



# Policing and Crime Act 2017

## CHAPTER 3

### POLICING AND CRIME ACT 2017

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#### CHAPTER 1

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- 98 Hot pursuit of ships in England and Wales waters
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#### *The maritime enforcement powers*

- 100 Power to stop, board, divert and detain
- 101 Power to search and obtain information
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- 103 Maritime enforcement powers: supplementary: protective searches
- 104 Maritime enforcement powers: other supplementary provision
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- 110 Power to search and obtain information
- 111 Power of arrest and seizure

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- 112 Maritime enforcement powers: supplementary: protective searches
- 113 Maritime enforcement powers: other supplementary provision
- 114 Maritime enforcement powers: offences
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MISCELLANEOUS



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- 1 The Fire and Rescue Services Act 2004 is amended as...
- 2 Before section 1 insert— “ Fire and rescue authorities ”...
- 3 In section 1(4) (fire and rescue authorities) for the words...
- 4 Before section 2 insert— “ Combined fire and rescue authorities...
- 5 After section 4 insert— Fire and rescue authority involving police...
- 6 Before section 5A insert— “ Powers of certain fire and...
- 7 In section 5A (powers of certain fire and rescue authorities)...
- 8 After section 5L insert— Interpretation of Part 1 Interpretation of...
- 9 In section 21 (Fire and Rescue National Framework) after subsection...
- 10 After section 25 (but before the italic heading before section...
- 11 In section 34 (pensions etc) after subsection (10) insert—
- 12 For section 37 (prohibition on employment of police) substitute—  
Prohibition...
- 13 Before Schedule 1 insert— Schedule A1 Procedure for orders under...

##### Part 2 — AMENDMENTS TO OTHER ACTS

#### *Fire Services Act 1947 (c. 41)*

- 14 In section 26 of the Fire Services Act 1947 (firefighters'...

#### *Landlord and Tenant Act 1954 (c. 56)*

- 15 In section 69(1) of the Landlord and Tenant Act 1954...

#### *Local Government Act 1966 (c. 42)*

- 16 In section 11 of the Local Government Act 1966 (grants...

#### *Leasehold Reform Act 1967 (c. 88)*

- 17 The Leasehold Reform Act 1967 is amended as follows.
- 18 In section 28 (retention or resumption of land required for...
- 19 In Schedule 4A (exclusion of certain shared ownership leases) in...

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*Local Government Grants (Social Need) Act 1969 (c. 2)*

20 In section 1 of the Local Government Grants (Social Need)...

*Employers' Liability (Compulsory Insurance) Act 1969 (c. 57)*

21 In section 3(2)(b) of the Employers' Liability (Compulsory Insurance) Act...

*Local Authorities (Goods and Services) Act 1970 (c. 39)*

22 In section 1 of the Local Authorities (Goods and Services)...

*Local Government Act 1972 (c. 70)*

23 The Local Government Act 1972 is amended as follows.  
24 In section 120 (acquisition of land by agreement) after subsection...  
25 In section 138C(1) (application of provisions about religious etc observance...  
26 In section 222 (power of local authority to prosecute or...  
27 In section 223 (appearance of local authorities in legal proceedings)...  
28 In section 229 (photographic copies of documents) in subsection (8)...  
29 In section 231 (service of notices on local authorities, etc)...  
30 In section 232 (public notices) in subsection (1A) (meaning of...  
31 In section 233 (service of notices by local authorities) in...  
32 In section 234 (authentication of documents) in subsection (4) (meaning...

*Employment Agencies Act 1973 (c. 35)*

33 In section 13(7) of the Employment Agencies Act 1973 (activities...

*Local Government Act 1974 (c. 7)*

34 In section 25(1) of the Local Government Act 1974 (authorities...

*Health and Safety at Work etc Act 1974 (c. 37)*

35 In section 28(6) of the Health and Safety at Work...

*Local Government (Miscellaneous Provisions) Act 1976 (c. 57)*

36 In section 44(1) of the Local Government (Miscellaneous Provisions) Act...

*Rent (Agriculture) Act 1976 (c. 80)*

37 In section 5(3) of the Rent (Agriculture) Act 1976 (tenancies...

*Rent Act 1977 (c. 42)*

38 In section 14(1) of the Rent Act 1977 (tenancies which...

*Protection from Eviction Act 1977 (c. 43)*

39 In section 3A(8)(a) of the Protection from Eviction Act 1977...

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*Local Government, Planning and Land Act 1980 (c. 65)*

- 40 The Local Government, Planning and Land Act 1980 is amended...
- 41 In section 99 (disposal of land at direction of Secretary...
- 42 In Schedule 16 (bodies to whom Part 10 applies) after...

*Acquisition of Land Act 1981 (c. 67)*

- 43 In section 17(4) of the Acquisition of Land Act 1981...

*Local Government (Miscellaneous Provisions) Act 1982 (c. 30)*

- 44 The Local Government (Miscellaneous Provisions) Act 1982 is amended as...
- 45 In section 33 (enforceability by local authorities of certain covenants...
- 46 In section 41 (lost and uncollected property) in subsection (13)...
- 47 In section 45 (arrangements under Employment and Training Act 1973)...

*County Courts Act 1984 (c. 28)*

- 48 In section 60(3) of the County Courts Act 1984 (right...

*Housing Act 1985 (c. 68)*

- 49 In section 4(1)(e) of the Housing Act 1985 (other descriptions...

*Landlord and Tenant Act 1985 (c.70)*

- 50 In section 38 of the Landlord and Tenant Act 1985...

*Local Government Act 1986 (c. 10)*

- 51 The Local Government Act 1986 is amended as follows.
- 52 In section 6(2)(a) (meaning of “local authority” for the purposes...
- 53 In section 9(1)(a) (meaning of “local authority” for the purposes...

*Landlord and Tenant Act 1987 (c.31)*

- 54 In section 58(1) of the Landlord and Tenant Act 1987...

*Local Government Act 1988 (c. 9)*

- 55 In Schedule 2 to the Local Government Act 1988 (public...

*Housing Act 1988 (c. 50)*

- 56 The Housing Act 1988 is amended as follows.
- 57 In section 74(8) (transfer of land etc to housing action...
- 58 In Part 1 of Schedule 1 (tenancies which cannot be...

*Road Traffic Act 1988 (c. 52)*

- 59 In section 144(2)(a)(i) of the Road Traffic Act 1988 (exceptions...

*Local Government and Housing Act 1989 (c. 42)*

- 60 The Local Government and Housing Act 1989 is amended as...
- 61 In section 1(9) (meaning of politically restricted post under a...

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- 62 (1) Section 4 (designation and reports of head of paid...
- 63 (1) Section 5 (designation and reports of monitoring officer) is...
- 64 In section 21 (interpretation of Part 1) after subsection (1)...
- 65 In section 152(2) (meaning of “relevant authority” for the purposes...
- 66 In section 155(4) (emergency financial assistance to local authorities: meaning...
- 67 Until the coming into force of the repeal of section...

*Town and Country Planning Act 1990 (c. 8)*

- 68 The Town and Country Planning Act 1990 is amended as...
- 69 In section 252 (procedures for highways orders) in the definition...
- 70 In Schedule 14 (procedure for footpaths and bridleway orders) in...

*Local Government Finance Act 1992 (c. 14)*

- 71 (1) The Local Government Finance Act 1992 is amended as...

*Local Government (Overseas Assistance) Act 1993 (c. 25)*

- 72 In section 1 of the Local Government (Overseas Assistance) Act...

*Deregulation and Contracting Out Act 1994 (c. 40)*

- 73 The Deregulation and Contracting Out Act 1994 is amended as...
- 74 In section 70(1ZB) (functions of local authorities: application to certain...
- 75 In section 79A (local authorities in England) after paragraph (n)...

*Police Act 1996 (c. 16)*

- 76 In section 63 of the Police Act 1996 (Police Advisory...

*Crime and Disorder Act 1998 (c. 37)*

- 77 The Crime and Disorder Act 1998 is amended as follows....
- 78 In section 5(5) (authorities responsible for strategies: interpretation) in the...
- 79 In section 17(2) (duty to consider crime and disorder implications:...
- 80 In section 115(2) (disclosure of information: meaning of relevant authority)...

*Freedom of Information Act 2000 (c. 36)*

- 81 In Part 2 of Schedule 1 to the Freedom of...

*Police Reform Act 2002 (c. 30)*

- 82 In section 38 of the Police Reform Act 2002 (police...

*Local Government Act 2003 (c. 26)*

- 83 (1) The Local Government Act 2003 is amended as follows....

*Local Government and Public Involvement in Health Act 2007 (c. 28)*

- 84 In section 104 of the Local Government and Public Involvement...

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*Equality Act 2010 (c. 15)*

85 In Part 1 of Schedule 19 to the Equality Act...

*Police Reform and Social Responsibility Act 2011 (c. 13)*

86 The Police Reform and Social Responsibility Act 2011 is amended...  
87 (1) Section 1 (police and crime commissioners) is amended as...  
88 In section 5 (police and crime commissioner to issue police...  
89 In section 28 (police and crime panels outside London) after...  
90 In section 66 (disqualification from election or holding office as...  
91 In Schedule 1 (police and crime commissioners) in paragraph 2...  
92 (1) Schedule 6 (police and crime panels) is amended as...  
93 In Schedule 8 (appointment, suspension and removal of senior police...

*Localism Act 2011 (c. 20)*

94 (1) The Localism Act 2011 is amended as follows.

*Public Service Pensions Act 2013 (c. 25)*

95 In Schedule 1 to the Public Service Pensions Act 2013...

*Energy Act 2013 (c. 32)*

96 In Part 3 of Schedule 9 to the Energy Act...

*Local Audit and Accountability Act 2014 (c. 2)*

97 (1) The Local Audit and Accountability Act 2014 is amended...

SCHEDULE 2 — The London Fire Commissioner

Part 1 — AMENDMENTS TO THE GREATER LONDON AUTHORITY ACT 1999

1 The Greater London Authority Act 1999 is amended as follows....  
2 In section 21 (disqualification from being the Mayor or an...  
3 In section 31(1) (limits of the Authority's general power) for...  
4 (1) Section 45 (the Mayor's periodic report to the Assembly)...  
5 (1) Section 60A (confirmation hearings etc for certain appointments  
by...  
6 (1) Section 61 (power to require attendance at Assembly meetings)...  
7 In section 67(1)(b) (power of Mayor to appoint ten members...  
8 In section 68 (disqualification and political restriction) after  
subsection (3)...  
9 In section 70 (terms and conditions of employment) after subsection...  
10 After Part 6 insert— Part 6A The London Fire Commissioner...  
11 (1) Omit Part 7 (the London Fire and Emergency Planning...  
12 In section 419(1) (bodies to be treated as local authorities...  
13 (1) Section 424(1) (interpretation) is amended as follows.  
14 (1) Schedule 4A (confirmation hearings etc for certain appointments)  
is...  
15 After Schedule 27 insert— Schedule 27A The London Fire  
Commissioner...  
16 Omit Schedule 28 (the London Fire and Emergency Planning  
Authority)...  
17 Omit Schedule 29 (amendments relating to the London Fire and...

Part 2 — AMENDMENTS TO OTHER ACTS

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*Essex County Council Act 1952 (c. 1)*

- 18 In section 80 of the Essex County Council Act 1952...

*Landlord and Tenant Act 1954 (c. 56)*

- 19 In section 69(1) of the Landlord and Tenant Act 1954...

*Local Government (Records) Act 1962 (c. 56)*

- 20 The Local Government (Records) Act 1962 is amended as follows....  
21 In section 2 (acquisition and deposit of records) in subsection...  
22 In section 8(1) (interpretation) in the definition of “local authority”...

*London Government Act 1963 (c. 33)*

- 23 The London Government Act 1963 is amended as follows.  
24 In section 5(3) (delegation of functions in Greater London) for...  
25 In section 75 (compensation for injury to or death of...

*Local Government Act 1966 (c. 42)*

- 26 In section 11 of the Local Government Act 1966 (grants...

*Leasehold Reform Act 1967 (c. 88)*

- 27 The Leasehold Reform Act 1967 is amended as follows.  
28 In section 28 (retention or resumption of land required for...  
29 In Schedule 4A (exclusion of certain shared ownership leases) in...

*Local Government Grants (Social Need) Act 1969 (c. 2)*

- 30 In section 1 of the Local Government Grants (Social Need)...

*Employers' Liability (Compulsory Insurance) Act 1969 (c. 57)*

- 31 In section 3(2)(b) of the Employers' Liability (Compulsory Insurance) Act...

*Greater London Council (General Powers) Act 1969 (c. lii)*

- 32 In section 30(ii) of the Greater London Council (General Powers)...

*Local Authorities (Goods and Services) Act 1970 (c. 39)*

- 33 In section 1 of the Local Authorities (Goods and Services)...

*Pensions (Increase) Act 1971 (c. 56)*

- 34 In Schedule 3 to the Pensions (Increase) Act 1971 (further...

*Local Government Act 1972 (c. 70)*

- 35 The Local Government Act 1972 is amended as follows.  
36 In section 70 (restriction on promotion of Bills for changing...  
37 (1) Section 100J (application of provisions about access to meetings...  
38 (1) Section 101 (arrangements for discharge of functions by local...  
39 In section 104 (disqualification for membership of committees and joint...

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- 40 In section 138 (powers of principal councils with respect to...
- 41 In section 138C(1) (other authorities to which provisions about prayer...
- 42 In section 142 (provision of information etc relating to matters...
- 43 (1) Section 146A (application of miscellaneous provisions about local authorities...
- 44 In section 175 (allowances for attending conferences and meetings) in...
- 45 In section 176 (payment of expenses of official and courtesies...
- 46 In section 222 (power of local authority to prosecute or...
- 47 For section 244A substitute— Application of this Part to the...

*Employment Agencies Act 1973 (c. 35)*

- 48 In section 13(7) of the Employment Agencies Act 1973 (activities...

*Local Government Act 1974 (c. 7)*

- 49 In section 25(1) of the Local Government Act 1974 (authorities...

*Health and Safety at Work etc Act 1974 (c. 37)*

- 50 In section 28(6) of the Health and Safety at Work...

*Local Government (Miscellaneous Provisions) Act 1976 (c. 57)*

- 51 In section 44(1) of the Local Government (Miscellaneous Provisions) Act...

*Rent (Agriculture) Act 1976 (c. 80)*

- 52 In section 5(3) of the Rent (Agriculture) Act 1976 (tenancies...

*Rent Act 1977 (c. 42)*

- 53 In section 14(1) of the Rent Act 1977 (tenancies which...

*London Hydraulic Power Act 1977 (c. xi)*

- 54 In section 3(3)(b) of the London Hydraulic Power Act 1977...

*Protection from Eviction Act 1977 (c. 43)*

- 55 In section 3A(8)(a) of the Protection from Eviction Act 1977...

*Local Government, Planning and Land Act 1980 (c. 65)*

- 56 The Local Government, Planning and Land Act 1980 is amended...
- 57 In section 2 (duty of authorities to publish information) in...
- 58 In section 98 (disposal of land at direction of Secretary...
- 59 In section 99 (disposal of land at direction of Secretary...
- 60 In section 100 (interpretation and extent of Part 10) in...
- 61 In Schedule 16 (bodies to whom Part 10 applies) for...

*Acquisition of Land Act 1981 (c. 67)*

- 62 The Acquisition of Land Act 1981 is amended as follows....
- 63 In section 7(1) (interpretation) in the definition of “local authority”...
- 64 In section 17(4) (local authority and statutory undertakers' land: interpretation)...



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*Local Government (Miscellaneous Provisions) Act 1982 (c. 30)*

- 65 The Local Government (Miscellaneous Provisions) Act 1982 is amended as...
- 66 In section 33 (enforceability by local authorities of certain covenants...
- 67 In section 41 (lost and uncollected property) in subsection (13)...
- 68 In section 45 (arrangements under Employment and Training Act 1973)...

*County Courts Act 1984 (c. 28)*

- 69 In section 60(3) of the County Courts Act 1984 (right...

*Local Government Act 1985 (c. 51)*

- 70 The Local Government Act 1985 is amended as follows.
- 71 In section 72 (accounts and audit) in subsection (5) for...
- 72 In Schedule 11 (police and fire services) in paragraph 2(4)...

*Housing Act 1985 (c. 68)*

- 73 In section 4(1)(e) of the Housing Act 1985 (other descriptions...

*Housing Associations Act 1985 (c.69)*

- 74 In section 106(1) of the Housing Associations Act 1985 (minor...

*Landlord and Tenant Act 1985 (c.70)*

- 75 In section 38 of the Landlord and Tenant Act 1985...

*Local Government Act 1986 (c. 10)*

- 76 The Local Government Act 1986 is amended as follows.
- 77 In section 6(2)(a) (meaning of “local authority” for the purposes...
- 78 In section 9(1)(a) (meaning of “local authority” for the purposes...

*Landlord and Tenant Act 1987 (c.31)*

- 79 In section 58(1) of the Landlord and Tenant Act 1987...

*Local Government Act 1988 (c. 9)*

- 80 In Schedule 2 to the Local Government Act 1988 (public...

*Housing Act 1988 (c. 50)*

- 81 The Housing Act 1988 is amended as follows.
- 82 In section 74(8) (transfer of land etc to housing action...
- 83 In Part 1 of Schedule 1 (tenancies which cannot be...

*Road Traffic Act 1988 (c. 52)*

- 84 In section 144(2)(a)(i) of the Road Traffic Act 1988 (exceptions...

*Local Government and Housing Act 1989 (c. 42)*

- 85 The Local Government and Housing Act 1989 is amended as...
- 86 In section 1(9) (meaning of politically restricted post under a...

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- 87 (1) Section 4 (designation and reports of head of paid...
- 88 (1) Section 5 (designation and reports of monitoring officer) is...
- 89 (1) Section 21 (interpretation of Part 1) is amended as...
- 90 In section 152(2) (meaning of “relevant authority” for the purposes...
- 91 In section 155(1A) (emergency financial assistance to local authorities: expenditure...

*Town and Country Planning Act 1990 (c. 8)*

- 92 The Town and Country Planning Act 1990 is amended as...
- 93 In section 252 (procedures for highways orders) in the definition...
- 94 In section 336(1) (interpretation) in the definition of “local authority”...
- 95 In Schedule 14 (procedure for footpaths and bridleways orders) in...

*London Local Authorities Act 1991 (c. xiii)*

- 96 The London Local Authorities Act 1991 is amended as follows....
- 97 In section 7 (licensing of special treatment premises: duty to...
- 98 In section 15(1) (powers of entry) for “the London Fire...

*Local Government (Overseas Assistance) Act 1993 (c. 25)*

- 99 In section 1 of the Local Government (Overseas Assistance) Act...

*London Local Authorities Act 1995 (c. x)*

- 100 In section 2 of the London Local Authorities Act 1995...

*Housing Grants, Construction and Regeneration Act 1996 (c. 53)*

- 101 In section 3(2) of the Housing Grants, Construction and Regeneration...

*Channel Tunnel Rail Link Act 1996 (c. 61)*

- 102 In Schedule 3 to the Channel Tunnel Rail Link Act...

*Crime and Disorder Act 1998 (c. 37)*

- 103 The Crime and Disorder Act 1998 is amended as follows....
- 104 In section 5(5) (authorities responsible for strategies: interpretation) in the...
- 105 In section 17(2) (duty to consider crime and disorder implications:...
- 106 In section 115(2) (disclosure of information: meaning of relevant authority)...

*Local Government Act 1999 (c. 27)*

- 107 In section 1(1) of the Local Government Act 1999 (best...

*Freedom of Information Act 2000 (c. 36)*

- 108 In Part 2 of Schedule 1 to the Freedom of...

*Courts Act 2003 (c. 39)*

- 109 (1) Section 41 of the Courts Act 2003 (disqualification of...

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*Fire and Rescue Services Act 2004 (c. 21)*

- 110 The Fire and Rescue Services Act 2004 is amended as...
- 111 In section 1(2) (fire and rescue authorities in England) in...
- 112 In section 5A(3) (powers of certain fire and rescue authorities:...
- 113 In section 5B (boundaries of power under section 5A) after...

*Local Government and Public Involvement in Health Act 2007 (c. 28)*

- 114 In section 104 of the Local Government and Public Involvement...

*Crossrail Act 2008 (c. 18)*

- 115 In Schedule 3 to the Crossrail Act 2008 (stopping-up of...

*Equality Act 2010 (c. 15)*

- 116 In Part 1 of Schedule 19 to the Equality Act...

*Police Reform and Social Responsibility Act 2011 (c. 13)*

- 117 In section 66 of the Police Reform and Social Responsibility...

*Localism Act 2011 (c. 20)*

- 118 The Localism Act 2011 is amended as follows.
- 119 In section 27 (duty to promote and maintain high standards...
- 120 In section 43(1) (meaning of “relevant authority” for purposes of...

*Energy Act 2013 (c. 32)*

- 121 In Part 3 of Schedule 9 to the Energy Act...

*Local Audit and Accountability Act 2014 (c. 2)*

- 122 (1) The Local Audit and Accountability Act 2014 is amended...

*Consequential repeals*

- 123 In consequence of the amendments made by this Schedule the...

SCHEDULE 3 — Schedule to be inserted as Schedule A3 to the Fire and Rescue Services Act 2004

SCHEDULE 4 — Amendments consequential on the amended definition of police complaint

- 1 The Police Reform Act 2002 is amended as follows.
- 2 In section 10 (general functions of the Independent Police Complaints...
- 3 (1) Section 16 (payment for assistance with investigations) is amended...
- 4 In section 21 (duty to provide information for other persons),...
- 5 In section 23 (regulations), in subsection (2)(a), in the words...
- 6 (1) Section 29 (interpretation of Part 2) is amended as...
- 7 (1) Part 1 of Schedule 3 (handling of complaints) is...
- 8 (1) Part 3 of Schedule 3 (investigations and subsequent proceedings)...

SCHEDULE 5 — Complaints, conduct matters and DSI matters: procedure  
Part 1 — RECORDING AND REFERENCE OF COMPLAINTS

*Status: Point in time view as at 15/12/2017.*

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- 1 Part 1 of Schedule 3 to the Police Reform Act...
- 2 (1) Paragraph 2 (initial handling and recording of complaints) is...
- 3 Omit paragraph 3 (failures to notify or record a complaint)...
- 4 (1) Paragraph 4 (reference of complaints to the Commission) is...  
Part 2 — HANDLING OF COMPLAINTS
- 5 Part 1 of Schedule 3 to the Police Reform Act...
- 6 (1) Paragraph 6 (handling of complaints by the appropriate authority)...
- 7 Omit paragraph 7 (disapplication of requirements of Schedule) and the...
- 8 Omit paragraph 8 (local resolution of complaints) and the italic...  
Part 3 — INVESTIGATIONS AND SUBSEQUENT PROCEEDINGS
- 9 Schedule 3 to the Police Reform Act 2002 (handling of...)
- 10 (1) Paragraph 5 (duties of Commission on references under paragraph...)
- 11 In paragraph 6 (handling of complaints by the appropriate authority),...
- 12 In paragraph 13 (reference of conduct matters to the Commission),...
- 13 (1) Paragraph 14 (duties of Commission on references under paragraph...)
- 14 (1) Paragraph 14D (duties of Commission on references under paragraph...)
- 15 (1) Paragraph 15 (power of the Commission to determine the...)
- 16 (1) Paragraph 16 (investigations by the appropriate authority on its...)
- 17 Omit paragraph 17 (investigations supervised by the Commission) and the...
- 18 In the italic heading before paragraph 18, for “managed” substitute...
- 19 (1) Paragraph 18 (investigations managed by the Commission) is amended...
- 20 In paragraph 19 (investigations by the Commission itself), in sub-paragraph...
- 21 For paragraphs 19A to 19E (special procedure where investigation relates...)
- 22 (1) Paragraph 19F (interview of persons serving with the police...)
- 23 For paragraphs 20A to 20I (accelerated procedure in special cases)...
- 24 Omit paragraph 21 (power to discontinue an investigation) and the...
- 25 (1) Paragraph 21A (procedure where conduct matter is revealed during...)
- 26 (1) Paragraph 23 (action by the Commission in response to...)
- 27 (1) Paragraph 24 (action by the appropriate authority in response...)
- 28 In paragraph 24A (final reports on investigations: other DSI matters),...  
Part 4 — REVIEWS
- 29 Schedule 3 to the Police Reform Act 2002 (handling of...)
- 30 In paragraph 4 (reference of complaints to the Commission), after...
- 31 After paragraph 6 insert— Reviews relating to complaints dealt with...
- 32 Omit paragraph 8A (appeals relating to complaints dealt with other...)
- 33 In the italic heading before paragraph 25, for “Appeals” substitute...
- 34 (1) Paragraph 25 (appeals with respect to an investigation) is...
- 35 After paragraph 25 insert— Information for complainant about disciplinary recommendations...
- 36 For the italic heading before paragraph 26, substitute “ Re-investigations... ”
- 37 (1) Paragraph 26 (reviews and re-investigations following an appeal) is...
- 38 In the italic heading before paragraph 30—
- 39 (1) Paragraph 30 (appeals: the relevant appeal body) is amended...
- 40 For paragraph 31 (appeal made to the Commission in error)...

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- 41 For paragraph 32 (appeal made to appropriate authority in error)...
- 42 In section 15 of the Police Reform Act 2002 (general...
- 43 In section 16 of the Police Reform Act 2002 (payment...
- 44 In section 18 of the Police Reform Act 2002 (inspections...  
Part 5 — RECOMMENDATIONS BY THE COMMISSION AND LOCAL POLICING BODIES
- 45 In Part 3 of Schedule 3 to the Police Reform...
- 46 In consequence of the insertion of paragraph 28ZA, in paragraph...  
Part 6 — CONSEQUENTIAL AMENDMENTS
- 47 In the Police Reform Act 2002— (a) in section 15—...
- 48 In the Serious Organised Crime and Police Act 2005—
- 49 In the Police and Justice Act 2006, in Part 7...
- 50 In the Criminal Justice and Immigration Act 2008, in Schedule...
- 51 In the Police Reform and Social Responsibility Act 2011—
- 52 In the Police (Complaints and Conduct) Act 2012, omit section...
- 53 In the Crime and Courts Act 2013, in Part 2...
- 54 In the Anti-social Behaviour, Crime and Policing Act 2014, in...

SCHEDULE 6 — Schedule to be inserted as Schedule 3A to the Police Reform Act 2002

SCHEDULE 7 — Disciplinary proceedings: former members of MoD Police, British Transport Police and Civil Nuclear Constabulary

*Ministry of Defence Police Act 1987 (c. 4)*

- 1 The Ministry of Defence Police Act 1987 is amended as...
- 2 (1) Section 3A (regulations relating to disciplinary matters) is amended...
- 3 In section 4 (representation etc at disciplinary proceedings), in subsection...
- 4 In section 4A (appeals against dismissal etc), in subsection (1)(a),...
- 5 Regulations made in pursuance of section 3A(1B) of the Ministry...

*Railways and Transport Safety Act 2003 (c. 20)*

- 6 The Railways and Transport Safety Act 2003 is amended as...
- 7 In section 36 (police regulations: general), after subsection (1) insert —...
- 8 In section 37 (police regulations: special constables), after subsection (1)...
- 9 In section 42 (police regulations by Secretary of State), in...
- 10 Regulations made under section 36, 37 or 42 of the...

*Energy Act 2004 (c. 20)*

- 11 The Energy Act 2004 is amended as follows.
- 12 In section 58 (government, administration and conditions of service of...
- 13 (1) In Schedule 13 (directions by Secretary of State about...
- 14 Provision made by the Civil Nuclear Police Authority that relates...

SCHEDULE 8 — Part to be inserted as Part 4A of the Police Act 1996

SCHEDULE 9 — Independent Office for Police Conduct

*Status: Point in time view as at 15/12/2017.*

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## Part 1 — AMENDMENTS TO SCHEDULE 2 TO THE POLICE REFORM ACT 2002

### *Introductory*

- 1 Schedule 2 to the Police Reform Act 2002 is amended...

### *Director General*

- 2 (1) Paragraph 1 (chairman) is amended as follows.

### *Appointment etc of members*

- 3 After paragraph 1 insert— Appointment of members (1) The non-executive members of the Office are to be...  
4 (1) Paragraph 2 (ordinary members of the Commission) is amended...  
5 After paragraph 2 insert— Terms of appointment etc: employee members...  
6 Omit paragraph 3 (deputy chairmen) (including the italic heading before...  
7 Omit paragraph 5 (chief executive) (including the italic heading before...

### *Vacancy or incapacity in office of Director General*

- 8 After paragraph 3 insert— Director General: vacancy or incapacity (1) This paragraph applies if— (a) the office of Director...

### *Remuneration arrangements*

- 9 (1) Paragraph 4 (remuneration, pensions etc of members) is amended...

### *Staff*

- 10 (1) Paragraph 6 (staff) is amended as follows.

### *Delegation of functions*

- 11 After paragraph 6 insert— Delegation of functions (1) The Director General may authorise a person within sub-paragraph...

### *Protection from personal liability*

- 12 After paragraph 7 insert— Liability for acts of the Director...

### *Regional offices*

- 13 For paragraph 9 (power of Commission to set up regional...

### *Proceedings*

- 14 In paragraph 10 (proceedings), after sub-paragraph (1) insert—  
Part 2 — MINOR AND CONSEQUENTIAL AMENDMENTS TO THE POLICE REFORM ACT 2002  
15 The Police Reform Act 2002 is amended in accordance with...  
16 For the italic heading before section 9, substitute “ The...  
17 (1) Section 10 (general functions of the Commission) is amended...  
18 (1) Section 11 (reports to the Secretary of State) is...

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- 19 In section 12 (complaints, matters and persons to which Part...
- 20 (1) Section 13B (power of the Commission to require re-investigation)...
- 21 (1) Section 15 (general duties of local policing bodies, chief...
- 22 (1) Section 16 (payment for assistance with investigations) is amended...
- 23 (1) Section 17 (provision of information to the Commission) is...
- 24 (1) Section 18 (inspections of police premises on behalf of...
- 25 (1) Section 19 (use of investigatory powers by or on...
- 26 (1) Section 20 (duty to keep complainant informed) is amended...
- 27 (1) Section 21 (duty to provide information for other persons)...
- 28 In section 21A (restriction on disclosure of sensitive information) (as...
- 29 In section 21B (provision of sensitive information to the Commission...
- 30 (1) Section 22 (power of the Commission to issue guidance)...
- 31 (1) Section 23 (regulations) is amended as follows.
- 32 In section 24 (consultation on regulations), for paragraph (a) substitute  
—...
- 33 In section 26 (forces maintained otherwise than by local policing...
- 34 In section 26BA (College of Policing), for “Commission”, in both...
- 35 (1) Section 26C (the National Crime Agency) is amended as...
- 36 (1) Section 26D (labour abuse prevention officers) is amended as...
- 37 (1) Section 27 (conduct of the Commission's staff) is amended...
- 38 (1) Omit section 28 (transitional arrangements in connection with  
establishing...
- 39 (1) Section 28A (application of Part 2 to old cases)...
- 40 (1) Section 29 (interpretation of Part 2) is amended as...
- 41 In section 29C (regulations about super-complaints) (as inserted by  
this...
- 42 (1) Section 29D (power to investigate concerns raised by whistle-  
blowers)...
- 43 (1) Section 29E (Commission's powers and duties where it decides...
- 44 (1) Section 29F (special provision for “conduct matters”) (as inserted...
- 45 (1) Section 29G (special provision for “DSI matters”) (as inserted...
- 46 (1) Section 29H (Commission's powers and duties where whistle-blower  
is...
- 47 In section 29I (duty to keep whistle-blowers informed) (as inserted...
- 48 In section 29J (protection of anonymity of whistle-blowers) (as  
inserted...
- 49 In section 29K (other restrictions on disclosure of information) (as...
- 50 In section 29L (application of provisions of Part 2) (as...
- 51 In section 29M (regulation-making powers: consultation) (as inserted by  
this...
- 52 In section 29N (interpretation) (as inserted by this Act), in...
- 53 In section 36 (conduct of disciplinary proceedings), in subsection (1)  
(a)...
- 54 In section 105 (powers of Secretary of State to make...
- 55 (1) Schedule 2 (the Independent Police Complaints Commission) is  
amended...
- 56 (1) Schedule 3 is amended as follows.
- 57 (1) Schedule 3 is further amended as follows (but an...
- 58 (1) Schedule 3A (whistle-blowing investigations: procedure) (as  
inserted by this...

Part 3 — OTHER MINOR AND CONSEQUENTIAL AMENDMENTS

*Status: Point in time view as at 15/12/2017.*

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*Superannuation Act 1972 (c. 11)*

59 In Schedule 1 to the Superannuation Act 1972—

*House of Commons Disqualification Act 1975 (c. 24)*

60 In Part 2 of Schedule 1 to the House of...

*Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

61 In Part 2 of Schedule 1 to the Northern Ireland...

*Police Pensions Act 1976 (c. 35)*

62 In section 11 of the Police Pensions Act 1976 (interpretation),...

*Ministry of Defence Police Act 1987 (c. 4)*

63 (1) The Ministry of Defence Police Act 1987 is amended...

*Aviation and Maritime Security Act 1990 (c. 31)*

64 In section 22 of the Aviation and Maritime Security Act...

*Police Act 1996 (c. 16)*

65 (1) The Police Act 1996 is amended as follows.

*Freedom of Information Act 2000 (c. 36)*

66 In Part 6 of Schedule 1 to the Freedom of...

*Fire and Rescue Services Act 2004 (c. 21)*

67 In section 4K of the Fire and Rescue Services Act...

*Commissioners for Revenue and Customs Act 2005 (c. 11)*

68 (1) The Commissions for Revenue and Customs Act 2005 is...

*Police and Justice Act 2006 (c. 48)*

69 (1) In section 41 of the Police and Justice Act...

*Local Democracy, Economic Development and Construction Act 2009 (c. 20)*

70 In section 107EE of the Local Democracy, Economic Development and...

*Coroners and Justice Act 2009 (c. 25)*

71 In section 47 of the Coroners and Justice Act 2009...

*Equality Act 2010 (c. 15)*

72 In Part 1 of Schedule 19 to the Equality Act...

*Police Reform and Social Responsibility Act 2011 (c. 13)*

73 (1) The Police Reform and Social Responsibility Act 2011 is...



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### *Investigatory Powers Act 2016*

74 (1) The Investigatory Powers Act 2016 is amended as follows....

SCHEDULE 10 — Schedule to be inserted as Schedule 3B to the Police Reform Act 2002

SCHEDULE 11 — Schedule to be inserted as Schedule 3C to the Police Reform Act 2002

SCHEDULE 12 — Powers of civilian staff and volunteers: further amendments

#### Part 1 — AMENDMENTS OF THE POLICE REFORM ACT 2002

- 1 (1) Section 38B (police powers for civilian employees under collaboration...
- 2 (1) Section 42 (supplementary provisions relating to designations and accreditations)...
- 3 Omit section 45 (code of practice relating to chief officers'...
- 4 In section 105 (powers of Secretary of State to make...
- 5 (1) Schedule 4 is amended as follows.

#### Part 2 — OTHER AMENDMENTS

- 6 (1) Schedule 1 to the Representation of the People Act...
- 7 (1) The Police and Criminal Evidence Act 1984 is amended...
- 8 In the Road Traffic Act 1988, in section 144 (exceptions...
- 9 In the Road Traffic Offenders Act 1988, in section 79...
- 10 (1) The Police Act 1996 is amended as follows.
- 11 In the Crime and Disorder Act 1998, in section 66H...
- 12 In the Representation of the People Act 2000, in Schedule...
- 13 In the Terrorism Act 2000, in section 47AE (effect of...
- 14 In the Private Security Industry Act 2001, in Schedule 2...
- 15 In the Anti-social Behaviour Act 2003 omit the following—
- 16 (1) The Criminal Justice Act 2003 is amended as follows....
- 17 (1) Section 28 of the Railways and Transport Safety Act...
- 18 In the Serious Organised Crime and Police Act 2005—
- 19 In the Violent Crime Reduction Act 2006, omit section 24(6)...
- 20 In the Education and Inspections Act 2006, omit the following—...
- 21 (1) The Police and Justice Act 2006 is amended as...
- 22 In the Local Government and Public Involvement in Health Act...
- 23 In the UK Borders Act 2007, omit section 47.
- 24 In the Local Transport Act 2008, in Schedule 4, omit...
- 25 In the Local Democracy, Economic Development and Construction Act 2009,...
- 26 In the Policing and Crime Act 2009, in Schedule 7,...
- 27 In the Police Reform and Social Responsibility Act 2011, in...
- 28 In the Protection of Freedoms Act 2012, in Schedule 9,...
- 29 In the Legal Aid, Sentencing and Punishment of Offenders Act...
- 30 In the Local Government Byelaws (Wales) Act 2012 (anaw 2),...
- 31 In the Anti-social Behaviour, Crime and Policing Act 2014, omit...
- 32 In the Psychoactive Substances Act 2016, in Schedule 5, omit...

#### Part 3 — MINOR CORRECTING AMENDMENTS

- 33 (1) The Police Reform Act 2002 is amended as follows....

SCHEDULE 13 — Abolition of office of traffic warden

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*Chronically Sick and Disabled Persons Act 1970 (c.44)*

- 1 In section 21 of the Chronically Sick and Disabled Persons...

*Aviation Security Act 1982 (c.36)*

- 2 In section 29 of the Aviation Security Act 1982 (control...

*Road Traffic Offenders Act 1988 (c.53)*

- 3 In Schedule 2 to the Road Traffic Offenders Act 1988...

*Greater London Authority Act 1999 (c.29)*

- 4 In the Greater London Authority Act 1999, omit section 290...

*Police Reform Act 2002 (c.30)*

- 5 In the Police Reform Act 2002, omit section 44 (removal...

*Police Reform and Social Responsibility Act 2011 (c.13)*

- 6 In Schedule 16 to the Police Reform and Social Responsibility...

SCHEDULE 14 — Removal of references to ACPO

*Replacement of definition of ACPO with definition of NPCC*

- 1 (1) Section 101(1) of the Police Act 1996 is amended...

*Repeal of references to ACPO*

- 2 (1) The Police Reform Act 2002 is amended as follows....  
3 (1) The Police and Justice Act 2006 is amended as...

*Substitution of references to NPCC for references to ACPO*

- 4 In each of the provisions listed in paragraph 5 for...  
5 The provisions mentioned in paragraph 4 are—  
6 In each of the provisions listed in paragraph 7 for...  
7 The provisions mentioned in paragraph 6 are—

SCHEDULE 15 — Schedule to be inserted as Schedule 7A to the Criminal Justice and Public Order Act 1994

SCHEDULE 16 — Schedule to be inserted as Schedule 7B to the Criminal Justice and Public Order Act 1994

SCHEDULE 17 — Cross-border enforcement: minor and consequential amendments  
Part 1 — AMENDMENTS OF PART 10 OF THE CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994

- 1 Part 10 of the Criminal Justice and Public Order Act...

*Powers of constables of PSNI etc under section 137*

- 2 (1) Section 137 (cross-border powers of arrest etc.) is amended...  
3 In section 138 (powers of arrest: supplementary provisions), omit subsections...

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*Powers to search premises under section 139*

- 4 (1) Section 139 (search powers available on arrests under sections...

*Reciprocal powers of arrest - minor correction*

- 5 In section 140 (reciprocal powers of arrest)—

*References to the British Transport Commission Act 1949 - updating*

- 6 In each of the following places, for references to “section...

*Other amendments*

- 7 (1) Section 136 (execution of warrants) is amended as follows....  
8 (1) Section 137 (cross-border powers of arrest etc.) is amended...

Part 2 — AMENDMENTS OF OTHER LEGISLATION

*Finance Act 2007 (c.11)*

- 9 (1) Section 87 of the Finance Act 2007 (cross-border exercise...

*Crime and Courts Act 2013 (c.22)*

- 10 (1) In Schedule 21 to the Crime and Courts Act...

SCHEDULE 18 — Late night levy requirements

- 1 Chapter 2 of Part 2 of the Police Reform and...  
2 (1) Section 126 (“relevant late night authorisation” and related definitions)...  
3 (1) Section 127 (liability to pay late night levy) is...  
4 (1) Section 128 (amount of late night levy) is amended...  
5 (1) Section 129 (payment and administration of the levy) is...  
6 (1) Section 130 (net amount of levy payments) is amended...  
7 (1) Section 131 (application of net amount of levy payments)...  
8 (1) Section 132 (introduction of late night levy requirement) is...  
9 (1) Section 133 (amendment of late night levy requirement) is...  
10 (1) Section 134 (introduction or variation of late night levy...  
11 (1) Section 135 (permitted exemption and reduction categories) is amended...  
12 After section 136 insert— Late night levy: requests by relevant...  
13 (1) Section 137 (interpretation) is amended as follows.

SCHEDULE 19 — Amendments where NCA is party to police collaboration agreement

*Police Act 1997 (c. 50)*

- 1 (1) Section 93 of the Police Act 1997 (authorisations to...

*Regulation of Investigatory Powers Act 2000 (c. 23)*

- 2 The Regulation of Investigatory Powers Act 2000 is amended as...  
3 (1) Section 29 (authorisation of covert human intelligence sources) is...  
4 After section 29 insert— Section 29: supplementary provision in relation...  
5 (1) Section 33 (rules for grant of authorisations) is amended...

*Status: Point in time view as at 15/12/2017.*

*Changes to legislation: Policing and Crime Act 2017 is up to date with all changes known to be in force on or before 26 March 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)*

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6 After section 33 insert— Section 33: further provision in cases...

**Status:**

Point in time view as at 15/12/2017.

**Changes to legislation:**

Policing and Crime Act 2017 is up to date with all changes known to be in force on or before 26 March 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.