

Status: Point in time view as at 01/04/1999. This version of this schedule contains provisions that are not valid for this point in time.

Changes to legislation: Police (Northern Ireland) Act 1998, SCHEDULE 4 is up to date with all changes known to be in force on or before 05 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)

SCHEDULES

SCHEDULE 4

Section 74.

AMENDMENTS

Extent Information

E1 For the extent of amendments in Sch. 4 see [s. 76\(1\)\(3\)](#).

The Incitement to Disaffection Act 1934 (c. 56)

- 1 In section 2(4) of the Incitement to Disaffection Act 1934 for “the Police (Property) Act 1897” there shall be substituted “ section 31 of the Police (Northern Ireland) Act 1998 ”.

The Police (Overseas Service) Act 1945 (c. 17)

- 2 The Police (Overseas Service) Act 1945 shall extend to Northern Ireland and section 3(4) of that Act shall accordingly cease to have effect.

The Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.))

- 3 (1) Section 43(2) of the Interpretation Act (Northern Ireland) 1954 shall be amended as follows.

- (2) At the appropriate place in alphabetical order there shall be inserted—

““Chief Constable” shall mean the Chief Constable of the Royal Ulster Constabulary;”.

- (3) For the definition of “constable” there shall be substituted—

““constable”, except when used in enactments relating to the pay or pensions of, or the general administration of, the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve, shall include—

- (a) any member of the Royal Ulster Constabulary;
- (b) any member of the Royal Ulster Constabulary Reserve;
- (c) any member of any Harbour or Airport Police;
- (d) any member of the Naval, Military or Royal Air Force Police or of the Ministry of Defence Police;
- (e) any other person having for the time being the powers of a constable;”.

- (4) The definitions of “county inspector”, “Inspector General” and “member of the Royal Ulster Constabulary” shall be omitted.

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(5) For the definition of “reserve constable” there shall be substituted—

““reserve constable” shall mean a person appointed a reserve constable under section 23 of the Police (Northern Ireland) Act 1998;”.

VALID FROM 21/02/2003

The Police (Scotland) Act 1967 (c. 77)

- 4 (1) The Police (Scotland) Act 1967 shall be amended as follows.
- (2) In section 38A(1) after paragraph (c) there shall be inserted—
- “(ca) temporary service with the Police Ombudsman for Northern Ireland on which a person is engaged in accordance with arrangements made under paragraph 8 of Schedule 3 to the Police (Northern Ireland) Act 1998;”.
- (3) In section 38A(6)(c) after “paragraph” insert “ (ca) or ”.
- (4) In section 38A(7)(b) after “by or on behalf of” there shall be inserted “ the Police Ombudsman for Northern Ireland or (as the case may be) ”.

The Local Government Act (Northern Ireland) 1972 (c. 9 (N.I.))

- 5 In section 93(3) of the Local Government Act (Northern Ireland) 1972 for “section 7 of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968” there shall be substituted “ section 66 of the Police (Northern Ireland) Act 1998 ”.

The Superannuation (Northern Ireland) Order 1972 (NI 10)

- 6 In Article 15 of the Superannuation (Northern Ireland) Order 1972 for paragraphs (c), (d) and (e) there shall be substituted—
- “(c) regulations relating to pensions under section 25 or 26 of the Police (Northern Ireland) Act 1998”.

The Overseas Pensions Act 1973 (c. 21)

- 7 In section 2(2)(d) of the Overseas Pensions Act 1973 after sub-paragraph (ii) there shall be inserted “or
- (iii) a member of the Royal Ulster Constabulary engaged on relevant service within the meaning of section 27(1)(d), (g) or (h) of the Police (Northern Ireland) Act 1998;”.

VALID FROM 21/02/2003

The House of Commons Disqualification Act 1975 (c. 24)

- 8 In Part III of Schedule 1 to the House of Commons Disqualification Act 1975 the following entry shall be inserted at the appropriate place in alphabetical order—

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“The Police Ombudsman for Northern Ireland.”

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The Northern Ireland Assembly Disqualification Act 1975 (c. 25)

9 In Part III of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 the following entry shall be inserted at the appropriate place in alphabetical order—

“The Police Ombudsman for Northern Ireland.”

PROSPECTIVE

The Fair Employment (Northern Ireland) Act 1976 (c. 25)

F110

Textual Amendments

F1 Sch. 4 para. 10 repealed (1.3.1999) by S.I. 1998/3162 (N.I. 21), art. 105(4), Sch. 5; S.R. 1999/81, art. 3

The Animals (Northern Ireland) Order 1976 (NI 13)

11 In Article 10(9) of the Animals (Northern Ireland) Order 1976 for the words from “has the same meaning” to the end there shall be substituted “ means a member of the Royal Ulster Constabulary holding the rank of inspector or a higher rank ”.

The Sex Discrimination (Northern Ireland) Order 1976 (NI 15)

12 (1) Article 19 of the Sex Discrimination (Northern Ireland) Order 1976 shall be amended as follows.

(2) In paragraph (2) for the words from the beginning to “1970” there shall be substituted “ Regulations under section 25 or 26 of the Police (Northern Ireland) Act 1998 ”.

(3) After paragraph (4) there shall be inserted—

“(4A) In the application of paragraph (4) to the police force, for the words “as expenses of the police authority” there shall be substituted the words “out of funds put at the disposal of the Chief Constable under section 10(5) of the Police (Northern Ireland) Act 1998”.”.

(4) In paragraph (6) in the definition of “police force” for “Police Act (Northern Ireland) 1970” there shall be substituted “ Police (Northern Ireland) Act 1998 ”.

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Commencement Information

- II** Sch. 4 para. 12 partly in force; Sch. 4 para. 12 not in force at Royal Assent see s. 75(1); Sch. 4 para. 12(2) in force at 9.2.1999 by S.R. 1999/48, art. 3 (with art. 4); Sch. 4 para. 12 in force at 1.4.1999 in so far as not already in force by S.R. 1999/176, art. 3 (with art. 4)

The Criminal Damage (Northern Ireland) Order 1977 (NI 4)

- 13 In Article 8(3) of the Criminal Damage (Northern Ireland) Order 1977 for “The Police (Property) Act 1897” there shall be substituted “ Section 31 of the Police (Northern Ireland) Act 1998 ” and for “that Act” there shall be substituted “ that section ”.

The Customs and Excise Act 1979 (c. 2)

- 14 In section 139(4)(c) of the Customs and Excise Act 1979 for “the Police (Property) Act 1897” there shall be substituted “ section 31 of the Police (Northern Ireland) Act 1998 ”.

The Firearms (Northern Ireland) Order 1981 (NI 2)

- 15 In Schedule 1 to the Firearms (Northern Ireland) Order 1981 in paragraph 4 after “1968” there shall be inserted “ or section 66 of the Police (Northern Ireland) Act 1998 ”.

The Ministry of Defence Police Act 1987 (c. 4)

- 16 In section 1(2)(c) of the Ministry of Defence Police Act 1987 for “taking and subscribing the oath” there shall be substituted “ making the declaration ”.

The Official Secrets Act 1989 (c. 6)

- 17 In section 12(1)(e) of the Official Secrets Act 1989 for “Police Act (Northern Ireland) 1970” there shall be substituted “ Police (Northern Ireland) Act 1998 ”.

The Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)

- 18 (1) The Police and Criminal Evidence (Northern Ireland) Order 1989 shall be amended as follows.
- (2) In Article 7(1) for “section 15 of the Police Act (Northern Ireland) 1970” there shall be substituted “ section 48(1) of the Police (Northern Ireland) Act 1998 ”.
- (3) In Article 24(5) for “section 1 of the Police (Property) Act 1897” there shall be substituted “ section 31 of the Police (Northern Ireland) Act 1998 ”.
- (4) In Article 50(2) for “section 15(1) of the Police Act (Northern Ireland) 1970” there shall be substituted “ section 48(1) of the Police (Northern Ireland) Act 1998 ”.

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(5) In Article 56(14) for “section 15(1) of the Police Act (Northern Ireland) 1970” there shall be substituted “ section 48(1) of the Police (Northern Ireland) Act 1998 ”.

(6) In Article 84 in paragraphs (1) and (2) for “chief superintendent” there shall be substituted “ assistant chief constable ”.

Commencement Information

I2 Sch. 4 para. 18 wholly in force at 1.4.1999; Sch. 4 para. 18 not in force at Royal Assent see s. 75(1); Sch. 4 para. 18(2)-(4) in force at 8.10.1998 by S.R. 1998/346; Sch. 4 para. 18(5) in force at 9.2.1999 by S.R. 1999/48, art. 3 (with art. 4); Sch. 4 para. 18 in force at 1.4.1999 insofar as not already in force by S.R. 1999/176, art. 3 (with art. 4)

The Criminal Justice (Northern Ireland) Order 1994 (NI 15)

19 In Article 12(3) of the Criminal Justice (Northern Ireland) Order 1994 for subparagraphs (a) and (b) there shall be substituted—

- “(a) before the end of the period of 6 months beginning on the date on which the order under Article 11 was made; or
- (b) if a successful application under section 31(1) of the Police (Northern Ireland) Act 1998 has been made.”.

The Police Act 1996 (c. 16)

20 (1) The Police Act 1996 shall be amended as follows.

(2) In section 63(1A)(a) for “section 21 of the Police Act (Northern Ireland) 1970” there shall be substituted “ section 27 of the Police (Northern Ireland) Act 1998 ”.

(3) In section 97(1) after paragraph (e) there shall be inserted—

- “(ea) temporary service with the Police Ombudsman for Northern Ireland on which a person is engaged in accordance with arrangements made under paragraph 8 of Schedule 3 to the Police (Northern Ireland) Act 1998;”.

(4) In section 97(6)(c) after “paragraph” insert “ (ea) or ”.

(5) In section 97(7)(b) after “by or on behalf of” there shall be inserted “ the Police Ombudsman for Northern Ireland or (as the case may be) ”.

(6) In section 98(8) for “Police Act (Northern Ireland) 1970” there shall be substituted “ Police (Northern Ireland) Act 1998 ”.

Commencement Information

I3 Sch. 4 para. 20 partly in force; Sch. 4 para. 20 not in force at Royal Assent see s. 75(1); it is provided by S.R. 1999/48, art. 3 that Sch. 4 para. 20(2)(3)(4)(5) and (9) shall come into operation on 9.2.1999 and it is provided by S.R. 1999/176, art. 3 that Sch. 4 para. 20 except sub-para. (3)-(5) shall come into operation on 1.4.1999

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VALID FROM 21/02/2003

The Juries (Northern Ireland) Order 1996 (NI 6)

- 21 In Schedule 2 to the Juries (Northern Ireland) Order 1996 for the entry “Members and staff of the Independent Commission for Police Complaints for Northern Ireland” there shall be substituted—
- “The Police Ombudsman for Northern Ireland and persons employed by him.”.

The Police Act 1997 (c. 50)

- 22 (1) The Police Act 1997 shall be amended as follows.
- (2) In section 6(3)(d) for “section 25 of the Police Act (Northern Ireland) 1970” there shall be substituted “ section 25 of the Police (Northern Ireland) Act 1998 ”.
- (3) In section 9(2)(b) for “section 21 of the Police Act (Northern Ireland) 1970” there shall be substituted “ section 27 of the Police (Northern Ireland) Act 1998 ”.
- (4) In section 9(3)(c) for “section 25 of the Police Act (Northern Ireland) 1970” there shall be substituted “ section 25 of the Police (Northern Ireland) Act 1998 ”.
- (5) In section 21(3) for “section 25(2)(k) of the Police Act (Northern Ireland) 1970” there shall be substituted “ section 25(2)(k) of the Police (Northern Ireland) Act 1998 ”.
- (6) In section 23(5) for “section 6(2) of the Police Act (Northern Ireland) 1970” there shall be substituted “ section 19(1) of the Police (Northern Ireland) Act 1998 ”.
- (7) In sections 30(1)(c) and 40 for “section 16 of the Police Act (Northern Ireland) 1970” there shall be substituted “ section 41 of the Police (Northern Ireland) Act 1998 ”.
- (8) In section 39(2)(b) for the words from “Police (Amendment)” to the end there shall be substituted “ Part VII of the Police (Northern Ireland) Act 1998, and for that purpose the regulations may confer additional functions on the Police Ombudsman for Northern Ireland. ”.
- (9) In sections 52(3)(d) and 55(3)(c) for “section 25 of the Police Act (Northern Ireland) 1970” there shall be substituted “ section 25 of the Police (Northern Ireland) Act 1998 ”.

Commencement Information

- I4** Sch. 4 para. 22 partly in force; Sch. 4 para. 22 not in force at Royal Assent see. s. 75(1); Sch. 4 para. 22(1)-(7)(9) in force at 1.4.1999 by S.R. 1999/176, art. 3

The Road Traffic Regulation (Northern Ireland) Order 1997 (NI 2)

- 23 In Article 44(1) of the Road Traffic Regulation (Northern Ireland) Order 1997 for “persons appointed or deemed to have been appointed for the purpose” there shall be substituted “ traffic wardens appointed ”.

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The Race Relations (Northern Ireland) Order 1997 (NI 6)

- 24 (1) Article 17 of the Race Relations (Northern Ireland) Order 1997 shall be amended as follows.
- (2) After paragraph (3) there shall be inserted—
- “(3A) In the application of this Article to the police force—
- (a) in paragraph (2) for the words “as expenses of the police authority” there shall be substituted the words “out of funds put at the disposal of the Chief Constable under section 10(5) of the Police (Northern Ireland) Act 1998”; and
- (b) paragraph (3) shall be omitted.”.
- (3) In paragraph (4) in the definition of “police force” for “Police Act (Northern Ireland) 1970” there shall be substituted “ Police (Northern Ireland) Act 1998 ”.

The Police (Health and Safety)(Northern Ireland) Order 1997 (NI 16)

- 25 In Article 7(3) of the Police (Health and Safety)(Northern Ireland) Order 1997 in the definition of “the relevant fund” after paragraph (a) there shall be inserted—
- “(aa) in relation to the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve, funds put at the disposal of the Chief Constable under section 10(5) of the Police (Northern Ireland) Act 1998; and”.

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