

SCHEDULES

SCHEDULE 3

RELATIONSHIPS BETWEEN NCA AND OTHER AGENCIES

PART 3

ASSISTANCE WITHIN THE UK

Voluntary assistance by NCA: the UK, the Channel Islands & the Isle of Man

- 8 (1) The Director General may provide assistance to—
- (a) a UK police force, or
 - (b) an Island police force;
- if the chief officer of the police force requests assistance to be provided.
- (2) The Director General may provide assistance to—
- (a) a UK law enforcement agency, or
 - (b) an Island law enforcement agency,
- if the agency requests assistance to be provided.
- (3) A request may be made under this paragraph only if the chief officer, or agency, considers that the police force, or agency, has a special need for the Director General to provide assistance.
- (4) A request under this paragraph must—
- (a) state the special need for assistance, and
 - (b) specify the assistance that is wanted.
- (5) If a request is made under this paragraph, the Director General may provide such assistance as the Director General considers appropriate in all the circumstances.

Voluntary assistance to NCA: the UK

- 9 (1) The chief officer of a UK police force may provide assistance to the NCA if the Director General requests assistance to be provided.
- (2) A UK law enforcement agency may provide assistance to the NCA if the Director General requests assistance to be provided.
- (3) A request may be made under this paragraph only if the Director General considers that the NCA has a special need for the chief officer, or agency, to provide assistance.
- (4) A request under this paragraph must—
- (a) state the special need for assistance, and
 - (b) specify the assistance that is wanted.

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- (5) If a request is made under this paragraph, a chief officer, or law enforcement agency, may provide such assistance as the chief officer, or agency, considers appropriate in all the circumstances.

Directed assistance by NCA: England and Wales police etc

- 10 (1) The Secretary of State may direct the Director General to provide specified assistance to—
- (a) an England and Wales police force,
 - (b) a special police force,
 - (c) the Commissioners for Her Majesty’s Revenue and Customs;
 - (d) the Director of the Serious Fraud Office;
 - (e) the Director of Border Revenue;
 - (f) any other person operating—
 - (i) in England, or
 - (ii) in England and in Scotland, Northern Ireland or Wales (or two or more of those parts of the United Kingdom),
 charged with the duty of investigating or prosecuting offences (apart from a UK police force).
- (2) A direction may be given under this paragraph only if it appears to the Secretary of State that it is appropriate for the police force or other persons or person to receive directed assistance from the Director General.

Directed assistance to NCA: England and Wales police etc

- 11 (1) The Director General may direct any of the following to provide specified assistance to the NCA—
- (a) the chief officer of an England and Wales police force;
 - (b) the Chief Constable of the British Transport Police;
 - (c) the Commissioners for Her Majesty’s Revenue and Customs;
 - (d) the Director of the Serious Fraud Office;
 - (e) the Director of Border Revenue.
- (2) A direction may be given under this paragraph only if—
- (a) it appears to the Director General that it is appropriate for the NCA to receive directed assistance from the chief officer of the police force or from the other persons or person; and
 - (b) the appropriate consent is given to the direction.
- (3) For that purpose “appropriate consent” means—
- (a) the consent of the Secretary of State (in the case of a direction to the chief officer of an England and Wales police force or a direction to the Chief Constable of the British Transport Police);
 - (b) the consent of the Secretary of State and the consent of the Treasury (in the case of a direction to the Commissioners or the Director of Border Revenue);
 - (c) the consent of the Secretary of State and the consent of the Attorney General (in the case of a direction to the Director of the Serious Fraud Office).

Directed assistance by NCA: Scotland

- 12 (1) The Scottish Ministers may direct the Director General to provide specified assistance to the Police Service of Scotland.
- (2) A direction may be given under this paragraph only if—
- (a) it appears to the Scottish Ministers that it is appropriate for the Police Service to receive directed assistance from the Director General; and
 - (b) the Secretary of State consents to the direction.

Directed assistance to NCA: Scotland

- 13 The Scottish Ministers may direct the chief constable of the Police Service of Scotland to provide specified assistance to the NCA if it appears to the Scottish Ministers that it is appropriate for the NCA to receive directed assistance from the chief constable.

Directed assistance by NCA: Northern Ireland

- 14 (1) The Department of Justice in Northern Ireland may direct the Director General to provide specified assistance to the Police Service of Northern Ireland.
- (2) A direction may be given under this paragraph only if—
- (a) it appears to the Department of Justice that it is appropriate for the Police Service to receive directed assistance from the Director General; and
 - (b) the Secretary of State consents to the direction.

Directed assistance to NCA: Northern Ireland

- 15 (1) The Department of Justice in Northern Ireland may direct the Chief Constable of the Police Service of Northern Ireland to provide specified assistance to the NCA if it appears to the Department that it is appropriate for the NCA to receive directed assistance from the Chief Constable.
- (2) Before giving such a direction, the Department of Justice must consult—
- (a) the Northern Ireland Policing Board, and
 - (b) any other persons the Department considers it appropriate to consult.

When is it appropriate for a person to receive directed assistance?

- 16 For the purposes of this Part of this Schedule, it is appropriate for a person (“R”) to receive directed assistance from another person (“P”) if—
- (a) R has a special need for assistance from P,
 - (b) it is expedient for P to provide the assistance, and
 - (c) satisfactory arrangements for P to provide assistance to R cannot be made, or cannot be made in time, under paragraph 8 or 9.

Voluntary or directed assistance: particular assistance that may be provided

- 17 (1) A person may provide any of the following in response to a request for assistance, and a direction may require the provision of any of the following—
- (a) equipment;

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- (b) NCA officers (if assistance is to be provided by the Director General);
 - (c) constables (if assistance is to be provided by the chief officer of a police force);
 - (d) members of staff of a UK law enforcement agency (if assistance is to be provided by such an agency).
- (2) That does not limit the kinds of assistance that may be provided or required.
- (3) In this paragraph—
- “direction” means a direction under any provision of this Part of this Schedule;
 - “request for assistance” means such a request under any provision of this Part of this Schedule.

Voluntary or directed assistance: control of individuals provided for assistance

- 18 (1) An individual who is provided under this Part of this Schedule—
- (a) to assist the NCA is, whilst so provided, under the direction and control of the Director General;
 - (b) to assist a UK police force is, whilst so provided, under the direction and control of the chief officer of the police force;
 - (c) to assist a UK law enforcement agency is, whilst so provided, under the direction and control of the agency.
- (2) That rule applies despite anything contained in—
- (a) any other enactment, or
 - (b) any agreement made under any other enactment.
- (3) In this paragraph “individual” includes—
- (a) an NCA officer;
 - (b) a constable;
 - (c) a member of the staff of a law enforcement agency.