers of Secretary of State in relation to reports and other duties of inspectors of constabulary**

- (1) For the purposes of subsections (2) to (8) information is “protected information” if the inclusion of the information in a report of the inspectors under section 41 would be against the interests of national security.
- (2) If it appears to the Secretary of State that—
- (a) the inspectors are required to prepare a report under section 41 (other than a report on an inspection required by the Secretary of State under section 41(3A)), and
  - (b) the report might contain (or once completed might contain) protected information,
- the Secretary of State may require the inspectors to refer the report to the Secretary of State (or, if the report is not completed when the requirement is imposed, to refer the report once it is completed).
- (3) The Secretary of State must, within—
- (a) the period of 30 days after the date on which the inspectors refer the report to the Secretary of State, or
  - (b) such longer period as may be agreed between the Secretary of State and the Department of Justice,

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notify the inspectors whether, in the opinion of the Secretary of State, the report contains any protected information.

- (4) If—
- (a) it appears to the inspectors that a report under section 41 (other than a report on an inspection required by the Secretary of State under section 41(3A)) might contain protected information, and
  - (b) the inspectors have not been required to refer the report to the Secretary of State under subsection (2),
- the inspectors must refer the report to the Secretary of State.
- (5) The Secretary of State must, within—
- (a) the period of 30 days after the date on which the inspectors refer the report to the Secretary of State, or
  - (b) such longer period as may be agreed between the Secretary of State and the Department of Justice,
- notify the inspectors whether, in the opinion of the Secretary of State, the report contains any protected information.
- (6) Where the Secretary of State has required that a report be referred to the Secretary of State under subsection (2), or the inspectors are required under subsection (4) to refer a report to the Secretary of State, the inspectors must not disclose the report to anyone apart from the Secretary of State, except—
- (a) in accordance with subsection (7),
  - (b) after being notified by the Secretary of State that, in the opinion of the Secretary of State, the report does not contain any protected information, or
  - (c) after the period mentioned in subsection (3) or (5) has expired without any notification being given by the Secretary of State.
- (7) Where the Secretary of State notifies the inspectors under subsection (3) or (5) that, in the opinion of the Secretary of State, a report contains protected information—
- (a) the Secretary of State may direct the inspectors to exclude from the report any information that, in the opinion of the Secretary of State, is protected information,
  - (b) the inspectors must exclude that information from the report,
  - (c) the Secretary of State must inform the Department of Justice that the Secretary of State has given a direction under paragraph (a), and
  - (d) the Secretary of State must lay before Parliament a statement that the Secretary of State has given a direction under paragraph (a).
- (8) When the inspectors provide to anyone a report from which information has been excluded under subsection (7), they must at the same time provide the report to the Secretary of State.
- (9) For the purposes of subsections (10) to (14) information is “protected information” if it is information that, in the interests of national security, ought not to be disclosed by the inspectors.
- (10) If it appears to the Secretary of State that any requirement imposed on the inspectors by the Department of Justice under section 41 may require them to disclose, otherwise than in a report, information that is or includes protected information, the Secretary of State may require the inspectors to refer the matter to the Secretary of State.

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- (11) If it appears to the inspectors that any requirement imposed on them by the Department of Justice under section 41 may require them to disclose, otherwise than in a report, information that is or includes protected information, they must refer the matter to the Secretary of State.
- (12) The Secretary of State must, within—
- (a) the period of 30 days after the date on which the inspectors refer a matter to the Secretary of State under subsection (10) or (11), or
  - (b) such longer period as may be agreed between the Secretary of State and the Department of Justice,
- notify the inspectors whether, in the opinion of the Secretary of State, the information in question is or includes protected information.
- (13) Where the inspectors are required under subsection (10) or (11) to refer a matter to the Secretary of State, they must not disclose the information in question to anyone apart from the Secretary of State, except—
- (a) in accordance with subsection (14),
  - (b) after being notified by the Secretary of State that, in the opinion of the Secretary of State, the information in question is not or does not include protected information, or
  - (c) after the period mentioned in subsection (12) has expired without any notification being given by the Secretary of State.
- (14) Where the Secretary of State notifies the inspectors under subsection (12) that, in the opinion of the Secretary of State, the information in question is or includes protected information—
- (a) the Secretary of State may set aside or modify the requirement imposed by the Department of Justice as the Secretary of State thinks appropriate so that the inspectors are not required to disclose any information that, in the opinion of the Secretary of State, is protected information;
  - (b) the inspectors must proceed accordingly;
  - (c) the Secretary of State must inform the Department of Justice that the Secretary of State has taken action under paragraph (a); and
  - (d) the Secretary of State must lay before Parliament a statement that the Secretary of State has taken action under paragraph (a).]

#### Textual Amendments

**F23** S. 41A inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 22](#) (with arts. 28-31)

## 42 Publication of reports of inspectors of constabulary.

- (1) Subject to subsection (2), the [F24Department of Justice] shall arrange for any report received by [F25it] under section 41(2) F26...[F27and any report of an inspection under section 41(4)(a)] to be published in such manner as appears to [F25it] to be appropriate.
- (2) The [F28Department of Justice] may exclude from publication under subsection (1) any part of a report if, in [F29its] opinion, the publication of that part—
  - (a) would be F30... prejudicial to public order; or

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- (b) might jeopardise the safety of any person.
- (3) The [F31Department of Justice] shall send a copy of the published report to—
  - (a) the [F32Board]; and
  - (b) the Chief Constable.
- (4) The [F32Board] shall invite the Chief Constable to submit comments on the published report to [F33the Board] before such date as it may specify.
- (5) The [F32Board] shall prepare comments on the published report and shall arrange for—
  - (a) its comments;
  - (b) any comments submitted by the Chief Constable in accordance with subsection (4); and
  - (c) any response which [F33the Board] has to the comments submitted by the Chief Constable,to be published in such manner as appears to [F33the Board] to be appropriate.
- (6) The [F32Board] shall send a copy of any document published under subsection (5) to the [F34Department of Justice].
- [F35(6A) In relation to a report received by the Secretary of State under section 41(3B)—
  - (a) subsections (1) to (6) above apply as if references to the Department of Justice were references to the Secretary of State;
  - (b) under subsection (2) above, the Secretary of State may also exclude from publication under subsection (1) any part of the report if, in the Secretary of State’s opinion, the publication of that part would be against the interests of national security.]

F36(7) .....

#### Textual Amendments

- F24** Words in s. 42(1) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 23(a)(i)** (with arts. 28-31)
- F25** Words in s. 42(1) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 23(a)(ii)** (with arts. 28-31)
- F26** Word in s. 42(1) omitted (1.4.2006) by virtue of [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), [Sch. 4 para. 117\(2\)](#), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. paras. 10, 13(ff)
- F27** Words in s. 42(1) inserted (28.2.2003) by [Police \(Northern Ireland\) Act 2000 \(c. 32\)](#), **ss. 30(10)**, 79(1); S.R. 2003/66, art. 3
- F28** Words in s. 42(2) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 23(b)(i)** (with arts. 28-31)
- F29** Word in s. 42(2) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 23(b)(ii)** (with arts. 28-31)
- F30** Words in s. 42(2) omitted (12.4.2010) by virtue of [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 23(b)(iii)** (with arts. 28-31)
- F31** Words in s. 42(3) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 23(c)** (with arts. 28-31)
- F32** Words in s. 42(3)(a)(4)-(7) substituted (4.11.2001) by [2000 c. 32](#), s. 78(1), **Sch. 6 para. 23(4)(b)**; S.R. 2001/396, art. 2, **Sch.**
- F33** Words in s. 42(4)(5) substituted (4.11.2001) by [2000 c. 32](#), s. 78(1), **Sch. 6 para. 23(4)(e)**; S.R. 2001/396, art. 2, **Sch.**

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- F34** Words in s. 42(6) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 23(d)** (with arts. 28-31)
- F35** S. 42(6A) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 23(e)** (with arts. 28-31)
- F36** S. 42(7) repealed (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), Sch. 4 para. 117(3), **Sch. 17 Pt. 2**; [S.I. 2006/378](#), art. 4(1), Sch. paras. 10, 13(ff)

**Modifications etc. (not altering text)**

- C3** S. 42 power to apply conferred (7.4.2005) by [Commissioners for Revenue and Customs Act 2005 \(c. 11\)](#), **ss. 27(2)(a)(iii)**, 53(1); [S.I. 2005/1126](#), art. 2(1)
- C4** S. 42 power to apply conferred (21.7.2009) by [Borders, Citizenship and Immigration Act 2009 \(c. 11\)](#), **ss. 29(2)(c)**, 58(1) (with s. 36(4))

**43 Criminal statistics.**

- (1) The Chief Constable shall, at such times and in such form as the [<sup>F37</sup>Department of Justice] may direct, transmit to the [<sup>F37</sup>Department of Justice] such particulars with respect to offences, offenders, criminal proceedings and the state of crime in Northern Ireland as the [<sup>F37</sup>Department of Justice] may require.
- (2) The [<sup>F38</sup>Department of Justice] shall cause an abstract of the information transmitted to [<sup>F39</sup>it] under this section to be prepared and published in such manner as [<sup>F40</sup>it] thinks appropriate.

**Textual Amendments**

- F37** Words in s. 43(1) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 24(a)** (with arts. 28-31)
- F38** Words in s. 43(2) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 24(b)(i)** (with arts. 28-31)
- F39** Word in s. 43(2) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 24(b)(ii)** (with arts. 28-31)
- F40** Word in s. 43(2) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 24(b)(iii)** (with arts. 28-31)

<sup>F41</sup>**44 Inquiries.**

**Textual Amendments**

- F41** S. 44 omitted (7.6.2005) by virtue of [Inquiries Act 2005 \(c. 12\)](#), s. 51(1), Sch. 2 para. 17, **3** (with ss. 44, 50); [S.I. 2005/1432](#), art. 2

**45 Research and advice.**

- (1) The [<sup>F42</sup>Department of Justice] may set up such bodies and take such other steps as appear to [<sup>F43</sup>the Department of Justice] to be necessary or expedient for the purpose of undertaking research into matters affecting the efficiency and effectiveness of [<sup>F44</sup>—
- (a) the Police Service of Northern Ireland;



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- (b) the Police Service of Northern Ireland Reserve;
  - (c) the police support staff; and
  - (d) traffic wardens].
- (2) The [F45]Department of Justice] may set up such bodies as appear to [F46]the Department of Justice] to be necessary or expedient for the purpose of advising [F46]the Department of Justice] on matters affecting the efficiency and effectiveness of [F44]—
- (a) the Police Service of Northern Ireland;
  - (b) the Police Service of Northern Ireland Reserve;
  - (c) the police support staff; and
  - (d) traffic wardens.]

#### Textual Amendments

- F42** Words in s. 45(1) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 25\(a\)\(i\)](#) (with arts. 28-31)
- F43** Words in s. 45(1) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 25\(a\)\(ii\)](#) (with arts. 28-31)
- F44** S. 45(1)(a)-(d)(2)(a)-(d) and “-” immediately preceding them substituted (4.11.2001) by 2000 c. 32, s. 78(1), [Sch. 6 para. 23\(4\)\(c\)](#); S.R. 2001/396, art. 2, [Sch.](#)
- F45** Words in s. 45(2) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 25\(b\)\(i\)](#) (with arts. 28-31)
- F46** Words in s. 45(2) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 25\(b\)\(ii\)](#) (with arts. 28-31)

#### 46 Expenditure by [F47]Department of Justice] for police purposes.

- The [F48]Department of Justice] may—
- (a) make such contribution to the provision or maintenance of such organisations, facilities and services; and
  - (b) make such other payments,
- as [F49]the Department of Justice] thinks necessary or expedient for promoting the efficiency and effectiveness of [F50]—
- (a) the Police Service of Northern Ireland;
  - (b) the Police Service of Northern Ireland Reserve;
  - (c) the police support staff; and
  - (d) traffic wardens.]

#### Textual Amendments

- F47** Words in s. 46 substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 26\(2\)](#) (with arts. 28-31)
- F48** Words in s. 46 substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 26\(1\)\(a\)](#) (with arts. 28-31)
- F49** Words in s. 46 substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), [Sch. 3 para. 26\(1\)\(b\)](#) (with arts. 28-31)
- F50** S. 46(a)-(d) and “-” immediately preceding them substituted (4.11.2001) by 2000 c. 32, s. 78(1), [Sch. 6 para. 23\(4\)\(c\)](#); S.R. 2001/396, art. 2, [Sch.](#)

**Changes to legislation:**

Police (Northern Ireland) Act 1998, Part V is up to date with all changes known to be in force on or before 15 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 50A inserted by [2023 c. 41 s. 45\(1\)](#)
- s. 60ZD inserted by [2023 c. 41 Sch. 13 para. 3](#)
- s. 66(3A) modified by 2003 c. 6 s. 30(11) (as added) by [S.I. 2007/912 \(N.I.\) Sch. 4 para. 4](#)