

*Status: Point in time view as at 20/12/2023.*

*Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Part 1. (See end of Document for details)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 3B

#### DESIGNATIONS UNDER SECTION 38

##### Textual Amendments

- F1** Sch. 3B inserted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 10](#); [S.I. 2017/1139](#), [reg. 2\(d\)](#) (with [regs. 4, 5](#)) (as amended by [S.I. 2017/1162](#), [reg. 2](#))

#### PART 1

##### EXCLUDED POWERS AND DUTIES OF CONSTABLES

- 1 Any power or duty of a constable to make an arrest.
- 2 Any power or duty of a constable to stop and search an individual or a vehicle or other thing.
- 3 The power of a constable, under section 36(4) of the Police and Criminal Evidence Act 1984, to perform the functions of a custody officer at a designated police station if a custody officer is not readily available to perform them.
- [<sup>F2</sup>3A. The power of a constable, under section 55(6) of the Police and Criminal Evidence Act 1984<sup>F3</sup>, to conduct an intimate search if an officer of at least the rank of inspector considers under section 55(5) of that Act that an intimate search by a suitably qualified person is not practicable.]

##### Textual Amendments

- F2** Sch. 3B para. 3A inserted (E.W.) (8.5.2018) by [The Police Powers of Designated Civilian Staff and Volunteers \(Excluded Powers and Duties of Constables\) Regulations 2018 \(S.I. 2018/475\)](#), [regs. 1, 2\(2\)](#)
- F3** 1984 c. 60. Section 55(5) was amended by section 79 of the [Criminal Justice and Police Act 2001 \(c. 16\)](#).

- 4 Any power that is exercisable only by a constable of a particular rank.
- 5 Any power of a constable under—
- (a) the Terrorism Act 2000;
  - (b) the Terrorism Act 2006;
  - (c) the Counter-Terrorism Act 2008;
  - (d) the Terrorism Prevention and Investigation Measures Act 2011;
  - (e) the Counter-Terrorism and Security Act 2015.
- 6 Any power of a constable under [<sup>F4</sup>the National Security Act 2023].

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**Textual Amendments**

**F4** Words in [Sch. 3B para. 6](#) substituted (20.12.2023) by [The National Security Act 2023 \(Consequential Amendments of Primary Legislation\) Regulations 2023 \(S.I. 2023/1386\)](#), reg. 1(2), [Sch. para. 23](#)

7 The power of a constable to make an application on behalf of the Commissioner of Police of the Metropolis under section 19 or 21 of the Investigatory Powers Act 2016 (applications for warrants under Chapter 1 of Part 2 of that Act).]

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