

SCHEDULES

SCHEDULE 5

POLICE, CUSTOMS AND IMMIGRATION POWERS

PART 3

FURTHER PROVISION ABOUT DESIGNATIONS UNDER SECTION 9 OR 10

Limitations in designation

- 6 (1) A designation may be made subject to any limitations specified in the designation.
- (2) In particular, a designation may include—
- (a) limitations on which operational powers the designated officer has;
 - (b) limitations on the purposes for which the designated officer may exercise operational powers which the person has.

Duration of designation

- 7 (1) A designation has effect without limitation of time, unless the designation specifies a period for which it is to have effect.
- (2) But that is subject to any modification or withdrawal of the designation.

NCA officers having operational powers from another office

- 8 (1) The Director General or any other NCA officer may be designated as a person having operational powers whether or not that person already has, or previously had, any such powers.
- (2) But see paragraph 12 of Schedule 1 for provision about persons who already have operational powers upon becoming NCA officers.
- (3) If a person is both—
- (a) an NCA officer designated as a person having operational powers, and
 - (b) a special constable or a member of the Police Service of Northern Ireland Reserve,
- none of the operational powers which the person has as an NCA officer are exercisable at any time when the person is exercising any power or privilege which the person has as a special constable or as a member of the Police Service of Northern Ireland Reserve.

Evidence of designation

- 9 (1) A designated officer must produce evidence of the designation if—

Status: This is the original version (as it was originally enacted).

- (a) the officer exercises, or purports to exercise, any operational power in relation to another person in reliance on the designation, and
 - (b) the other person requests the officer to produce such evidence.
- (2) If the designated officer fails to produce such evidence, that failure does not make the exercise of the operational power invalid.