

Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Paragraph 19ZA. (See end of Document for details)

SCHEDULES

SCHEDULE 3 U.K.

HANDLING OF COMPLAINTS AND CONDUCT MATTERS ETC.

Modifications etc. (not altering text)

- C1** Sch. 3 modified (15.12.2017) by S.I. 2012/1204, **Sch. Pt. 1** (as inserted by The Police (Conduct, Complaints and Misconduct and Appeal Tribunal) (Amendment) Regulations 2017 (S.I. 2017/1134), reg. 1(1), **Sch. 2** (with reg. 2))
- C1** Sch. 3 applied (with modifications) by 1984 c. 55, **ss. 56A-56C** (as inserted (6.4.2023 for specified purposes) by Building Safety Act 2022 (c. 30), **ss. 53(1)**, 170(4)(c); S.I. 2023/362, **reg. 3(1)(v)**)

PART 3 U.K.

INVESTIGATIONS AND SUBSEQUENT PROCEEDINGS

[^{F1}Investigations by the [^{F2}Director General]: power to serve information notice

Textual Amendments

- F1** Sch. 3 paras. 19ZA-19ZD and cross-headings inserted (8.4.2015) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), **ss. 137**, 185(1) (with **ss. 21**, 33, 42, 58, 75, 93); S.I. 2015/373, art. 5(b)
- F2** Words in Sch. 3 substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 56(2)** (with Sch. 9 para. 56(6)); S.I. 2017/1249, reg. 2 (with reg. 3)

19ZA (1) The [^{F2}Director General] may serve upon any person an information notice requiring the person to provide [^{F3}the Director General] with information that [^{F3}the Director General] reasonably requires for the purposes of an investigation in accordance with paragraph 19.

- (2) But an information notice 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 [^{F4}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.

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- (3) Neither must an information notice require a postal or telecommunications operator^{F5} ... to provide communications data^{F6}....
- [In sub-paragraph (3) “communications data”, “postal operator” and^{F7}(3A) “telecommunications operator” have the same meanings as in the Investigatory Powers Act 2016 (see sections 261 and 262 of that Act).]
- (4) An information notice must—
- (a) specify or describe the information that is required by the [F2Director General] and the form in which it must be provided;
 - (b) specify the period within which the information must be provided;
 - (c) give details of the right of appeal against the information notice under paragraph 19ZC.
- (5) The period specified under sub-paragraph (4)(b) must not end before the end of the period within which an appeal can be brought against the notice and, if such an appeal is brought, the information need not be provided pending the determination or withdrawal of the appeal.
- (6) The [F2Director General] may cancel an information notice by written notice to the person on whom it was served.]

Textual Amendments

- F3** Words in Sch. 3 substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 56(4)** (with Sch. 9 para. 56(6)); S.I. 2017/1249, reg. 2 (with reg. 3)
- F4** Words in Sch. 3 para. 19ZA(2)(c) substituted (27.6.2018) by Investigatory Powers Act 2016 (c. 25), s. 272(1), **Sch. 10 para. 13** (with Sch. 9 paras. 7, 8, 10); S.I. 2018/652, reg. 12(g)(iii)
- F5** Words in Sch. 3 para. 19ZA(3) omitted (5.2.2019) by virtue of Investigatory Powers Act 2016 (c. 25), s. 272(1), **Sch. 10 para. 61(2)(a)** (with Sch. 9 paras. 7, 8, 10); S.I. 2019/174, reg. 2(p)(iv)
- F6** Words in Sch. 3 para. 19ZA(3) omitted (5.2.2019) by virtue of Investigatory Powers Act 2016 (c. 25), s. 272(1), **Sch. 10 para. 61(2)(b)** (with Sch. 9 paras. 7, 8, 10); S.I. 2019/174, reg. 2(p)(iv)
- F7** Sch. 3 para. 19ZA(3A) inserted (5.2.2019) by Investigatory Powers Act 2016 (c. 25), s. 272(1), **Sch. 10 para. 61(3)** (with Sch. 9 paras. 7, 8, 10); S.I. 2019/174, reg. 2(p)(iv)

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