Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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

VALID FROM 01/03/2006

SCHEDULE 1

Section 1

THE SERIOUS ORGANISED CRIME AGENCY

. . . . . .

VALID FROM 01/03/2006

SCHEDULE 2

Section 55

FUNCTIONS OF INDEPENDENT POLICE COMPLAINTS COMMISSION IN RELATION TO SOCA

. . . . . .

VALID FROM 01/01/2006

SCHEDULE 3

Section 58

TRANSFERS TO SOCA

. . . . . .

VALID FROM 01/01/2006

SCHEDULE 4

Section 59

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO SOCA

. . . . . .

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

VALID FROM 01/04/2006

SCHEDULE 5

Section 82

PERSONS SPECIFIED FOR THE PURPOSES OF SECTION 82

. . . . . .

VALID FROM 01/08/2005

SCHEDULE 6

Section 109

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO CHAPTER 6 OF PART 2

. . . . . .

VALID FROM 01/01/2006

SCHEDULE 7

Section 111

POWERS OF ARREST: SUPPLEMENTARY

. . . . . .

SCHEDULE 8

Section 122

POWERS OF DESIGNATED AND ACCREDITED PERSONS

PART 1

DESIGNATED PERSONS

1 Schedule 4 to the Police Reform Act 2002 (c. 30) (powers exercisable by police civilians) is amended as follows.

Commencement Information

I1 Sch. 8 para. 1 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

Community support officers

2 After paragraph 1 insert—

"**Power to require name and address**

1A (1) This paragraph applies if a designation applies it to any person.

(2) Such a designation may specify that, in relation to that person, the application of sub-paragraph (3) is confined to one or more only (and not to all) relevant offences or relevant licensing offences, being in each case specified in the designation.

(3) Subject to sub-paragraph (4), where that person has reason to believe that another person has committed a relevant offence in the relevant police area, or a relevant licensing offence (whether or not in the relevant police area), he may require that other person to give him his name and address.

(4) The power to impose a requirement under sub-paragraph (3) in relation to an offence under a relevant byelaw is exercisable only in a place to which the byelaw relates.

(5) A person who fails to comply with a requirement under sub-paragraph (3) is guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.

(6) In its application to an offence which is an offence by reference to which a notice may be given to a person in exercise of the power mentioned in paragraph 1(2)(aa), sub-paragraph (3) of this paragraph shall have effect as if for the words "has committed a relevant offence in the relevant police area" there were substituted " in the relevant police area has committed a relevant offence ".

(7) In this paragraph, "relevant offence", "relevant licensing offence" and "relevant byelaw" have the meaning given in paragraph 2 (reading accordingly the references to "this paragraph" in paragraph 2(6))."

Commencement Information

I2 Sch. 8 para. 2 in force at 1.7.2005 for specified purposes by S.I. 2005/1521, **art. 3(1)(i)**

3 (1) Paragraph 2 (power to detain etc.) is amended as follows.

(2) For sub-paragraph (2) substitute—

"(2) A designation may not apply this paragraph to any person unless a designation also applies paragraph 1A to him."

(3) In sub-paragraph (3)—

(a) for "sub-paragraph (2)" substitute " paragraph 1A(3) ",

(b) at the end add the following new sentence— " This sub-paragraph does not apply if the requirement was imposed in connection with a relevant licensing offence mentioned in paragraph (a), (c) or (f) of sub-paragraph (6A) believed to have been committed on licensed premises (within the meaning of the Licensing Act 2003). "

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(4) After sub-paragraph (3) insert—

"(3A) Where—

(a) a designation applies this paragraph to any person ("the CSO"); and

(b) by virtue of a designation under paragraph 1A the CSO has the power to impose a requirement under sub-paragraph (3) of that paragraph in relation to an offence under a relevant byelaw,

the CSO shall also have any power a constable has under the relevant byelaw to remove a person from a place.

(3B) Where a person to whom this paragraph applies ("the CSO") has reason to believe that another person is committing an offence under section 3 or 4 of the Vagrancy Act 1824, and requires him to stop doing whatever gives rise to that belief, the CSO may, if the other person fails to stop as required, require him to wait with the CSO, for a period not exceeding thirty minutes, for the arrival of a constable."

(5) In sub-paragraph (4), after "(3)" insert " or (3B) ".

(6) In sub-paragraph (5)—

(a) omit paragraph (a),

(b) in paragraph (b), after "(3)" insert " or (3B) ".

(7) In sub-paragraph (6), after the paragraph (ab) inserted by paragraph 13(2) of Schedule 13 to this Act, insert—

"(ac) an offence under section 3 or 4 of the Vagrancy Act 1824; or

(ad) an offence under a relevant byelaw; or".

(8) After sub-paragraph (6) insert—

"(6A) In this paragraph "relevant licensing offence" means an offence under any of the following provisions of the Licensing Act 2003—

(a) section 141 (otherwise than by virtue of subsection (2)(c) or (3) of that section);

(b) section 142;

(c) section 146(1);

(d) section 149(1)(a), (3)(a) or (4)(a);

(e) section 150(1);

(f) section 150(2) (otherwise than by virtue of subsection (3)(b) of that section);

(g) section 152(1) (excluding paragraph (b)).

(6B) In this paragraph "relevant byelaw" means a byelaw included in a list of byelaws which—

(a) have been made by a relevant body with authority to make byelaws for any place within the relevant police area; and

(b) the chief officer of the police force for the relevant police area and the relevant body have agreed to include in the list.

(6C) The list must be published by the chief officer in such a way as to bring it to the attention of members of the public in localities where the byelaws in the list apply.

Status: *Point in time view as at 01/07/2005.*
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(6D) A list of byelaws mentioned in sub-paragraph (6B) may be amended from time to time by agreement between the chief officer and the relevant body in question, by adding byelaws to it or removing byelaws from it, and the amended list shall also be published by the chief officer as mentioned in sub-paragraph (6C).

(6E) A relevant body for the purposes of sub-paragraph (6B) is—

(a) in England, a county council, a district council, a London borough council or a parish council; or in Wales, a county council, a county borough council or a community council;

(b) the Greater London Authority;

(c) Transport for London;

(d) a metropolitan county passenger transport authority established under section 28 of the Local Government Act 1985;

(e) any body specified in an order made by the Secretary of State.

(6F) An order under sub-paragraph (6E)(e) may provide, in relation to any body specified in the order, that the agreement mentioned in sub-paragraph (6B)(b) and (6D) is to be made between the chief officer and the Secretary of State (rather than between the chief officer and the relevant body).”

(9) Omit sub-paragraph (7).

(10) At the end add—

“(8) The application of any provision of this paragraph by paragraph 3(2), 3A(2) or 7A(8) has no effect unless a designation under this paragraph has applied this paragraph to the CSO in question.”

Commencement Information

I3 Sch. 8 para. 3(1) (2) (3)(a) (4)-(7) (9) (10) in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

I4 Sch. 8 para. 3(8) in force at 1.7.2005 for specified purposes by S.I. 2005/1521, **art. 3(1)(i)**

VALID FROM 01/01/2006

4 After paragraph 2 insert—

“**Powers to search individuals and to seize and retain items**

2A (1) Where a designation applies this paragraph to any person, that person shall (subject to sub-paragraph (3)) have the powers mentioned in sub-paragraph (2) in relation to a person upon whom he has imposed a requirement to wait under paragraph 2(3) or (3B) (whether or not that person makes an election under paragraph 2(4)).

(2) Those powers are the same powers as a constable has under section 32 of the 1984 Act in relation to a person arrested at a place other than a police station—

(a) to search the arrested person if the constable has reasonable grounds for believing that the arrested person may present a danger to himself or others; and to seize and retain anything he

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finds on exercising that power, if the constable has reasonable grounds for believing that the person being searched might use it to cause physical injury to himself or to any other person;

(b) to search the arrested person for anything which he might use to assist him to escape from lawful custody; and to seize and retain anything he finds on exercising that power (other than an item subject to legal privilege) if the constable has reasonable grounds for believing that the person being searched might use it to assist him to escape from lawful custody.

(3) If in exercise of the power conferred by sub-paragraph (1) the person to whom this paragraph applies seizes and retains anything by virtue of sub-paragraph (2), he must—

(a) tell the person from whom it was seized where inquiries about its recovery may be made; and

(b) comply with a constable's instructions about what to do with it.”

5 In paragraph 3 (power to require name and address of person acting in anti-social manner), in sub-paragraph (2), for “sub-paragraph (2) of that paragraph” substitute “ paragraph 1A(3) ”.

Commencement Information

I5 Sch. 8 para. 5 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

6 After paragraph 3 insert—

“**Power to require name and address: road traffic offences**

3A (1) Where a designation applies this paragraph to any person, that person shall, in the relevant police area, have the powers of a constable—

(a) under subsection (1) of section 165 of the Road Traffic Act 1988 to require a person mentioned in paragraph (c) of that subsection who he has reasonable cause to believe has committed, in the relevant police area, an offence under subsection (1) or (2) of section 35 of that Act (including that section as extended by paragraphs 11B(4) and 12(2) of this Schedule) to give his name and address; and

(b) under section 169 of that Act to require a person committing an offence under section 37 of that Act (including that section as extended by paragraphs 11B(4) and 12(2) of this Schedule) to give his name and address.

(2) Sub-paragraphs (3) to (5) of paragraph 2 apply in the case of a requirement imposed by virtue of sub-paragraph (1) as they apply in the case of a requirement under paragraph 1A(3).

(3) The reference in section 169 of the Road Traffic Act 1988 to section 37 of that Act is to be taken to include a reference to that section as extended by paragraphs 11B(4) and 12(2) of this Schedule.”

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

Commencement Information

I6 Sch. 8 para. 6 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

7 In paragraph 4 (power to use reasonable force to detain person)—

(a) in sub-paragraph (2)(b), after "paragraph" insert " 1A or ",

(b) in sub-paragraph (3), for "paragraph 2(2)" substitute " paragraph 1A(3) ".

Commencement Information

I7 Sch. 8 para. 7 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

VALID FROM 01/01/2006

8 After paragraph 7 insert—

"**Search and seizure powers: alcohol and tobacco**

7A (1) Where a designation applies this paragraph to any person ("the CSO"), the CSO shall have the powers set out below.

(2) Where—

(a) in exercise of the powers referred to in paragraph 5 or 6 the CSO has imposed, under section 12(2) of the Criminal Justice and Police Act 2001 or under section 1 of the Confiscation of Alcohol (Young Persons) Act 1997, a requirement on a person to surrender alcohol or a container for alcohol;

(b) that person fails to comply with that requirement; and

(c) the CSO reasonably believes that the person has alcohol or a container for alcohol in his possession,

the CSO may search him for it.

(3) Where—

(a) in exercise of the powers referred to in paragraph 7 the CSO has sought to seize something which by virtue of that paragraph he has a power to seize;

(b) the person from whom he sought to seize it fails to surrender it; and

(c) the CSO reasonably believes that the person has it in his possession,

the CSO may search him for it.

(4) The power to search conferred by sub-paragraph (2) or (3)—

(a) is to do so only to the extent that is reasonably required for the purpose of discovering whatever the CSO is searching for; and

(b) does not authorise the CSO to require a person to remove any of his clothing in public other than an outer coat, jacket or gloves.

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(5) A person who without reasonable excuse fails to consent to being searched is guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.

(6) A CSO who proposes to exercise the power to search a person under sub-paragraph (2) or (3) must inform him that failing without reasonable excuse to consent to being searched is an offence.

(7) If the person in question fails to consent to being searched, the CSO may require him to give the CSO his name and address.

(8) Sub-paragraph (3) of paragraph 2 applies in the case of a requirement imposed by virtue of sub-paragraph (7) as it applies in the case of a requirement under paragraph 1A(3); and sub-paragraphs (4) to (5) of paragraph 2 also apply accordingly.

(9) If on searching the person the CSO discovers what he is searching for, he may seize it and dispose of it.

Powers to seize and detain: controlled drugs

7B (1) Where a designation applies this paragraph to any person ("the CSO"), the CSO shall, within the relevant police area, have the powers set out in sub-paragraphs (2) and (3).

(2) If the CSO—

(a) finds a controlled drug in a person's possession (whether or not he finds it in the course of searching the person by virtue of a designation under any paragraph of this Schedule); and

(b) reasonably believes that it is unlawful for the person to be in possession of it,

the CSO may seize it and retain it.

(3) If the CSO—

(a) finds a controlled drug in a person's possession (as mentioned in sub-paragraph (2)); or

(b) reasonably believes that a person is in possession of a controlled drug,

and reasonably believes that it is unlawful for the person to be in possession of it, the CSO may require him to give the CSO his name and address.

(4) If in exercise of the power conferred by sub-paragraph (2) the CSO seizes and retains a controlled drug, he must—

(a) if the person from whom it was seized maintains that he was lawfully in possession of it, tell the person where inquiries about its recovery may be made; and

(b) comply with a constable's instructions about what to do with it.

(5) A person who fails to comply with a requirement under sub-paragraph (3) is guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(6) In this paragraph, "controlled drug" has the same meaning as in the Misuse of Drugs Act 1971.

Powers to seize and detain: controlled drugs

7C (1) Sub-paragraph (2) applies where a designation applies this paragraph to any person ("the CSO").

(2) If the CSO imposes a requirement on a person under paragraph 7B(3)—

(a) sub-paragraph (3) of paragraph 2 applies in the case of such a requirement as it applies in the case of a requirement under paragraph 1A(3); and

(b) sub-paragraphs (4) to (5) of paragraph 2 also apply accordingly."

VALID FROM 01/01/2006

9 After paragraph 8 insert—

"**Entry to investigate licensing offences**

8A (1) Where a designation applies this paragraph to any person, that person shall have the powers of a constable under section 180 of the Licensing Act 2003 to enter and search premises other than clubs in the relevant police area, but only in respect of a relevant licensing offence (as defined for the purposes of paragraph 2).

(2) Except as mentioned in sub-paragraph (3), a person to whom this paragraph applies shall not, in exercise of the power conferred by sub-paragraph (1), enter any premises except in the company, and under the supervision, of a constable.

(3) The prohibition in sub-paragraph (2) does not apply in relation to premises in respect of which the person to whom this paragraph applies reasonably believes that a premises licence under Part 3 of the Licensing Act 2003 authorises the sale of alcohol for consumption off the premises."

10 After paragraph 11A insert—

"**Power to control traffic for purposes other than escorting a load of exceptional dimensions**

11B (1) Where a designation applies this paragraph to any person, that person shall have, in the relevant police area—

(a) the power of a constable engaged in the regulation of traffic in a road to direct a person driving or propelling a vehicle to stop the vehicle or to make it proceed in, or keep to, a particular line of traffic;

(b) the power of a constable in uniform engaged in the regulation of vehicular traffic in a road to direct a person on foot to stop proceeding along or across the carriageway.

(2) The purposes for which those powers may be exercised do not include the purpose mentioned in paragraph 12(1).

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(3) Where a designation applies this paragraph to any person, that person shall also have, in the relevant police area, the power of a constable, for the purposes of a traffic survey, to direct a person driving or propelling a vehicle to stop the vehicle, to make it proceed in, or keep to, a particular line of traffic, or to proceed to a particular point on or near the road.

(4) Sections 35 and 37 of the Road Traffic Act 1988 (offences of failing to comply with directions of constable engaged in regulation of traffic in a road) shall have effect in relation to the exercise of the powers mentioned in sub-paragraphs (1) and (3), for the purposes for which they may be exercised and by a person whose designation applies this paragraph to him, as if the references to a constable were references to him.

(5) A designation may not apply this paragraph to any person unless a designation also applies paragraph 3A to him."

Commencement Information

I8 Sch. 8 para. 10 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

11 After paragraph 13 insert—

"**Power to place traffic signs**

13A (1) Where a designation applies this paragraph to any person, that person shall have, in the relevant police area, the powers of a constable under section 67 of the Road Traffic Regulation Act 1984 to place and maintain traffic signs.

(2) Section 36 of the Road Traffic Act 1988 (drivers to comply with traffic directions) shall apply to signs placed in the exercise of the powers conferred by virtue of sub-paragraph (1)."

Commencement Information

I9 Sch. 8 para. 11 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

VALID FROM 01/01/2006

12 After paragraph 15 insert—

"**Photographing of persons arrested, detained or given fixed penalty notices**

15ZA Where a designation applies this paragraph to any person, that person shall, within the relevant police area, have the power of a constable under section 64A(1A) of the 1984 Act (photographing of suspects etc.) to take a photograph of a person elsewhere than at a police station."

Investigating officers

13 In paragraph 16 (search warrants)—

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(a) in paragraph (a), for "in the relevant police area" substitute " whether in the relevant police area or not ",

(b) in paragraph (e), for "in respect of premises in the relevant police area" substitute " , but in respect of premises in the relevant police area only, ".

Commencement Information

I10 Sch. 8 para. 13 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

14 After paragraph 16 insert—

"16A Where a designation applies this paragraph to any person—

(a) the persons to whom a warrant may be addressed under section 26 of the Theft Act 1968 (search for stolen goods) shall, in relation to persons or premises in the relevant police area, include that person; and

(b) in relation to such a warrant addressed to him, that person shall have the powers under subsection (3) of that section.

16B Where a designation applies this paragraph to any person, subsection (3), and (to the extent that it applies subsection (3)) subsection (3A), of section 23 of the Misuse of Drugs Act 1971 (powers to search and obtain evidence) shall have effect as if, in relation to premises in the relevant police area, the reference to a constable included a reference to that person."

Commencement Information

I11 Sch. 8 para. 14 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

15 In paragraph 17 (access to excluded and special procedure material)—

(a) in paragraph (b)(ii), at the end add " (in the case of a specific premises warrant) or any premises, whether in the relevant police area or not (in the case of an all premises warrant); ",

(b) in paragraph (bc), for "in respect of premises in the relevant police area" substitute " , but in respect of premises in the relevant police area only, ".

Commencement Information

I12 Sch. 8 para. 15 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

VALID FROM 01/01/2006

Detention officers

16 After paragraph 33 insert—

"**Taking of impressions of footwear**

33A Where a designation applies this paragraph to any person—

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(a) he shall, at any police station in the relevant police area, have the powers of a constable under section 61A of the 1984 Act (impressions of footwear) to take impressions of a person's footwear without the appropriate consent; and

(b) the requirement by virtue of section 61A(5)(a) of the 1984 Act that a person must be informed by an officer that an impression of his footwear may be the subject of a speculative search shall be capable of being discharged, in the case of a person at such a station, by his being so informed by the person to whom this paragraph applies."

PART 2

ACCREDITED PERSONS

17 Schedule 5 to the Police Reform Act 2002 (c. 30) (powers exercisable by accredited persons) is amended as follows.

Commencement Information
I13 Sch. 8 para. 17 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

18 In paragraph 2 (power to require giving of name and address), in sub-paragraph (3), after paragraph (a) insert—

"(aa) an offence under section 3 or 4 of the Vagrancy Act 1824; or".

Commencement Information
I14 Sch. 8 para. 18 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

19 After paragraph 3 insert—

"**Power to require name and address: road traffic offences**

3A (1) An accredited person whose accreditation specifies that this paragraph applies to him shall, in the relevant police area, have the powers of a constable—

(a) under subsection (1) of section 165 of the Road Traffic Act 1988 to require a person mentioned in paragraph (c) of that subsection who he has reasonable cause to believe has committed, in the relevant police area, an offence under subsection (1) or (2) of section 35 of that Act (including that section as extended by paragraphs 8B(4) and 9(2) of this Schedule) to give his name and address; and

(b) under section 169 of that Act to require a person committing an offence under section 37 of that Act (including that section as extended by paragraphs 8B(4) and 9(2) of this Schedule) to give his name and address.

(2) The reference in section 169 of the Road Traffic Act 1988 to section 37 of that Act is to be taken to include a reference to that section as extended by paragraphs 8B(4) and 9(2) of this Schedule."

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

Commencement Information
I15 Sch. 8 para. 19 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

20 After paragraph 8A insert—

"**Power to control traffic for purposes other than escorting a load of exceptional dimensions**

8B (1) A person whose accreditation specifies that this paragraph applies to him shall have, in the relevant police area—

(a) the power of a constable engaged in the regulation of traffic in a road to direct a person driving or propelling a vehicle to stop the vehicle or to make it proceed in, or keep to, a particular line of traffic;

(b) the power of a constable in uniform engaged in the regulation of vehicular traffic in a road to direct a person on foot to stop proceeding along or across the carriageway.

(2) The purposes for which those powers may be exercised do not include the purpose mentioned in paragraph 9(1).

(3) A person whose accreditation specifies that this paragraph applies to him shall also have, in the relevant police area, the power of a constable, for the purposes of a traffic survey, to direct a person driving or propelling a vehicle to stop the vehicle, to make it proceed in, or keep to, a particular line of traffic, or to proceed to a particular point on or near the road.

(4) Sections 35 and 37 of the Road Traffic Act 1988 (offences of failing to comply with directions of constable engaged in regulation of traffic in a road) shall have effect in relation to the exercise of the powers mentioned in sub-paragraphs (1) and (3), for the purposes for which they may be exercised and by a person whose accreditation specifies that this paragraph applies to him, as if the references to a constable were references to him.

(5) A person's accreditation may not specify that this paragraph applies to him unless it also specifies that paragraph 3A applies to him."

Commencement Information
I16 Sch. 8 para. 20 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(i)**

VALID FROM 01/01/2006

21 After paragraph 9 insert—

"**Photographing of persons given fixed penalty notices**

9ZA An accredited person whose accreditation specifies that this paragraph applies to him shall, within the relevant police area, have the power of a constable under section 64A(1A) of the 1984 Act (photographing of suspects etc.) to take a photograph, elsewhere than at a police station, of a person to whom the accredited person has given a penalty notice (or as the

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Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

case may be a fixed penalty notice) in exercise of any power mentioned in paragraph 1(2).”

SCHEDULE 9

Section 122

ADDITIONAL POWERS AND DUTIES OF DESIGNATED PERSONS

1 Schedule 4 to the Police Reform Act 2002 (c. 30) (powers exercisable by police civilians) is amended as follows.

Commencement Information
I17 Sch. 9 para. 1 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(j)**

Community Support Officers

2 In paragraph 2 (power to detain etc.), after sub-paragraph (4) insert—

“(4A) If a person has imposed a requirement under sub-paragraph (3) or (3B) on another person (“P”), and P does not make an election under sub-paragraph (4), the person imposing the requirement shall, if a constable arrives within the thirty-minute period, be under a duty to remain with the constable and P until he has transferred control of P to the constable.

(4B) If, following an election under sub-paragraph (4), the person imposing the requirement under sub-paragraph (3) or (3B) (“the CSO”) takes the person upon whom it is imposed (“P”) to a police station, the CSO—

(a) shall be under a duty to remain at the police station until he has transferred control of P to the custody officer there;

(b) until he has so transferred control of P, shall be treated for all purposes as having P in his lawful custody; and

(c) for so long as he is at the police station, or in its immediate vicinity, in compliance with, or having complied with, his duty under paragraph (a), shall be under a duty to prevent P's escape and to assist in keeping P under control.”

Commencement Information
I18 Sch. 9 para. 2 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(j)**

3 In paragraph 4 (power to use reasonable force to detain person)—

(a) in sub-paragraph (2)(b), after “relevant offences” insert “ or relevant licensing offences ”,

(b) in sub-paragraph (3), after “making off” insert “ and to keep him under control ”.

Commencement Information
I19 Sch. 9 para. 3 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(j)**

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

4 After paragraph 4 insert—

"4ZA Where a designation applies this paragraph to any person, that person may, if he has imposed a requirement on any person to wait with him under paragraph 2(3B) or by virtue of paragraph 7A(8) or 7C(2)(a), use reasonable force to prevent that other person from making off and to keep him under control while he is either—

(a) subject to that requirement; or

(b) accompanying the designated person to a police station in accordance with an election made under paragraph 2(4).

4ZB Where a designation applies this paragraph to any person, that person, if he is complying with any duty under sub-paragraph (4A) or (4B) of paragraph 2, may use reasonable force to prevent P (as identified in those sub-paragraphs) from making off (or escaping) and to keep him under control."

Commencement Information

I20 Sch. 9 para. 4 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(j)**

Investigating officers

5 In paragraph 22 (power to transfer persons into custody of investigating officers), in sub-paragraph (2)—

(a) in paragraph (b), after "duty" insert " to keep that person under control and ",

(b) in paragraph (c), at the end add " and under his control ".

Commencement Information

I21 Sch. 9 para. 5 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(j)**

6 After paragraph 22 insert—

"Powers in respect of detained persons

22A Where a designation applies this paragraph to any person, he shall be under a duty, when in the course of his employment he is present at a police station—

(a) to assist any officer or other designated person to keep any person detained at the police station under control; and

(b) to prevent the escape of any such person,

and for those purposes shall be entitled to use reasonable force."

Commencement Information

I22 Sch. 9 para. 6 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(j)**

Detention officers

7 After paragraph 33A (inserted by paragraph 16 of Schedule 8 to this Act) insert—

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

"Powers in respect of detained persons

33B Where a designation applies this paragraph to any person, he shall be under a duty, when in the course of his employment he is present at a police station—

(a) to keep under control any person detained at the police station and for whom he is for the time being responsible;

(b) to assist any officer or other designated person to keep any other person detained at the police station under control; and

(c) to prevent the escape of any such person as is mentioned in paragraph (a) or (b),

and for those purposes shall be entitled to use reasonable force.

Powers in respect of detained persons

33C Where a designation applies this paragraph to any person, he shall be entitled to use reasonable force when—

(a) securing, or assisting an officer or another designated person to secure, the detention of a person detained at a police station in the relevant police area, or

(b) escorting within a police station in the relevant police area, or assisting an officer or another designated person to escort within such a police station, a person detained there."

Commencement Information

I23 Sch. 9 para. 7 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(j)**

Escort officers

8 (1) Paragraph 34 (power to take an arrested person to a police station) is amended as follows.

(2) In sub-paragraph (1)(c)—

(a) in paragraph (ii), after "duty" insert " to keep the person under control and ",

(b) in paragraph (iii), at the end add " and under his control ".

(3) After sub-paragraph (1)(c) add—

"(d) a person who has taken another person to a police station in exercise of the power conferred by virtue of paragraph (a)—

(i) shall be under a duty to remain at the police station until he has transferred control of the other person to the custody officer at the police station;

(ii) until he has so transferred control of the other person, shall be treated for all purposes as having that person in his lawful custody;

(iii) for so long as he is at the police station or in its immediate vicinity in compliance with, or having complied with, his duty under sub-paragraph (i), shall be under a duty to

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Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

prevent the escape of the other person and to assist in keeping him under control; and

(iv) shall be entitled to use reasonable force for the purpose of complying with his duty under sub-paragraph (iii)."

Commencement Information

I24 Sch. 9 para. 8 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(j)**

9 (1) Paragraph 35 (escort of persons in police detention) is amended as follows.

(2) In sub-paragraph (3)—

(a) in paragraph (b), after "duty" insert " to keep the person under control and ",

(b) in paragraph (c), at the end add " and under his control ".

(3) After sub-paragraph (3) insert—

"(3A) A person who has escorted another person to a police station or other place in accordance with an authorisation under sub-paragraph (1) or (2) —

(a) shall be under a duty to remain at the police station or other place until he has transferred control of the other person to a custody officer or other responsible person there;

(b) until he has so transferred control of the other person, shall be treated for all purposes as having that person in his lawful custody;

(c) for so long as he is at the police station or other place, or in its immediate vicinity, in compliance with, or having complied with, his duty under paragraph (a), shall be under a duty to prevent the escape of the other person and to assist in keeping him under control; and

(d) shall be entitled to use reasonable force for the purpose of complying with his duty under paragraph (c)."

Commencement Information

I25 Sch. 9 para. 9 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(j)**

PROSPECTIVE

Staff custody officers

[F2]10 . . . . . .

Textual Amendments

F2 Sch. 9 para. 10 repealed (12.1.2009) by Policing and Crime Act 2009 (c. 26), s. 116(6)(b), **Sch. 8 Pt. 13**

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

VALID FROM 20/07/2006

SCHEDULE 10

Section 144

PARENTAL COMPENSATION ORDERS

. . . . . .

SCHEDULE 11

Section 159

INVESTIGATIONS INTO CONDUCT OF POLICE OFFICERS: ACCELERATED PROCEDURE IN SPECIAL CASES

1 Schedule 3 to the Police Reform Act 2002 (c. 30) is amended as follows.

Commencement Information
I26 Sch. 11 para. 1 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(v)**

2 In paragraph 20(1)—
(a) for "until" substitute "until—
(a) the appropriate authority has certified the case as a special case under paragraph 20B(3) or 20E(3), or"; and
(b) the words from "a report" to the end become paragraph (b).

Commencement Information
I27 Sch. 11 para. 2 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(v)**

3 After paragraph 20 insert—

"Accelerated procedure in special cases

20A (1) If, at any time before the completion of his investigation, a person appointed or designated to investigate a complaint or recordable conduct matter believes that the appropriate authority would, on consideration of the matter, be likely to consider that the special conditions are satisfied, he shall proceed in accordance with the following provisions of this paragraph.

(2) If the person was appointed under paragraph 16, he shall submit to the appropriate authority—
(a) a statement of his belief and the grounds for it; and
(b) a written report on his investigation to that point;

and if he was appointed following a determination made by the Commission under paragraph 15 he shall send a copy of the statement and the report to the Commission.

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(3) If the person was appointed under paragraph 17 or 18 or designated under paragraph 19, he shall submit to the appropriate authority—
  (a) a statement of his belief and the grounds for it; and
  (b) a written report on his investigation to that point;

and shall send a copy of the statement and the report to the Commission.

(4) A person submitting a report under this paragraph shall not be prevented by any obligation of secrecy imposed by any rule of law or otherwise from including all such matters in his report as he thinks fit.

(5) A statement and report may be submitted under this paragraph whether or not a previous statement and report have been submitted; but a second or subsequent statement and report may be submitted only if the person submitting them has grounds to believe that the appropriate authority will reach a different determination under paragraph 20B(2) or 20E(2).

(6) After submitting a report under this paragraph, the person appointed or designated to investigate the complaint or recordable conduct matter shall continue his investigation to such extent as he considers appropriate.

(7) The special conditions are that—
  (a) the person whose conduct is the subject matter of the investigation may have committed an imprisonable offence and that person's conduct is of a serious nature;
  (b) there is sufficient evidence, in the form of written statements or other documents, to establish on the balance of probabilities that conduct justifying dismissal took place; and
  (c) it is in the public interest for the person whose conduct is the subject matter of the investigation to cease to be a member of a police force, or to be a special constable, without delay.

(8) In sub-paragraph (7)—
  (a) in paragraph (a), "imprisonable offence" means an offence which is punishable with imprisonment in the case of a person aged 21 or over; and
  (b) in paragraph (b), "conduct justifying dismissal" means conduct which is so serious that disciplinary proceedings brought in respect of it would be likely to result in a dismissal.

(9) In paragraphs 20B to 20H "special report" means a report submitted under this paragraph.

Investigations managed or carried out by Commission: action by appropriate authority

20B (1) This paragraph applies where —
  (a) a statement and special report on an investigation carried out under the management of the Commission, or
  (b) a statement and special report on an investigation carried out by a person designated by the Commission,

are submitted to the appropriate authority under paragraph 20A(3).

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(2) The appropriate authority shall determine whether the special conditions are satisfied.

(3) If the appropriate authority determines that the special conditions are satisfied then, unless it considers that the circumstances are such as to make it inappropriate to do so, it shall—
  (a) certify the case as a special case for the purposes of Regulation 11 of the Police (Conduct) Regulations 2004 (S.I. 2004/645); and
  (b) subject to any request made under paragraph 20G(1), take such steps as are required by that Regulation in relation to a case so certified.

(4) The reference in sub-paragraph (3) to Regulation 11 includes a reference to any corresponding provision replacing that Regulation.

(5) If the appropriate authority determines that the special conditions are satisfied then it shall notify the Director of Public Prosecutions of its determination and send him a copy of the special report.

(6) The appropriate authority shall notify the Commission of a certification under sub-paragraph (3).

(7) If the appropriate authority determines—
  (a) that the special conditions are not satisfied, or
  (b) that, although those conditions are satisfied, the circumstances are such as to make it inappropriate at present to bring disciplinary proceedings,

  it shall submit to the Commission a memorandum under this sub-paragraph.

(8) The memorandum required to be submitted under sub-paragraph (7) is one which—
  (a) notifies the Commission of its determination that those conditions are not satisfied or (as the case may be) that they are so satisfied but the circumstances are such as to make it inappropriate at present to bring disciplinary proceedings; and
  (b) (in either case) sets out its reasons for so determining.

(9) In this paragraph "special conditions" has the meaning given by paragraph 20A(7).

Investigations managed or carried out by Commission: action by Commission

20C (1) On receipt of a notification under paragraph 20B(6), the Commission shall give a notification—
  (a) in the case of a complaint, to the complainant and to every person entitled to be kept properly informed in relation to the complaint under section 21; and
  (b) in the case of a recordable conduct matter, to every person entitled to be kept properly informed in relation to that matter under that section.

(2) The notification required by sub-paragraph (1) is one setting out—
  (a) the findings of the special report;

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(b) the appropriate authority's determination under paragraph 20B(2); and

(c) the action that the appropriate authority is required to take as a consequence of that determination.

(3) Subsections (5) to (7) of section 20 shall have effect in relation to the duties imposed on the Commission by sub-paragraph (1) as they have effect in relation to the duties imposed on the Commission by that section.

(4) Except so far as may be otherwise provided by regulations made by virtue of sub-paragraph (3), the Commission shall be entitled (notwithstanding any obligation of secrecy imposed by any rule of law or otherwise) to discharge the duty to give a person mentioned in sub-paragraph (1) notification of the findings of the special report by sending that person a copy of that report.

Investigations managed or carried out by Commission: action by Commission

20D (1) On receipt of a memorandum under paragraph 20B(7), the Commission shall—

(a) consider the memorandum;

(b) determine, in the light of that consideration, whether or not to make a recommendation under paragraph 20H; and

(c) if it thinks fit to do so, make a recommendation under that paragraph.

(2) If the Commission determines not to make a recommendation under paragraph 20H, it shall notify the appropriate authority and the person appointed under paragraph 18 or designated under paragraph 19 of its determination.

Other investigations: action by appropriate authority

20E (1) This paragraph applies where—

(a) a statement and a special report on an investigation carried out by an appropriate authority on its own behalf, or

(b) a statement and a special report on an investigation carried out under the supervision of the Commission,

are submitted to the appropriate authority under paragraph 20A(2) or (3).

(2) The appropriate authority shall determine whether the special conditions are satisfied.

(3) If the appropriate authority determines that the special conditions are satisfied then, unless it considers that the circumstances are such as to make it inappropriate to do so, it shall—

(a) certify the case as a special case for the purposes of Regulation 11 of the Police (Conduct) Regulations 2004 (S.I. 2004/645); and

(b) subject to any request made under paragraph 20G(1), take such steps as are required by that Regulation in relation to a case so certified.

(4) The reference in sub-paragraph (3) to Regulation 11 includes a reference to any corresponding provision replacing that Regulation.

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(5) If the appropriate authority determines that the special conditions are satisfied then it shall notify the Director of Public Prosecutions of its determination and send him a copy of the special report.

(6) Where the statement and report were required under paragraph 20A(2) to be copied to the Commission, the appropriate authority shall notify the Commission of a certification under sub-paragraph (3).

(7) If the appropriate authority determines—
  (a) that the special conditions are not satisfied, or
  (b) that, although those conditions are satisfied, the circumstances are such as to make it inappropriate at present to bring disciplinary proceedings,

it shall notify the person appointed under paragraph 16 or 17 of its determination.

(8) In this paragraph "special conditions" has the meaning given by paragraph 20A(7).

Other investigations: action by appropriate authority

20F (1) If the appropriate authority certifies a case under paragraph 20E(3), it shall give a notification—
  (a) in the case of a complaint, to the complainant and to every person entitled to be kept properly informed in relation to the complaint under section 21; and
  (b) in the case of a recordable conduct matter, to every person entitled to be kept properly informed in relation to that matter under that section.

(2) The notification required by sub-paragraph (1) is one setting out—
  (a) the findings of the report;
  (b) the authority's determination under paragraph 20E(2); and
  (c) the action that the authority is required to take in consequence of that determination.

(3) Subsections (5) to (7) of section 20 shall have effect in relation to the duties imposed on the appropriate authority by sub-paragraph (1) as they have effect in relation to the duties imposed on the appropriate authority by that section.

(4) Except so far as may be otherwise provided by regulations made by virtue of sub-paragraph (3), the appropriate authority shall be entitled (notwithstanding any obligation of secrecy imposed by any rule of law or otherwise) to discharge the duty to give a person mentioned in sub-paragraph (1) notification of the findings of the special report by sending that person a copy of that report.

Special cases: Director of Public Prosecutions

20G (1) On receiving a copy of a special report under paragraph 20B(5) or 20E(5), the Director of Public Prosecutions may request the appropriate authority not to bring disciplinary proceedings without his prior agreement, if the Director

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considers that bringing such proceedings might prejudice any future criminal proceedings.

(2) The Director of Public Prosecutions—

(a) shall notify the appropriate authority of any decision of his to take, or not to take, action in respect of the matters dealt with in a special report copied to him under paragraph 20B(5) or 20E(5); and

(b) where the special report was copied to him under paragraph 20B(5), shall send a copy of that notification to the Commission.

(3) It shall be the duty of the Commission to notify the persons mentioned in sub-paragraph (5) if criminal proceedings are brought against any person by the Director of Public Prosecutions in respect of any matters dealt with in a special report copied to him under paragraph 20B(5).

(4) It shall be the duty of the appropriate authority to notify the persons mentioned in sub-paragraph (5) if criminal proceedings are brought against any person by the Director of Public Prosecutions in respect of any matters dealt with in a special report copied to him under paragraph 20E(5).

(5) Those persons are—

(a) in the case of a complaint, the complainant and every person entitled to be kept properly informed in relation to the complaint under section 21; and

(b) in the case of a recordable conduct matter, every person entitled to be kept properly informed in relation to that matter under that section.

Special cases: recommendation or direction of Commission

20H (1) Where the appropriate authority has submitted, or is required to submit, a memorandum to the Commission under paragraph 20B(7), the Commission may make a recommendation to the appropriate authority that it should certify the case under paragraph 20B(3).

(2) If the Commission determines to make a recommendation under this paragraph, it shall give a notification—

(a) in the case of a complaint, to the complainant and to every person entitled to be kept properly informed in relation to the complaint under section 21; and

(b) in the case of a recordable conduct matter, to every person entitled to be kept properly informed in relation to that matter under that section.

(3) The notification required by sub-paragraph (2) is one setting out—

(a) the findings of the special report; and

(b) the Commission's recommendation under this paragraph.

(4) Subsections (5) to (7) of section 20 shall have effect in relation to the duties imposed on the Commission by sub-paragraph (2) as they have effect in relation to the duties imposed on the Commission by that section.

(5) Except so far as may be otherwise provided by regulations made by virtue of sub-paragraph (4), the Commission shall be entitled (notwithstanding any obligation of secrecy imposed by any rule of law or otherwise) to discharge

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

the duty to give a person mentioned in sub-paragraph (2) notification of the findings of the special report by sending that person a copy of the report.

(6) It shall be the duty of the appropriate authority to notify the Commission whether it accepts the recommendation and (if it does) to certify the case and proceed accordingly.

(7) If, after the Commission has made a recommendation under this paragraph, the appropriate authority does not certify the case under paragraph 20B(3)—
  (a) the Commission may direct the appropriate authority so to certify it; and
  (b) it shall be the duty of the appropriate authority to comply with the direction and proceed accordingly.

(8) Where the Commission gives the appropriate authority a direction under this paragraph, it shall supply the appropriate authority with a statement of its reasons for doing so.

(9) The Commission may at any time withdraw a direction given under this paragraph.

(10) The appropriate authority shall keep the Commission informed of whatever action it takes in response to a recommendation or direction.

Special cases: recommendation or direction of Commission

20I (1) Where—
  (a) the Commission makes a recommendation under paragraph 20H in the case of an investigation of a complaint, and
  (b) the appropriate authority notifies the Commission that the recommendation has been accepted,

the Commission shall notify the complainant and every person entitled to be kept properly informed in relation to the complaint under section 21 of that fact and of the steps that have been, or are to be, taken by the appropriate authority to give effect to it.

(2) Where in the case of an investigation of a complaint the appropriate authority—
  (a) notifies the Commission that it does not accept the recommendation made by the Commission under paragraph 20H, or
  (b) fails to certify the case under paragraph 20B(3) and to proceed accordingly,

it shall be the duty of the Commission to determine what (if any) further steps to take under paragraph 20H.

(3) It shall be the duty of the Commission to notify the complainant and every person entitled to be kept properly informed in relation to the complaint under section 21—
  (a) of any determination under sub-paragraph (2) not to take further steps under paragraph 20H; and
  (b) where it determines under that sub-paragraph to take further steps under that paragraph, of the outcome of the taking of those steps.”

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

Commencement Information
I28 Sch. 11 para. 3 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(v)**

4 In paragraph 25, after sub-paragraph (2) insert—

"(2A) In sub-paragraph (2)—

(a) references to the findings of an investigation do not include a reference to findings on a report submitted under paragraph 20A; and

(b) references to the report of an investigation do not include a reference to a report submitted under that paragraph."

Commencement Information
I29 Sch. 11 para. 4 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(v)**

SCHEDULE 12

Section 160

INVESTIGATIONS OF DEATHS AND SERIOUS INJURIES DURING OR AFTER CONTACT WITH THE POLICE

1 The Police Reform Act 2002 (c. 30) has effect subject to the following amendments.

Commencement Information
I30 Sch. 12 para. 1 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

2 (1) Section 10(2) (general functions of the Commission) is amended as follows.

(2) After paragraph (b) insert—

"(ba) the recording of matters from which it appears that a person has died or suffered serious injury during, or following, contact with a person serving with the police;".

(3) In paragraph (c), after "paragraph (b)" insert " or (ba) ".

Commencement Information
I31 Sch. 12 para. 2 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

3 In section 12 (matters to which Part 2 applies), after subsection (2) insert—

"(2A) In this Part "death or serious injury matter" (or "DSI matter" for short) means any circumstances (other than those which are or have been the subject of a complaint or which amount to a conduct matter)—

(a) in or in consequence of which a person has died or has sustained serious injury; and

(b) in relation to which the requirements of either subsection (2B) or subsection (2C) are satisfied.

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(2B) The requirements of this subsection are that at the time of the death or serious injury the person—

(a) had been arrested by a person serving with the police and had not been released from that arrest; or

(b) was otherwise detained in the custody of a person serving with the police.

(2C) The requirements of this subsection are that—

(a) at or before the time of the death or serious injury the person had contact (of whatever kind, and whether direct or indirect) with a person serving with the police who was acting in the execution of his duties; and

(b) there is an indication that the contact may have caused (whether directly or indirectly) or contributed to the death or serious injury.

(2D) In subsection (2A) the reference to a person includes a person serving with the police, but in relation to such a person "contact" in subsection (2C) does not include contact that he has whilst acting in the execution of his duties."

Commencement Information

I32 Sch. 12 para. 3 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

4 In the following provisions, for "and conduct matters" substitute " , conduct matters and DSI matters "

(a) the cross-heading preceding section 13;

(b) the heading for section 13 (handling of complaints and conduct matters); and

(c) that section itself.

Commencement Information

I33 Sch. 12 para. 4 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

5 (1) Section 16(2) (assistance for which payment is required) is amended as follows.

(2) In paragraph (a), for the words from "an investigation relating to" to the end substitute—

"(i) an investigation relating to the conduct of a person who, at the time of the conduct, was a member of the other force, or

(ii) an investigation of a DSI matter in relation to which the relevant officer was, at the time of the death or serious injury, a member of the other force; and".

(3) In paragraph (b), for the words from "an investigation" to the end substitute—

"(i) an investigation relating to the conduct of a person who, at the time of the conduct, was not a member of that force, or

(ii) an investigation of a DSI matter in relation to which the relevant officer was, at the time of the death or serious injury, not a member of that force."

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

Commencement Information
I34 Sch. 12 para. 5 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

6 In section 18 (inspection of police premises on behalf of the Commission), in subsection (2)(a), after "conduct matters" insert " or DSI matters ".

Commencement Information
I35 Sch. 12 para. 6 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

7 (1) Section 21 (duty to provide information) is amended as follows.

(2) In subsection (1), for "or recordable conduct matter" substitute " , recordable conduct matter or DSI matter ".

(3) In subsection (1)(a), after "subsection (2)" insert " or (2A) ".

(4) In subsection (2), after "if" insert " (in the case of a complaint or recordable conduct matter) ".

(5) After subsection (2) insert—

"(2A) A person falls within this subsection if (in the case of a DSI matter)—
(a) he is a relative of the person who has died;
(b) he is a relative of the person who has suffered serious injury and that person is incapable of making a complaint;
(c) he himself is the person who has suffered serious injury."

(6) In subsection (3)—
(a) after "subsection (2)" insert " or (2A) "; and
(b) for "or recordable conduct matter" (in both places) substitute " , recordable conduct matter or DSI matter ".

(7) In subsection (5), for "or conduct matter" substitute " , conduct matter or DSI matter ".

(8) In subsections (6) and (7), for "or recordable conduct matter" substitute " , recordable conduct matter or DSI matter ".

(9) After subsection (9)(b) insert—
"(ba) whether the Commission or the appropriate authority has made a determination under paragraph 21A of Schedule 3;".

(10) In subsection (9)(c), after "paragraph 22" insert " or 24A ".

(11) In subsection (10), for "or recordable conduct matter" substitute " , recordable conduct matter or DSI matter ".

Commencement Information
I36 Sch. 12 para. 7 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

8 (1) Section 22 (power of Commission to issue guidance) is amended as follows.

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(2) In subsection (2)(b)(ii), after "recordable conduct matters" insert " or DSI matters ".

(3) In subsection (5)—

(a) in paragraph (a), after "recordable conduct matters" insert " or DSI matters ";

(b) in paragraphs (b) and (d)(ii), after "recordable conduct matter" insert " or DSI matter "; and

(c) in paragraph (e)(i), for "or conduct matter" substitute " , conduct matter or DSI matter ".

Commencement Information

I37 Sch. 12 para. 8 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

9 (1) Section 23(2) (regulations) is amended as follows.

(2) In paragraph (b), after "recordable conduct matters" insert " and DSI matters ".

(3) For paragraph (h) substitute—

"(h) for combining into a single investigation the investigation of any complaint, conduct matter or DSI matter with the investigation or investigations of any one or more, or any combination, of the following—

(i) complaints (whether or not relating to the same conduct),

(ii) conduct matters, or

(iii) DSI matters,

and for splitting a single investigation into two or more separate investigations;".

(4) In paragraph (j), for "or conduct matter" substitute " , conduct matter or DSI matter ".

(5) In paragraph (n)(ii), after "recordable conduct matters" insert " or DSI matters ".

Commencement Information

I38 Sch. 12 para. 9 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

10 (1) Section 29 (interpretation) is amended as follows.

(2) In subsection (1)—

(a) for the definition of "the appropriate authority" substitute—

""the appropriate authority"—

(a) in relation to a person serving with the police or in relation to any complaint, conduct matter or investigation relating to the conduct of such a person, means—

(i) if that person is a senior officer, the police authority for the area of the police force of which he is a member; and

(ii) if he is not a senior officer, the chief officer under whose direction and control he is; and

(b) in relation to a death or serious injury matter, means—

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(i) if the relevant officer is a senior officer, the police authority for the area of the police force of which he is a member; and

(ii) if he is not a senior officer, the chief officer under whose direction and control he is;"; and

(b) after the definition of "conduct matter" insert—

""death or serious injury matter" and "DSI matter" have the meaning given by section 12;".

(3) After subsection (1) insert—

"(1A) In this Part "the relevant officer", in relation to a DSI matter, means the person serving with the police (within the meaning of section 12(7))—

(a) who arrested the person who has died or suffered serious injury,

(b) in whose custody that person was at the time of the death or serious injury, or

(c) with whom that person had the contact in question;

and where there is more than one such person it means, subject to subsection (1B), the one who so dealt with him last before the death or serious injury occurred.

(1B) Where it cannot be determined which of two or more persons serving with the police dealt with a person last before a death or serious injury occurred, the relevant officer is the most senior of them."

Commencement Information

I39 Sch. 12 para. 10 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

11 Schedule 3 (handling of complaints and conduct matters) is amended as set out in the following paragraphs.

Commencement Information

I40 Sch. 12 para. 11 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

12 After paragraph 14 insert—

"PART 2A

HANDLING OF DEATH AND SERIOUS INJURY (DSI) MATTERS

Duty to record DSI matters

14A (1) Where a DSI matter comes to the attention of the police authority or chief officer who is the appropriate authority in relation to that matter, it shall be the duty of the appropriate authority to record that matter.

(2) If it appears to the Commission—

(a) that any matter that has come to its attention is a DSI matter, but

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(b) that that matter has not been recorded by the appropriate authority,

the Commission may direct the appropriate authority to record that matter; and it shall be the duty of that authority to comply with the direction.

Duty to preserve evidence relating to DSI matters

14B (1) Where—

(a) a DSI matter comes to the attention of a police authority, and

(b) the relevant officer in relation to that matter is the chief officer of the force maintained by that authority,

it shall be the duty of that authority to secure that all such steps as are appropriate for the purposes of Part 2 of this Act are taken, both initially and from time to time after that, for obtaining and preserving evidence relating to that matter.

(2) Where—

(a) a chief officer becomes aware of a DSI matter, and

(b) the relevant officer in relation to that matter is a person under his direction and control,

it shall be his duty to take all such steps as appear to him to be appropriate for the purposes of Part 2 of this Act for obtaining and preserving evidence relating to that matter.

(3) The chief officer's duty under sub-paragraph (2) must be performed as soon as practicable after he becomes aware of the matter in question.

(4) After that, he shall be under a duty, until he is satisfied that it is no longer necessary to do so, to continue to take the steps from time to time appearing to him to be appropriate for the purposes of Part 2 of this Act for obtaining and preserving evidence relating to the matter.

(5) It shall be the duty of a police authority to comply with all such directions as may be given to it by the Commission in relation to the performance of any duty imposed on it by virtue of sub-paragraph (1).

(6) It shall be the duty of the chief officer to take all such specific steps for obtaining or preserving evidence relating to any DSI matter as he may be directed to take for the purposes of this paragraph by the police authority maintaining his force or by the Commission.

Reference of DSI matters to the Commission

14C (1) It shall be the duty of the appropriate authority to refer a DSI matter to the Commission.

(2) The appropriate authority must do so within such period as may be provided for by regulations made by the Secretary of State.

(3) A matter that has already been referred to the Commission under this paragraph on a previous occasion shall not be required to be referred again under this paragraph unless the Commission so directs.

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

Duties of Commission on references under paragraph 14C

14D (1) It shall be the duty of the Commission, in the case of every DSI matter referred to it by a police authority or a chief officer, to determine whether or not it is necessary for the matter to be investigated.

(2) Where the Commission determines under this paragraph that it is not necessary for a DSI matter to be investigated, it may if it thinks fit refer the matter back to the appropriate authority to be dealt with by that authority in such manner (if any) as that authority may determine."

Commencement Information
I41 Sch. 12 para. 12 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

13 In paragraph 15(1)(a) and (8) (power of the Commission to determine the form of an investigation), for "or recordable conduct matter" substitute " , recordable conduct matter or DSI matter ".

Commencement Information
I42 Sch. 12 para. 13 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

14 (1) Paragraph 16 (investigations by the appropriate authority on its own behalf) is amended as follows.

(2) In sub-paragraph (1), for "or recordable conduct matter" substitute " , recordable conduct matter or DSI matter ".

(3) In sub-paragraph (2)(a), after "recordable conduct matter" insert " or under paragraph 14D(2) in relation to any DSI matter ".

(4) In sub-paragraph (3), after "(4)" insert " or (5) ".

(5) In sub-paragraph (4), for "matter" substitute " conduct matter ".

(6) After sub-paragraph (4) add—

"(5) The person appointed under this paragraph to investigate any DSI matter—

(a) in relation to which the relevant officer is a chief officer, must not be a person under that chief officer's direction and control;

(b) in relation to which the relevant officer is the Commissioner of Police of the Metropolis or the Deputy Commissioner of Police of the Metropolis, must be the person nominated by the Secretary of State for appointment under this paragraph."

Commencement Information
I43 Sch. 12 para. 14 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

15 (1) Paragraph 17 (investigations supervised by the Commission) is amended as follows.

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(2) In sub-paragraph (1), for "or recordable conduct matter" substitute " , recordable conduct matter or DSI matter ".

(3) In sub-paragraph (6), for "matter" substitute " conduct matter ".

(4) After sub-paragraph (6) insert—

"(6A) The person appointed under this paragraph to investigate any DSI matter—

(a) in relation to which the relevant officer is a chief officer, must not be a person under that chief officer's direction and control;

(b) in relation to which the relevant officer is the Commissioner of Police of the Metropolis or the Deputy Commissioner of Police of the Metropolis, must be the person nominated by the Secretary of State for appointment under this paragraph."

Commencement Information

I44 Sch. 12 para. 15 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

16 (1) Paragraph 18 (investigations managed by the Commission) is amended as follows.

(2) In sub-paragraph (1), for "or recordable conduct matter" substitute " , recordable conduct matter or DSI matter ".

(3) In sub-paragraph (2), for "(6)" substitute " (6A) ".

Commencement Information

I45 Sch. 12 para. 16 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

17 (1) Paragraph 19 (investigations by the Commission itself) is amended as follows.

(2) In sub-paragraph (1), for "or recordable conduct matter" substitute " , recordable conduct matter or DSI matter ".

(3) After sub-paragraph (3) insert—

"(3A) The person designated under sub-paragraph (2) to be the person to take charge of an investigation of a DSI matter in relation to which the relevant officer is the Commissioner of Police of the Metropolis or the Deputy Commissioner of Police of the Metropolis must be the person nominated by the Secretary of State to be so designated under that sub-paragraph."

Commencement Information

I46 Sch. 12 para. 17 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

18 In paragraph 20(1) (restrictions on proceedings pending the conclusion of an investigation), after "22" insert " or 24A ".

Commencement Information

I47 Sch. 12 para. 18 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

19 In paragraph 21(4) (power of the Commission to discontinue an investigation), for "or recordable conduct matter" substitute " , recordable conduct matter or DSI matter ".

Commencement Information

I48 Sch. 12 para. 19 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

20 After paragraph 21 insert—

"**Procedure where conduct matter is revealed during investigation of DSI matter**

21A (1) If during the course of an investigation of a DSI matter it appears to a person appointed under paragraph 18 or designated under paragraph 19 that there is an indication that a person serving with the police ("the person whose conduct is in question") may have—

(a) committed a criminal offence, or

(b) behaved in a manner which would justify the bringing of disciplinary proceedings,

he shall make a submission to that effect to the Commission.

(2) If, after considering a submission under sub-paragraph (1), the Commission determines that there is such an indication, it shall—

(a) notify the appropriate authority in relation to the DSI matter and (if different) the appropriate authority in relation to the person whose conduct is in question of its determination; and

(b) send to it (or each of them) a copy of the submission under sub-paragraph (1).

(3) If during the course of an investigation of a DSI matter it appears to a person appointed under paragraph 16 or 17 that there is an indication that a person serving with the police ("the person whose conduct is in question") may have—

(a) committed a criminal offence, or

(b) behaved in a manner which would justify the bringing of disciplinary proceedings,

he shall make a submission to that effect to the appropriate authority in relation to the DSI matter.

(4) If, after considering a submission under sub-paragraph (3), the appropriate authority determines that there is such an indication, it shall—

(a) if it is not the appropriate authority in relation to the person whose conduct is in question, notify that other authority of its determination and send to that authority a copy of the submission under sub-paragraph (3); and

(b) notify the Commission of its determination and send to it a copy of the submission under sub-paragraph (3).

(5) Where the appropriate authority in relation to the person whose conduct is in question—

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(a) is notified of a determination by the Commission under sub-paragraph (2),

(b) (in a case where it is also the appropriate authority in relation to the DSI matter) makes a determination under sub-paragraph (4), or

(c) (in a case where it is not the appropriate authority in relation to the DSI matter) is notified by that other authority of a determination by it under sub-paragraph (4),

it shall record the matter under paragraph 11 as a conduct matter (and the other provisions of this Schedule shall apply in relation to that matter accordingly)."

Commencement Information

I49 Sch. 12 para. 20 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

21 For paragraph 22 (final reports on investigations) substitute—

"**Final reports on investigations: complaints, conduct matters and certain DSI matters**

22 (1) This paragraph applies on the completion of an investigation of—

(a) a complaint,

(b) a conduct matter, or

(c) a DSI matter in respect of which the Commission or the appropriate authority has made a determination under paragraph 21A(2) or (4).

(2) A person appointed under paragraph 16 shall submit a report on his investigation to the appropriate authority.

(3) A person appointed under paragraph 17 or 18 shall—

(a) submit a report on his investigation to the Commission; and

(b) send a copy of that report to the appropriate authority.

(4) In relation to a DSI matter in respect of which a determination has been made under paragraph 21A(2) or (4), the references in sub-paragraphs (2) and (3) of this paragraph to the appropriate authority are references to—

(a) the appropriate authority in relation to the DSI matter; and

(b) (where different) the appropriate authority in relation to the person whose conduct is in question.

(5) A person designated under paragraph 19 as the person in charge of an investigation by the Commission itself shall submit a report on it to the Commission.

(6) A person submitting a report under this paragraph shall not be prevented by any obligation of secrecy imposed by any rule of law or otherwise from including all such matters in his report as he thinks fit."

Commencement Information

I50 Sch. 12 para. 21 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

22 (1) In the heading preceding paragraph 23, after "investigation report" insert " under paragraph 22 ".

(2) In paragraph 23(1)—

(a) in paragraph (a), for "(2)" substitute " (3) "; and

(b) in paragraph (b), for "(3)" substitute " (5) ".

(3) After paragraph 23(12) insert—

"(13) In relation to a DSI matter in respect of which a determination has been made under paragraph 21A(2) or (4), the references in this paragraph to the appropriate authority are references to the appropriate authority in relation to the person whose conduct is in question."

Commencement Information

I51 Sch. 12 para. 22 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

23 (1) In the heading preceding paragraph 24, after "investigation report" insert " under paragraph 22 ".

(2) In paragraph 24(1)—

(a) in paragraph (a), for "22(1)" substitute " 22(2) "; and

(b) in paragraph (b), for "22(2)" substitute " 22(3) ".

(3) After paragraph 24(10) insert—

"(11) In relation to a DSI matter in respect of which a determination has been made under paragraph 21A(2) or (4), the references in this paragraph to the appropriate authority are references to the appropriate authority in relation to the person whose conduct is in question."

Commencement Information

I52 Sch. 12 para. 23 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

24 After paragraph 24 insert—

"**Final reports on investigations: other DSI matters**

24A (1) This paragraph applies on the completion of an investigation of a DSI matter in respect of which neither the Commission nor the appropriate authority has made a determination under paragraph 21A(2) or (4).

(2) A person appointed under paragraph 16, 17 or 18 or designated under paragraph 19 shall—

(a) submit a report on the investigation to the Commission; and

(b) send a copy of that report to the appropriate authority.

(3) A person submitting a report under this paragraph shall not be prevented by any obligation of secrecy imposed by any rule of law or otherwise from including all such matters in his report as he thinks fit.

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(4) On receipt of the report, the Commission shall determine whether the report indicates that a person serving with the police may have—

(a) committed a criminal offence, or

(b) behaved in a manner which would justify the bringing of disciplinary proceedings.

Action by the Commission in response to an investigation report under paragraph 24A

24B (1) If the Commission determines under paragraph 24A(4) that the report indicates that a person serving with the police may have—

(a) committed a criminal offence, or

(b) behaved in a manner which would justify the bringing of disciplinary proceedings,

it shall notify the appropriate authority in relation to the person whose conduct is in question of its determination and, if it appears that that authority has not already been sent a copy of the report, send a copy of the report to that authority.

(2) Where the appropriate authority in relation to the person whose conduct is in question is notified of a determination by the Commission under sub-paragraph (1), it shall record the matter under paragraph 11 as a conduct matter (and the other provisions of this Schedule shall apply in relation to that matter accordingly).

24C (1) If the Commission determines under paragraph 24A(4) that there is no indication in the report that a person serving with the police may have—

(a) committed a criminal offence, or

(b) behaved in a manner which would justify the bringing of disciplinary proceedings,

it shall make such recommendations or give such advice under section 10(1)(e) (if any) as it considers necessary or desirable.

(2) Sub-paragraph (1) does not affect any power of the Commission to make recommendations or give advice under section 10(1)(e) in other cases (whether arising under this Schedule or otherwise).”

Commencement Information

I53 Sch. 12 para. 24 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(w)**

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

SCHEDULE 13

Section 161

ABOLITION OF ROYAL PARKS CONSTABULARY: SUPPLEMENTARY

PART 1

TRANSFERS TO METROPOLITAN POLICE AUTHORITY

Interpretation

1 In this Part of this Schedule—

"the Authority" means the Metropolitan Police Authority, and

"transfer scheme" means a scheme made by the Secretary of State under this Schedule.

Commencement Information
I54 Sch. 13 para. 1 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(y)**

Establishment of eligibility for transfer

2 The Secretary of State may by regulations impose requirements in relation to persons serving as park constables with the Royal Parks Constabulary for the purpose of establishing whether they are eligible—

(a) to be employed by the Authority, or

(b) to serve as a members of the police force for the metropolitan police district.

Commencement Information
I55 Sch. 13 para. 2 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(y)**

3 (1) The Secretary of State may terminate the Crown employment of any person who fails to comply with or satisfy any requirement imposed in relation to him by regulations made under paragraph 2.

(2) A person whose Crown employment is terminated under sub-paragraph (1) is not to be treated (whether for the purposes of any enactment or otherwise) as being dismissed by virtue of that termination.

Commencement Information
I56 Sch. 13 para. 3 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(y)**

Relevant persons

4 (1) A transfer scheme may provide for any relevant person to become an employee of the Authority on the appointed day.

(2) The scheme may make provision—

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(a) for the termination of the relevant person's Crown employment on the appointed day,

(b) as to the terms and conditions which are to have effect as the terms and conditions of the relevant person's contract of employment with the Authority,

(c) transferring to the Authority the rights, powers, duties and liabilities of the employer under or in connection with the relevant person's Crown employment,

(d) for things done before the appointed day by or in relation to the employer in respect of the relevant person or his Crown employment to be treated from that day as having been done by or in relation to the Authority,

(e) for the period during which the relevant person has been in Crown employment to count as a period of employment with the Authority (and for the operation of the transfer scheme not to be treated as having interrupted the continuity of that employment), and

(f) for the termination of the Crown employment of a relevant person who would otherwise be transferred by the scheme but who has informed the Secretary of State that he does not wish to be so transferred.

(3) The scheme may provide for a person who would be treated (whether by an enactment or otherwise) as being dismissed by the operation of the scheme not to be so treated.

Commencement Information
I57 Sch. 13 para. 4 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(y)**

5 (1) A transfer scheme may provide for the appointment as a member of the police force for the metropolitan police district of any relevant person who becomes an employee of the Authority by virtue of the scheme.

(2) The appointment does not take effect until the person has been attested as a constable for the metropolitan police district in accordance with section 29 of the Police Act 1996 (c. 16).

(3) On being so attested his contract of employment with the Authority is terminated by virtue of this sub-paragraph.

(4) He is not to be treated (whether for the purposes of any enactment or otherwise) as being dismissed by virtue of the operation of sub-paragraph (3).

Commencement Information
I58 Sch. 13 para. 5 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(y)**

Property, rights and liabilities, etc.

6 (1) The transfer scheme may provide for the transfer of property, rights and liabilities of the Secretary of State to the Authority on the appointed day.

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(2) The scheme may include provision for anything (including any legal proceedings) which relates to anything transferred by virtue of sub-paragraph (1) to be continued from the appointed day by or in relation to the Authority.

Commencement Information
I59 Sch. 13 para. 6 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(y)**

Consultation

7 Before making a transfer scheme which contains any provision relating to persons serving as park constables with the Royal Parks Constabulary the Secretary of State must consult such bodies appearing to represent the interests of those persons as he considers appropriate.

Commencement Information
I60 Sch. 13 para. 7 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(y)**

Termination of employment

8 The Secretary of State may by regulations make provision as to the consequences of the termination of a person's Crown employment under paragraph 3(1) or by a transfer scheme (including provision removing any entitlement to compensation which might otherwise arise in such circumstances).

Commencement Information
I61 Sch. 13 para. 8 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(y)**

PART 2

AMENDMENTS

VALID FROM 08/05/2006

Royal Parks (Trading) Act 2000 (c. 13)

9 In section 4 of the Royal Parks (Trading) Act 2000 (seizure of property) after subsection (3) add—

"(4) In the application of this section to a specified park—

(a) the reference in subsection (1) to a park constable has effect as a reference to a constable, and

(b) subsections (2) and (3) do not apply.

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(5) In subsection (4) "specified park" has the same meaning as in section 162 of the Serious Organised Crime and Police Act 2005."

VALID FROM 08/05/2006

Regulation of Investigatory Powers Act 2000 (c. 23)

10 In Schedule 1 to the Regulation of Investigatory Powers Act 2000 (relevant authorities) omit paragraph 27D and the cross-heading before it.

Police Reform Act 2002 (c. 30)

11 The Police Reform Act 2002 has effect subject to the following amendments.

Commencement Information

I62 Sch. 13 para. 11 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(y)**

VALID FROM 08/05/2006

12 (1) Section 82 (police nationality requirements) is amended as follows.

(2) In subsection (1)—

(a) at the end of paragraph (e) insert " or ", and

(b) omit paragraph (f).

(3) In subsection (3)(e) for "the Civil Nuclear Constabulary or the Royal Parks Constabulary" substitute " or the Civil Nuclear Constabulary ".

(4) Omit subsection (5).

13 (1) Schedule 4 (powers exercisable by police civilians) is amended as follows.

(2) In paragraph 2(6) after paragraph (aa) insert—

"(ab) an offence committed in a specified park which by virtue of section 2 of the Parks Regulation (Amendment) Act 1926 is an offence against the Parks Regulation Act 1872; or".

(3) After paragraph 7C insert—

"Park Trading offences

7D (1) This paragraph applies if—

(a) a designation applies it to any person ("the CSO"), and

(b) the CSO has under paragraph 2(3) required another person ("P") to wait with him for the arrival of a constable.

(2) If the CSO reasonably suspects that P has committed a park trading offence, the CSO may take possession of anything of a non-perishable nature which—

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(a) P has in his possession or under his control, and
(b) the CSO reasonably believes to have been used in the commission of the offence.

(3) The CSO may retain possession of the thing in question for a period not exceeding 30 minutes unless P makes an election under paragraph 2(4), in which case the CSO may retain possession of the thing in question until he is able to transfer control of it to a constable.

(4) In this paragraph "park trading offence" means an offence committed in a specified park which is a park trading offence for the purposes of the Royal Parks (Trading) Act 2000."

(4) In paragraph 36 after sub-paragraph (3) insert—

"(3A) In this Schedule "specified park" has the same meaning as in section 162 of the Serious Organised Crime and Police Act 2005."

Commencement Information

I63 Sch. 13 para. 13 in force at 1.7.2005 by S.I. 2005/1521, **art. 3(1)(y)**

VALID FROM 01/04/2006

SCHEDULE 14

Section 163

AMENDMENTS OF PART 5 OF POLICE ACT 1997

1 Part 5 of the Police Act 1997 (c. 50) (certificates of criminal records etc.) is amended as follows.

2 In section 114(3) for "Section 113(3) to (5)" substitute " Sections 113A(3) to (6) and 113C to 113F ".

3 In section 116—
(a) in the application to Scotland of subsection (2)(b) for "to which subsection (3) or (4) of section 115 applies" substitute " of such description as may be prescribed ";
(b) in subsection (3) for "Section 115(6) to (10)" substitute " Sections 113B(3) to (11) and 113C to 113F ".

4 In section 119—
(a) in subsection (1A) for "section 113(3A) or (3C) or (3EA) or (3EC)" substitute " section 113C(3) or 113D(3) ";
(b) in subsection (2) for "115" substitute " 113B ".

5 In section 119A(2) for the words from "under" to "adults)" substitute " in a list mentioned in section 113C(3) or 113D(3) ".

6 In section 120—
(a) in subsection (3)(b) for "113 or 115" substitute " 113A or 113B ";
(b) in subsection (5)(b) for "113 or 115" substitute " 113A or 113B ";

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Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(c) in subsection (7) for "113" substitute " 113A ".

7 In section 120ZA(4)(b) for "113 or 115" substitute " 113A or 113B ".

8 In section 120A (as inserted by section 134(1) of the Criminal Justice and Police Act 2001 (c. 16))—

(a) in subsection (3)(b) for "section 113(3A) or (3C) or (3EA) or (3EC)" substitute " section 113C(3) or 113D(3) ";

(b) in subsection (5) for "113" substitute " 113A ".

9 In section 120B (as inserted by section 70 of the Criminal Justice (Scotland) Act 2003 (asp 7))—

(a) in subsection (3)(a) for "113" substitute " 113A ";

(b) in subsection (3)(b) for "113(3C)" substitute " 113C(3) or 113D(3) ";

(c) after subsection (6) (as inserted by section 165(2) of this Act) insert—

"(7) In the case of such a body the reference in subsection (5) to a police authority must be construed as a reference to such body as is prescribed."

Commencement Information

I64 Sch. 14 para. 9 in force at 1.4.2006 for S. by S.S.I. 2006/166, **art. 2(1)(e)**

10 In section 121 for "under section 114(2), 115(4) or (10), 116(2), 122(1) or (2) or 125" substitute " in relation to the making of regulations or orders ".

11 In section 122(3) and (4)(b) for "113 or 115" substitute " 113A or 113B ".

12 In section 124—

(a) in subsections (1), (2), (3), (4) and (6) for "113 or 115" substitute " 113A or 113B ";

(b) in subsection (5) for "115(8)" substitute " 113B(5) ";

(c) in subsection (6)(e) for "113" substitute " 113A ".

PROSPECTIVE

13 In section 124B—

(a) in subsection (1) for "113" substitute " 113A ";

(b) in subsection (3) for "113(5)" substitute " 113A(6) ".

14 In section 125, at the end add—

"(6) If the power mentioned in subsection (1) is exercised by the Scottish Ministers, the reference in subsection (3) to each House of Parliament must be construed as a reference to the Scottish Parliament."

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

VALID FROM 30/06/2006

SCHEDULE 15

Section 171

PRIVATE SECURITY INDUSTRY ACT 2001: SCOTTISH EXTENT

1 The Private Security Industry Act 2001 (c. 12) is amended as follows.

2 In section 2 (directions etc. by the Secretary of State)—

(a) in subsection (2), the existing words "shall consult the Authority" become paragraph (a) and after that paragraph add "and

(b) where any of those directions relates wholly or mainly to the exercise of the Authority's activities in or as regards Scotland, shall obtain the consent of the Scottish Ministers."; and

(b) in subsection (3), the existing words "the Secretary of State with such information about its activities as he may request" become paragraph (a) and after that paragraph add "and

(b) the Scottish Ministers with such information about its activities in or as regards Scotland as they may request."

3 After section 2 insert—

"**2A Authority to be treated as cross-border public authority etc. for certain purposes**

For the purposes of—

(a) section 5(5B) of the Parliamentary Commissioner Act 1967 (restriction on investigatory powers of Parliamentary Commissioner for Administration);

(b) section 23(2)(b) of the Scotland Act 1998 (power of Scottish Parliament to require persons outside Scotland to give evidence or produce documents);

(c) section 70(6) of that Act of 1998 (accounts prepared by cross-border authorities);

(d) section 91(3)(d) of that Act of 1998 (provision for investigation of certain complaints); and

(e) section 7(5) of the Scottish Public Services Ombudsman Act 2002 (restriction on investigatory powers of ombudsman),

the Authority is to be treated as a cross-border public authority within the meaning of that Act of 1998."

4 In section 3 (conduct prohibited without a licence), after subsection (3) insert—

"(3A) In the application of this Act to Scotland—

(a) the reference in subsection (3) to the Secretary of State must be construed as a reference to the Scottish Ministers; but

(b) before making any order under subsection (3) the Scottish Ministers are to consult the Secretary of State."

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

5 In section 7 (licensing criteria), after subsection (5) insert—

"(5A) Before giving approval under subsection (5), the Secretary of State shall consult the Scottish Ministers."

6 In section 11 (appeals in licensing matters)—

(a) in subsection (1), after "court" insert " (in Scotland, to the sheriff) ";

(b) in subsection (4), the existing words from "a magistrates'" to "Crown Court" become paragraph (a) and after that paragraph insert "or

(b) the sheriff makes a decision on an appeal under that subsection, an appeal to the Sheriff Principal,"; and

(c) in subsection (6)(d), the existing words from "the appropriate" to the end become sub-paragraph (i) and after that sub-paragraph add "or

(ii) the sheriff or the Sheriff Principal may direct pending an appeal from a determination made on an appeal to the sheriff."

VALID FROM 06/07/2006

7 In section 13 (licensing at local authority level), at the end add—

"(8) This section does not apply to Scotland."

8 In section 15(1) (duty to secure arrangements are in force for granting certain approvals), at the end of paragraph (a) add " or in Scotland ".

9 In section 18 (appeals relating to approvals)—

(a) in subsection (1), after "court" insert " (in Scotland, to the sheriff) ";

(b) in subsection (4), the existing words from "a magistrates'" to "Crown Court" become paragraph (a) and after that paragraph insert "or

(b) the sheriff makes a decision on an appeal under that subsection, an appeal to the Sheriff Principal,"; and

(c) in subsection (5)(d), the existing words from "the appropriate" to the end become sub-paragraph (i) and after that sub-paragraph add "or

(ii) the sheriff or the Sheriff Principal may direct pending an appeal from a determination made on an appeal to the sheriff."

10 In section 23 (criminal liability of directors etc.), the existing words become subsection (1) and after that subsection add—

"(2) Where an offence under any provision of this Act is committed by a Scottish partnership and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—

(a) a partner; or

(b) any person who was purporting to be a partner,

he (as well as the partnership) shall be guilty of that offence and liable to be proceeded against and punished accordingly."

11 In section 24 (consultation with Security Industry Authority before making orders or regulations etc.)—

(a) after subsection (1) insert—

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

"(1A) But in Scotland "prescribed" in paragraph 8(3)(d) of Schedule 2 to this Act includes prescribed by regulations made by the Scottish Ministers.";

(b) in subsection (2), after "Secretary of State" insert " or the Scottish Ministers ";

(c) in subsection (3), after paragraph (b) insert "or

(c) an order or regulations made by the Scottish Ministers,";

(d) after subsection (3) insert—

"(3A) A statutory instrument containing an order or regulations made by the Scottish Ministers, other than an order under section 26(2), shall be subject to annulment in pursuance of a resolution of the Scottish Parliament.";

(e) in subsection (4), after "consult" insert " the Scottish Ministers (except where the order is made by virtue of section 3(2)(j)) and "; and

(f) in subsection (5)(b), at the end add " (or where the order is, or regulations are, made by the Scottish Ministers, as the Scottish Ministers think fit) ".

12 In section 26 (short title, commencement and extent)—

(a) after subsection (2) insert—

"(2A) In the application of this Act to Scotland—

(a) the reference in subsection (2) to the Secretary of State must be construed as a reference to the Scottish Ministers; but

(b) before making any order under subsection (2) the Scottish Ministers are to consult the Secretary of State."; and

(b) in subsection (4), after "Wales" insert " and to Scotland ".

13 In Schedule 1 (the Security Industry Authority)—

(a) in paragraph 1 (membership and chairman), at the end add—

"(4) Before appointing the chairman, the Secretary of State shall consult the Scottish Ministers.";

(b) in paragraph 3 (removal from office), the existing words become sub-paragraph (1) and after that sub-paragraph insert—

"(2) Before removing a person from office as chairman of the Authority, the Secretary of State shall consult the Scottish Ministers.";

(c) in paragraph 6 (staff etc.), after sub-paragraph (2) insert—

"(2A) Before giving consent under sub-paragraph (2), the Secretary of State shall consult the Scottish Ministers.";

(d) in paragraph 14 (money), after sub-paragraph (1) insert—

"(1A) The Scottish Ministers may make payments to the Authority out of the Scottish Consolidated Fund in relation to the exercise by the Authority of its functions in or as regards Scotland.";

(e) in paragraph 16 (accounts)—

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

(i) in sub-paragraph (3), after second "State" insert " , to the Scottish Ministers "; and

(ii) after sub-paragraph (3) insert—

"(3A) The Scottish Ministers shall present documents received by them under sub-paragraph (3) to the Scottish Parliament."; and

(f) in paragraph 17 (annual report)—

(i) in sub-paragraph (1), after "State" insert " and to the Scottish Ministers "; and

(ii) at the end add—

"(3) The Scottish Ministers shall lay a copy of each such report before the Scottish Parliament."

14 In Schedule 2 (activities liable to control under the Private Security Industry Act 2001 (c. 12))—

(a) in paragraph 3 (immobilisation of vehicles), at the end add—

"(4) This paragraph does not apply to any activities carried out in Scotland.";

(b) in paragraph 4 (private investigations), after sub-paragraph (4) insert—

"(4A) This paragraph does not apply to any activities of a person who is an advocate or solicitor in Scotland in the provision of legal services—

(a) by him;

(b) by any firm of which he is a partner or by which he is employed;

(c) by any body corporate of which he is a director or member or by which he is employed.";

(c) after paragraph 4 insert—

"Taking precognitions

4A (1) This paragraph applies (subject to sub-paragraph (2)) to the taking, other than on behalf of the Crown, of a precognition for the purposes of, or in anticipation of—

(a) criminal or civil proceedings in Scotland; or

(b) proceedings on an application under section 65(7) or (9) of the Children (Scotland) Act 1995.

(2) This paragraph does not apply to any activities of a person who is an advocate or solicitor in Scotland.";

(d) in paragraph 8(2) (door supervisors etc. for public houses, clubs and comparable venues) after paragraph (e) add—

"(f) any premises specified in a public house licence (within the meaning of the Licensing (Scotland) Act 1976) which is for the time being in force;

(g) any premises specified in an hotel licence (within the meaning of that Act) which is for the time being in force;

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(h) any premises specified in an entertainment licence (within the meaning of that Act) which is for the time being in force if they comprise a dance hall;

(i) any premises comprised in a place to which an occasional licence granted under section 33(1) of that Act (occasional licence for premises other than licensed premises or clubs) to the holder of a public house licence or hotel licence extends;

(j) any premises comprised in a place to which an occasional permission granted under section 34(1) of that Act (occasional permission for sale of alcohol in the course of catering for events arising from or related to the activities of a voluntary organisation) extends;

(k) any premises comprised in a place or class of place for the time being specified by resolution under section 9(5)(b) of the Civic Government (Scotland) Act 1982 (resolution specifying place or class of place falling to be licensed if to be used as place of public entertainment);

(l) any premises comprised in a place where an activity for the time being designated under section 44(1) of that Act (additional activities for which a licence is required) is carried on provided that, in the case of an activity designated under paragraph (a) of that section, the requisite resolution under section 9 of that Act has been obtained;"; and

(e) after paragraph 9 add—

"Taking precognitions

10 This paragraph applies to any activities which are activities of a security operative by virtue of paragraph 4A of this Schedule."

VALID FROM 01/01/2006

SCHEDULE 16

Section 174

REMAINING MINOR AND CONSEQUENTIAL AMENDMENTS (SEARCH WARRANTS)

. . . . . .

Status: *Point in time view as at 01/07/2005.*
Changes to legislation: *Serious Organised Crime and Police Act 2005 is up to date with all changes known to be in force on or before 16 August 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)*

SCHEDULE 17

Section 174

REPEALS AND REVOCATIONS

PART 1

REPEALS COMING INTO FORCE ON ROYAL ASSENT

Short title and chapter	*Extent of repeal*
Police Reform Act 2002 (c. 30)	Section 95. In Schedule 8, the reference to section 5 of the Police (Health and Safety) Act 1997 (c. 42).

PART 2

OTHER REPEALS AND REVOCATIONS

Commencement Information

I65 Sch. 17 Pt. 2 in force at 1.7.2005 for specified purposes by S.I. 2005/1521, **art. 3(1)(ee)**

Short title and chapter or title and number	*Extent of repeal or revocation*
Unlawful Drilling Act 1819 (60 Geo. 3 & 1 Geo. 4 c. 1)	In section 2, the words “, or for any other person acting in their aid or assistance,”.
Vagrancy Act 1824 (c. 83)	Section 6.
Railway Regulation Act 1842 (c. 55)	Section 17.
Companies Clauses Consolidation Act 1845 (c. 16)	In section 156, the words “, and all persons called by him to his assistance,”.
Railways Clauses Consolidation Act 1845 (c. 20)	Sections 104 and 154.
Licensing Act 1872 (c. 94)	In section 12, the words “may be apprehended, and”.
Public Stores Act 1875 (c. 25)	Section 12(1).
London County Council (General Powers) Act 1894 (c. ccxii)	In section 7, the words “and any person called to the assistance of such constable or person authorised”.
London County Council (General Powers) Act 1900 (c. cclxviii)	In section 27, the words “and any person called to the assistance of such constable or officer”.
Licensing Act 1902 (c. 28)	In section 1, the words “apprehended and”. In section 2(1), the words “may be apprehended, and”.

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Protection of Animals Act 1911 (c. 27)	Section 12(1).
Official Secrets Act 1911 (c. 28)	Section 6.
Public Order Act 1936 (1 Edw. 8 & 1 Geo. 6 c. 6)	Section 7(3).
Army Act 1955 (3 & 4 Eliz. 2 c. 18)	Section 83BC(2)(k).
Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)	Section 83BC(2)(k).
Naval Discipline Act 1957 (c. 53)	Section 52IJ(2)(k).
Public Records Act 1958 (c. 51)	In Schedule 1, in Part 2 of the Table at the end of paragraph 3, the entries relating to the Service Authorities for the National Crime Squad and the National Criminal Intelligence Service.
Street Offences Act 1959 (c. 57)	Section 1(3).
Trustee Investments Act 1961 (c. 62)	In section 11(4), in paragraph (a), the words “, the Service Authority for the National Crime Squad”, and paragraph (e). In Part 2 of Schedule 1, paragraph 9(da).
Parliamentary Commissioner Act 1967 (c. 13)	In Schedule 2, the entries relating to the Service Authorities for the National Crime Squad and the National Criminal Intelligence Service.
Police (Scotland) Act 1967 (c. 77)	In section 33, in subsections (3) and (4), the words “and the National Criminal Intelligence Service”. Section 38A(1)(ba). In section 41(4)(a), the words “or by a member of the National Criminal Intelligence Service or of the National Crime Squad”.
Criminal Justice Act 1967 (c. 80)	In section 91(1), the words “may be arrested without warrant by any person and”.
Leasehold Reform Act 1967 (c. 88)	Section 28(5)(bc).
Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces) Act 1967 (c. xxix)	In Article 19 of the Order set out in the Schedule, the words “and any person called to the assistance of such constable or officer”.
Theft Act 1968 (c. 60)	Section 25(4).
Port of London Act 1968 (c. xxxii)	In section 2, the definition of “arrestable offence”. Section 170.
Employment Agencies Act 1973 (c. 35)	In section 13(7)(f), the words “, the Service Authority for the National Criminal Intelligence Service, the Service Authority for the National Crime Squad”.

Status: *Point in time view as at 01/07/2005.*
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House of Commons Disqualification Act 1975 (c. 24)	Section 1(1)(da). In Schedule 1, in Part 2, the entries relating to the Service Authorities for the National Crime Squad and the National Criminal Intelligence Service.
Northern Ireland Assembly Disqualification Act 1975 (c. 25)	Section 1(1)(da). In Schedule 1, in Part 2, the entries relating to the Service Authorities for the National Crime Squad and the National Criminal Intelligence Service.
Sex Discrimination Act 1975 (c. 65)	In section 17(7), in the definition of "chief officer of police", paragraph (aa), in the definition of "police authority", paragraph (aa) and, in the definition of "police fund" the words from ", in relation to" (in the second place where they occur) to "the Police Act 1997".
Police Pensions Act 1976 (c. 35)	In section 11(5), in paragraph (a) of the definition of "central service", "(ca), (cb),".
Race Relations Act 1976 (c. 74)	In section 76B, subsection (1) and, in subsection (2), the word "also". In Schedule 1A, in Part 1, paragraphs 59 and 60 and, in Part 3, the entry relating to the Director General of the National Crime Squad.
Criminal Law Act 1977 (c. 45)	Section 6(6). Section 7(6). Section 8(4). Section 9(7). In section 10(5), the words "A constable in uniform,".
Theft Act 1978 (c. 31)	Section 3(4).
Health and Safety at Work (Northern Ireland) Order 1978 (S.I. 1978/1039 (N.I. 9))	In Article 47A(2), sub-paragraph (b).
Animal Health Act 1981 (c. 22)	Section 61(1). Section 62(1).
Local Government (Miscellaneous Provisions) Act 1982 (c. 30)	In Schedule 3, paragraph 24.
Aviation Security Act 1982 (c. 36)	Section 28(3).
Stock Transfer Act 1982 (c. 41)	In Schedule 1, in paragraph 7(1), paragraph (bb) and the word "or" before it.
Police and Criminal Evidence Act 1984 (c. 60)	Section 5(1A). In section 15(2)(a)(i), the word "and" at the end. Section 25. Section 55(14A).

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	In section 66(1)(a)(i), the word "or" at the end. Section 116. In section 118(1), the definition of "arrestable offence". In Schedule 1, in paragraph 14(a), the words "to which the application relates". Schedule 1A. In Schedule 2, the entries relating to the Military Lands Act 1892 (c. 43), the Protection of Animals Act 1911 (c. 27), the Public Order Act 1936 (1 Edw. 8 & 1 Geo. 6 c. 6), the Street Offences Act 1959 (c. 57), the Criminal Law Act 1977 (c. 45) and the Animal Health Act 1981 (c. 22). Schedule 5. In Schedule 6, paragraph 17.
Prosecution of Offences Act 1985 (c. 23)	In section 3(3), in the definition of "police force", the words ", the National Crime Squad".
Sporting Events (Control of Alcohol etc.) Act 1985 (c. 57)	In section 7(2), the words ", and may arrest such a person".
Public Order Act 1986 (c. 64)	Section 3(6). Section 4(3). Section 4A(4). Section 5(4) and (5). Section 12(7). Section 13(10). Section 14(7). Section 14B(4). Section 14C(4). Section 18(3).
Ministry of Defence Police Act 1987 (c. 4)	In section 2B(3), in the definitions of "chief officer" and "relevant force", paragraphs (c) and (d).
Criminal Justice Act 1988 (c. 33)	Section 140(1)(a) and (b). In Schedule 15, paragraphs 98 and 102.
Road Traffic Act 1988 (c. 52)	Section 4(6) to (8). In section 124(2), the definitions of "chief officer of police", "police authority" and "police force". Section 144(2)(ba). Section 163(4).
Road Traffic (Consequential Provisions) Act 1988 (c. 54)	In Schedule 3, paragraph 27(5).
Football Spectators Act 1989 (c. 37)	Section 2(4).
Aviation and Maritime Security Act 1990 (c. 31)	In section 22(4)(b), sub-paragraph (iii) and the word "or" before it.

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	In Schedule 3, paragraph 8.
Football (Offences) Act 1991 (c. 19)	Section 5(1).
Road Traffic Act 1991 (c. 40)	In Schedule 4, paragraph 39.
Local Government Finance Act 1992 (c. 14)	In section 43(7)(b), “, (5A)”.
Transport and Works Act 1992 (c. 42)	Section 30(1) and (3). Section 40.
Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)	Section 241(3).
Tribunals and Inquiries Act 1992 (c. 53)	In section 7(2), after “36A”, “(a) or (b)”. In Schedule 1, in paragraph 36A, “(a)” and sub-paragraph (b).
Criminal Justice and Public Order Act 1994 (c. 33)	Section 61(5). Section 62B(4). Section 63(8). Section 65(5). Section 68(4). Section 69(5). Section 76(7). Section 85(1), (2) and (3). Section 155. Section 166(4). Section 167(7). In Schedule 10, paragraph 59.
Drug Trafficking Act 1994 (c. 37)	In Schedule 1, paragraph 9 and, in paragraph 25, the words “section 9(6) of” and the words after “1990”.
Criminal Appeal Act 1995 (c. 35)	In section 22(2), in paragraph (a), the words “, the National Crime Squad”, paragraph (b) (ii) and paragraphs (d) and (e).
Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c. 40)	In Schedule 4, paragraph 76(2).
Disability Discrimination Act 1995 (c. 50)	In the section 64A inserted by the Disability Discrimination Act 1995 (Amendment) Regulations 2003 (S.I. 2003/1673), in subsection (7), in the definitions of “chief officer of police”, “police authority” and “police fund”, paragraph (b).
Reserve Forces Act 1996 (c. 14)	In Schedule 2, paragraph 2(1).
Police Act 1996 (c. 16)	Section 23(8). Section 24(5). In section 54(2), the words “the National Criminal Intelligence Service and the National Crime Squad”. Section 55(7). Section 59(8). Section 60(2A).

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	Section 61(1)(aa) and (ba). In section 62, subsection (1)(aa) and (ab), the subsection (1A) inserted by paragraph 82(2) of Schedule 9 to the Police Act 1997, and subsections (1B) and (1C). In section 63, subsections (1A) and (1B). In section 64, subsections (4A) and (4B). In section 88(5)(b), the words "or section 23 of the Police Act 1997". In section 89(4)(a), the words "or by a member of the National Crimina Intelligence Service or of the National Crime Squad". Section 97(1)(ca) and (cb). In section 98, in subsections (2) and (3), the words "or the Director General of the National Crime Squad" and "or the National Crime Squad", subsection (3A), in subsection (4) the words "or the National Crime Squad" and "or the Director General of the National Crime Squad", in subsection (5) the words "or the National Crime Squad" (in both places) and "or the Director General of the National Crime Squad" and subsection (6A).
Employment Rights Act 1996 (c. 18)	Section 50(2)(ca).
Offensive Weapons Act 1996 (c. 26)	Section 1(1).
Public Order (Amendment) Act 1996 (c. 59)	The whole Act.
Juries (Northern Ireland) Order 1996 (S.I. 1996/1141 (N.I. 6))	In Schedule 2, the entry relating to members of the National Criminal Intelligence Service, members of the Service Authority for the National Criminal Intelligence Service and persons employed by the Authority.
Employment Rights (Northern Ireland) Order 1996 (S.I. 1996/1919 (N.I. 16))	Article 67KA(3)(b). Article 72A(2)(b). Article 169A(2)(b).
Confiscation of Alcohol (Young Persons) Act 1997 (c. 33)	Section 1(5).
Police (Health and Safety) Act 1997 (c. 42)	In section 5(3), in the definition of "relevant authority" paragraphs (c) and (d), in the definition of "relevant fund" paragraphs (b) and (c) and, in the definition of "responsible officer", paragraph (b).
Police Act 1997 (c. 50)	Sections 1 to 87. Sections 89 and 90. In section 93(6), paragraphs (d) and (e). In section 94, in subsection (1) paragraph (c) and the word "or" before it and subsections (3) and (4)(c).

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	In section 111, in subsection (1), paragraphs (c) and (d), in subsection (2), paragraphs (d) and (e) and, in subsection (3), paragraphs (c) and (d). Section 113. Section 115. In section 125 as it applies to Scotland, subsection (3) and, in subsection (4), the words "to which subsection (3) does not apply". In section 137(2), paragraphs (b) and (c). Schedules 1 to 2A. In Schedule 9, paragraphs 1, 4 to 6, 11, 14(b), 15, 16, 20, 26, 29(2), 30(2), 31, 44, 46 to 48, 54, 58 to 62, 69, 70, 71(2)(a), (c), (d) and (3), 73, 74, 76, 77, 79 to 84, 86(3) and (4), 87, 88 and 92.
Police (Health and Safety) (Northern Ireland) Order 1997 (S.I. 1997/1774 (N.I. 6))	In Article 7(3), in the definition of "the relevant authority", sub-paragraph (b), in the definition of "the relevant fund", sub-paragraph (a) and, in the definition of "the responsible officer", sub-paragraph (b).
Police (Northern Ireland) Act 1998 (c. 32)	Section 27(1)(b). In section 42, in subsection (1) ", (3)", and subsection (7). In Schedule 4, paragraph 22.
Crime and Disorder Act 1998 (c. 37)	In section 1C, subsections (6) to (8). Section 27(1). Section 31(2) and (3). Section 113.
Protection of Children Act 1999 (c. 14)	Section 8.
Terrorism Act 2000 (c. 11)	In Schedule 15, paragraph 5(11).
Care Standards Act 2000 (c. 14)	Section 90. Section 102. Section 104. In Schedule 4, paragraph 25.
Regulation of Investigatory Powers Act 2000 (c. 23)	In section 33, in subsection (1) the words ", the National Criminal Intelligence Service or the National Crime Squad" and ", Service or Squad", in subsection (3) the words ", the National Criminal Intelligence Service or the National Crime Squad" and (in both places) ", Service or Squad" and, in subsection (6), in paragraph (e) the words "and also of the National Criminal Intelligence Service" and paragraph (f). In section 34, subsections (5) and (6)(c). In section 45(6), paragraphs (d) and (e).

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	In section 56(1), in the definition of "chief officer of police", paragraphs (j) and (k) Section 75(6)(b). In section 76A(11)(c) the words "the National Crime Squad or". In Schedule 1, paragraph 27D and the cross-heading before it. In Schedule 4, paragraph 8(4)(c) and (5).
Football (Disorder) Act 2000 (c. 25)	Section 2. In Schedule 2, paragraph 2.
Police (Northern Ireland) Act 2000 (c. 32)	In Schedule 6, in paragraph 20, sub-paragraphs (4) to (7).
Freedom of Information Act 2000 (c. 36)	In section 23(3), the word "and" at the end of paragraph (k). In Schedule 1, in Part 6, the entries relating to the National Crime Squad and the Service Authority for the National Crime Squad.
Criminal Justice and Court Services Act 2000 (c. 43)	In Schedule 7, paragraph 77.
Health and Social Care Act 2001 (c. 15)	Section 19.
Criminal Justice and Police Act 2001 (c. 16)	Section 42(8). Section 47(3). In section 104, subsection (3), in subsection (4) paragraph (c) and the word "and" before it, and subsection (8). In section 107, subsections (1)(c) and (4). Sections 108 to 121. Section 138(6)(d). In Schedule 4, paragraph 7(3)(b). Schedule 5. In Schedule 6, paragraphs 1 to 21, 55, 56, 60, 61 and 77.
Anti-terrorism, Crime and Security Act 2001 (c. 24)	Section 39(8).
Regulation of Care (Scotland) Act 2001 (asp 8)	In Schedule 3, paragraph 21.
International Development Act 2002 (c. 1)	In Schedule 3, paragraphs 3(3), 11(3) and 12(3).
National Health Service Reform and Health Care Professions Act 2002 (c. 17)	In Schedule 2, paragraph 64.
Proceeds of Crime Act 2002 (c. 29)	In section 313(1), paragraphs (c) and (d). In section 330, subsection (5)(b), and, in subsection (9)(b), the words after "employment". Section 331(5)(b). In section 332(1) and (3), "337 or". Section 332(5)(b).

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	In section 337(5)(b), the words after "employment". In section 338, subsection (1)(b) (except the word "and" at the end) and, in subsection (5)(b), the words after "employment". Section 339(5) and (6). In section 447(3)(a), the word "or" at the end. In Schedule 11, paragraphs 3(3), 14(4), 30(3) and (4) and 34(3) and (4).
Police Reform Act 2002 (c. 30)	Section 8. In section 9(3)(e) the words "is or". In section 10, in subsection (1), at the end of paragraph (e) the word "and", in paragraph (f) the words "the National Criminal Intelligence Service, the National Crime Squad and", in subsection (3), paragraph (a) and, in paragraph (d), the words "the National Criminal Intelligence Service, the National Crime Squad or" and, in subsection (7), the word "or" at the end of paragraph (a). In section 15(6), the words from "or, as the case may be" to the end of the subsection. Section 25. In section 38, subsection (3), in subsection (4) the words "or a Director General" and, in subsection (7), the words "or of a Service Authority". Section 42(4) and (8). In section 45, in subsection (1) the words "and by Directors General", in subsection (3) paragraphs (a), (b), (d) and (e) and, in subsection (5), the words "or a Director General". In section 47(1), the definitions of "Director General" and "Service Authority". Section 48. Section 49(1). In section 82, subsection (1)(c) and (f), in subsection (2), paragraph (c) and the word "or" before it, subsection (3)(d) and subsection (5). Sections 85 to 91. Section 93. In section 102, in subsection (2), paragraphs (c) and (d) and, in subsection (5), paragraphs (b) and (c). In section 103, subsections (2) and (3) and, in subsection (6), the words ", the NCIS service fund or the NCS service fund,". Section 108(7)(e). Schedule 1.

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	In Schedule 4, paragraph 2(5)(a) and (7), and in paragraph 36(1), paragraph (b) and the word "and" before it. In Schedule 5, in paragraph 1(2)(aa), the words "except in respect of an offence under section 12 of the Licensing Act 1872 or section 91 of the Criminal Justice Act 1967". Schedule 6. In Schedule 7, paragraphs 16, 17, 19(2) and (3), 21 and 22(2).
Education Act 2002 (c. 32)	Part 2 of Schedule 12. In Schedule 13, paragraphs 7 and 8. In Schedule 21, paragraphs 72 and 73.
Adoption and Children Act 2002 (c. 38)	Section 135. In Schedule 3, paragraph 93.
Licensing Act 2003 (c. 17)	In Schedule 6, paragraphs 93 and 116.
Aviation (Offences) Act 2003 (c. 19)	Section 1(1).
Communications Act 2003 (c. 21)	Section 181(1).
Crime (International Co-operation) Act 2003 (c. 32)	In section 17(3), the words "the Police and Criminal Evidence Act 1984 (c. 60) or (as the case may be)". Section 85.
Anti-social Behaviour Act 2003 (c. 38)	Section 4(5). Section 23(5). Section 32(3). Section 37(3).
Courts Act 2003 (c. 39)	In Schedule 8, paragraphs 12 and 281(2).
Sexual Offences Act 2003 (c. 42)	In Schedule 6, paragraph 28(3) and (4).
Criminal Justice Act 2003 (c. 44)	Section 3. In Schedule 35, paragraphs 3 and 4.
Protection of Children (Scotland) Act 2003 (asp 5)	Section 12.
Criminal Justice (Scotland) Act 2003 (asp 7)	Section 70(3).
Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 (S.I. 2003/417 (N.I. 4))	Article 17(4) to (6). Article 47(3) to (5).
Energy Act 2004 (c. 20)	In section 59(3), in the definition of "chief officer", paragraphs (c) and (d) and, in the definition of "relevant force", paragraphs (c) and (d). In Schedule 14, paragraph 11(b).
Domestic Violence, Crime and Victims Act 2004 (c. 28)	Section 10(1). In Schedule 10, paragraph 24.
Hunting Act 2004 (c. 37)	Section 7.

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Prevention of Terrorism Act 2005 (c. 2)	Section 9(9).
Serious Organised Crime and Police Act 2005 (c. 15)	Section 112(6) and (7). Section 126(2) and (3). Section 130(1). Section 136(5).

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